

FINAL

**ENVIRONMENTAL
IMPACT REPORT
FOR THE SPRING
TRAILS SPECIFIC
PLAN**

SCH NO. 2009111086

prepared for:

**CITY OF SAN
BERNARDINO**

Contact:
Tony Stewart

prepared by:

**THE PLANNING
CENTER | DC&E**

Contact:
JoAnn C. Hadfield
Principal, Environmental
Services

OCTOBER 2012

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**CITY OF SAN
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*Community Development Department
300 North "D" Street
San Bernardino, CA 92418
Tel: 909.384.5057 • Fax: 909.384.5080
Stewart_To@sbcity.org*

*Contact:
Tony Stewart*

prepared by:

**THE PLANNING
CENTER | DC&E**

*3 MacArthur Place, Suite 1100
Santa Ana, CA 92707
Tel: 714.966.9220 • Fax: 714.966.9221
E-mail: information@planningcenter.com
Website: www.planningcenter.com*

*Contact:
JoAnn C. Hadfield
Principal, Environmental
Services*

MEL-01.0E

OCTOBER 2012

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1. *Introduction*

1.1 **INTRODUCTION**

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

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

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

This document contains responses to comments received on the Draft EIR for the Spring Trails Specific Plan project during the public review period, which began July 29, 2011, and closed September 12, 2011. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. This document and the circulated Draft EIR comprise the FEIR, in accordance with CEQA Guidelines, Section 15132.

1.2 **FORMAT OF THE FEIR**

This document is organized as follows:

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

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the Draft EIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number (A-1 through A-11 for letters received from agencies and organizations, and R-1 through R-41 for letters received from residents). Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

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

The responses to comments contain material and revisions that will be added to the text of the FEIR. The City of San Bernardino staff has reviewed this material and determined that none of this material

1. Introduction

constitutes the type of significant new information that requires recirculation of the Draft EIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

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

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

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

2. *Response to Comments*

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

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

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

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

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
Agencies & Organizations			
A1	California Department of Fish and Game	September 12, 2011	2-3
A2	California Department of Transportation	September 21, 2011	2-17
A3	California Regional Water Quality Control Board	September 8, 2011	2-21
A4	Center for Biological Diversity	September 12, 2011	2-27
A5	County of San Bernardino Department of Public Works	September 1, 2011	2-45
A6	Department of the Army Corps of Engineers	August 17, 2011	2-51
A7	Devore Rural Protection Association	September 10, 2011	2-57
A8	Local Agency Formation Commission	September 12, 2011	2-61
A9	Native American Heritage Commission	August 25, 2011	2-65
A10	Omnitrans	August 24, 2011	2-71
A11	San Bernardino Valley Audubon Society	September 11, 2011	2-77
A12	South Coast Air Quality Management District	September 9, 2011	2-89
Residents			
R1	Form Letter – submitted by the following individuals: (all of San Bernardino, CA 92407 unless otherwise noted) <ul style="list-style-type: none"> • Brandt, Gary & ?, 4119 W. Meyers Road, • Chapin, Leann, 4113 W. Meyers Road • Chun?, Du W., 18535 Grandview Avenue • Cranford, Kerry, 3260 Greystone Road • Garrison, Christine, 5694 North G Street • Garrison, Ronnie, 5694 North G Street • Helt, Alaina, 18558 Santa Fe Avenue • Helt, John, 22592 Mariam Way, Grand Terrace, CA 92313-5214 • Helt, Steve, 18558 Santa Fe Avenue • Hughes, Robert?, 18525 Grandview Avenue • Larson, Tonya, Address? 	September 9, 2011 September 8, 2011 September 10, 2011 September 8, 2011 September 10, 2011 September 10, 2011 September 10, 2011 September 10, 2011 September 10, 2011 September 10, 2011 September 11, 2011 September 10, 2011	2-97



2. Response to Comments

Number Reference	Commenting Person/Agency	Date of Comment	Page No.
	<ul style="list-style-type: none"> • Lloyd, Terry, 18858 Cajon Blvd., • Lyman, Andy, 1660 Cable Lane • Martinez, Ray?, 1675 Deercrest Drive • Martinez, Susan L., 1675 Deercrest Drive • M, Cyn?, 18510 Santa Fe Avenue • Minor, Lawrence?, 18533 Santa Fe Avenue • Minor, Teri, 18533 Santa Fe Avenue • Montgomery, William S., 3284 Greystone Road • Onken, James R., 3985 W. Meyers Road • Payne, Nicole M., 3985 W. Meyers Road • Payne, Shelly M., 3985 W. Meyers Road • Potter, Arlean C., 3783 W. Meyers Road • Romero, Karina, 3284 Greystone Road • Sims, Ronald E., 18557 Santa Fe Avenue • Sims, Shani R., 18557 Santa Fe Avenue • Wade, Mike, 6758 Ventura 	September 11, 2011 September 8, 2011 September 11, 2011 September 11, 2011 September 11, 2011 September 11, 2011 September 11, 2011 September 11, 2011 No date No date No date September 12, 2011 September 11, 2011 September 11, 2011 September 11, 2011 September 11, 2011	
R2	Behrens, Edward- list address for all	September 12, 2011	2-111
R3	Casas, Denise	September 11, 2011	2-117
R4	Casas, Pascual	September 11, 2011	2-121
R5	Cranford, Kerry (letter 1)	September 9, 2011	2-125
R6	Heyman, Martin and Gwen	September, 2011	2-129
R7	Kaplan, Lynette McLean and Richard	September 11, 2011	2-133
R8	Kirtley, Troy and Patricia, Gloria Evans, and James V. Quiroz	September 11, 2011	2-147
R9	Mitchell, Hank	September 1, 2011	2-155
R10	Mitchell, Kevin	September 12, 2011	2-165
R11	O'Neill, Stephen, Judy, and Jennifer	No date	2-169
R12	Potter, Arlean C (Letter 1)	No date	2-175
R13	Rodrick, Corilyn	September 9, 2011	2-181
R14	Smith, Carol S.	September 9, 2011	2-185
R15	Signature list of opposing persons	No date	2-189

? = Name is best guess or illegible

2. Response to Comments

LETTER A1 – California Department of Fish and Game (8 pages)

	<p>California Natural Resources Agency DEPARTMENT OF FISH AND GAME http://www.dfg.ca.gov Inland Deserts Region 3602 Inland Empire Blvd., Suite C-200 Ontario, CA 91764 (909) 484-0167</p>	<p>EDMUND G. BROWN JR., Governor CHARLTON H. BONHAM, Director</p>	
<p>September 12, 2011</p>	<p>RECEIVED SEP 14 2011 CITY OF SAN BERNARDINO DEVELOPMENT SERVICES DEPARTMENT</p>		
<p>Terri Rahal, City Planner Community Development Department City of San Bernardino 300 North "D" Street San Bernardino, CA 92418</p>			
<p>Re: Draft Environmental Impact Report for the Spring Trails Specific Plan City of San Bernardino, County of San Bernardino, SCH #2009111086</p>			
<p>Dear Ms. Rahal:</p>			
<p>The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report for the Spring Trails Specific Plan. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 <i>et seq.</i>) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1).</p>			
<p>For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.</p>			
<p>A1-1</p>			
<p>The proposed project consists of the development of 307 single-family lots on 352.8 acres in the unincorporated area of the foothills of the San Bernardino Mountains. Also involved are two new access roads, 9 acres of parks, 125.1 acres of slopes and fuel modification zones and 111.3 acres of natural open space. The site is located south and east of the community of Devore and extends northward from Meyers Road into the San Bernardino National Forest.</p>			
<p><u>Foothill Development</u></p>			
<p>The foothills, canyons and riparian areas of San Bernardino County are critical to the preservation of many threatened and endangered species and species of special concern. This is because flatland and alluvial fan areas of the southern part of the County have been or are being rapidly and intensively developed to the detriment of native species. This fact</p>			
<p><i>Conserving California's Wildlife Since 1870</i></p>			

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leads the Department to conclude that conservation of foothill sites and riparian areas that about the National Forest are necessary for the survival of many of these sensitive species in San Bernardino County, including those listed in this comment letter. Simply conserving the mountains will not ensure conservation of native species. Chapter IV(a) of the County of San Bernardino 2007 General Plan Update discusses the Valley Region and states: "This Region is urbanized with few existing natural open space areas." Page 6-22 of the County's Conservation Element states "...impacts to [Valley chaparral habitats] should be avoided wherever possible."

A1-1
cont'd

The DEIR discusses the biological resources of the site in the context of southern California. The County of San Bernardino has no jurisdiction over Riverside, Orange or L.A. counties and cannot rely on the conservation of resources in these areas. The County of San Bernardino has jurisdiction over lands within the County and an assessment of natural resources such as Riversidean Alluvial Fan Sage Scrub (RAFSS), Riversidean Sage Scrub (RSS), and species of special concern should be considered in the context of the Valley Region of the County. The FEIR should include an assessment of the importance of this site in the context of the status of species of special concern, i.e., remaining intact areas of RAFSS and RSS, major wildlife corridors, existing conserved areas and an assessment of the trend of the development of remaining foothill open space areas within the County of San Bernardino.

A1-2

A1-3

The foothill ravines and drainages provide cover, food and water for resident native species, including deer, mountain lion, bobcat, and coyote. These drainages often provide the only sources of water for native wildlife. Due to microclimate differences and the presence of water, the foothill drainages and ravines are the most densely populated and diverse wildlife areas in this region and provide a major source of food and water. For this reason the Department advocates the conservation of existing, remaining riparian drainages in the foothill areas. Development into the foothills also increases the risk of predation of domestic animals by top predators, such as mountain lions, bobcats and coyotes and this creates additional burdens on Department Wardens. The Department routinely deals with inquiries regarding wildlife-human interface conflicts and often has to respond in person, thus incurring additional expenses and diverting staff and resources away from conservation and law enforcement activities. The DEIR proposes that the future Housing CC&Rs will include measures regarding keeping dogs on leashes and cats in yards, however, this type of agreement is very difficult to enforce. The Department recommends alternate mitigation measures, including a barrier between development and the Cable Creek area. In addition to the presence of domestic dogs and cats, residential subdivisions also attract raccoons, skunks, rabbits, squirrels and other small animals that constitute a major source of food for top predators. This potential predator issue should be thoroughly addressed.

A1-4

A1-5

The proposed development represents an extension and intensification of residential development into the foothills. There is no development north, east and west of the site. Typically, the cost of developing in foothills is much more than developing on relatively flat land, because of increased grading and infrastructure costs. Normally development in steep foothill and canyon areas are designated for one residential unit per 5, 10, 20 or even 40 acre lots. Although there are residential projects below the project site there are none to the north, east or west.

A1-6

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Impacts to Species

Biological assessments were conducted between 1998 and 2009. Biological Resource Assessments for the project site include the following: General Biological Resources Assessment Update, Martin Ranch Property in 2004; Rare Plant Survey Letter Report in 2009; Biological Resources Assessment and Report for the Martin Ranch in 1998; a Biological Technical Report Update in 2002, and a Biological Technical Report: Proposed Secondary Access Road in 2002.

A1-7

Focused biological surveys were conducted between 1998 and 2009 for the following species: Least Bell's Vireo and Southwestern Willow Flycatcher Focused Survey Report, 2007; San Bernardino Kangaroo Rat Presence/Absence Trapping Surveys in 2009, Results of a Live Trapping Survey for the Federally Endangered San Bernardino Kangaroo Rat on the Secondary Access Route in 2002, and Results of Focused Presence/Absence Surveys for the Coast California Gnatcatcher in 2002.

The Department advises that any biological habitat assessments or walkovers be conducted within a year of distribution of the CEQA document. A thorough assessment of rare plants and rare natural communities, following the Department's November 2009 guidance for Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. The guidance document can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf

A1-8

Habitat assessments that identify the possibility of listed, threatened or endangered plants or animals should also provide the results of any focused surveys in the CEQA document. CEQA documents that rely on future surveys or regulatory compliance (with the exception of pre-construction surveys for burrowing owl or bird nests) as mitigation may not satisfy the Department's obligations under CEQA and may require future supplemental documents processed via CEQA.

A1-9

Sensitive habitats on the site include: 2.1 acres of California Walnut Woodland, .4 acres of Canyon Live Oak Woodland, 19.2 acres of chaparral, 11.4 acres of nonnative grassland, 86.9 acres of northern mixed chaparral, 4.4 acres of RAFSS, 168.4 acres of RSS Sage Scrub, 19.8 acres of RSS Sage Scrub/California Walnut Woodland, 25.4 acres of Southern Sycamore-Alder Riparian Woodland, 1.6 acres of Southern Willow Scrub and, 7.4 acres of southern Willow Scrub/California Walnut Woodland, and 7.5 acres of Sycamore Alluvial Woodland.

The site has a moderate to present probability of four state or federal endangered (E) or threatened (T) species, 26 species of special concern (SSC), and 8 foraging species of special concern.

A1-10

Sensitive species on the site include: Plummer's mariposa lily, California black walnut, ocellated Humboldt lily, Los Angeles pocket mouse (SSC), San Diego desert woodrat (SSC), Northwestern San Diego pocket mouse (SSC), least Bell's vireo (S/F Endangered), Bell's sage Sparrow (SSC), southern California rufous-crowned sparrow (SSC), Lawrence's goldfinch, sharp-shinned hawk (SSC), coastal western whiptail, and San Diego horned lizard (SSC).

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Species that have moderate or high potential to occur on the site include: American badger, California leaf-nosed bat (SSC), Occult little brown bat (SSC), pallid San Diego pocket mouse, San Diego black-tailed jackrabbit (SSC), San Bernardino kangaroo rat (FE), ring-tailed cat (SSC), southwestern willow flycatcher (FE, SE), black-chinned sparrow, loggerhead shrike (SSC), yellow-breasted chat (SSC), yellow warbler (SSC), California glossy snake (SSC), California silvery legless lizard (SSC), coast patch-nosed snake, rosy boa (SSC), San Bernardino mountain kingsnake (SSC), San Diego banded gecko (SSC), two-striped garter snake (SSC), and yellow-blotched salamander (SSC).

Animals that may use the site for foraging include: chipping sparrow (SSC), Cooper's hawk (SSC), Ferruginous hawk (SSC), golden eagle (SSC), Merlin (SSC), northern harrier (SSC), prairie falcon (SSC), white-tailed kite (SSC), and Swainson's hawk (SSC).

Other animals found on-site include: coyote, bobcat, mountain lion, mule deer, black bear, deer mouse, California mouse, cactus mouse, dusky-footed woodrat, arroyo southwestern toad, great horned owl, turkey vulture, red-tailed hawk, red-shouldered hawk, American kestrel and

The project site contains only three percent of non-native vegetation. The remainder of the project is high quality habitat, including RSS, RAFSS, southern willow riparian, black walnut trees, Mexican elderberry, mulefat, canyon oak, Bay laurel, narrow leaf cottonwood, a year-round source of water, surrounded on three sides by native habitat, adjacency to San Bernardino National Forest lands, critical habitat for SBKR and a nursery site for mule deer. The site functions as a wildlife corridor and supports mountain lions, coyotes, deer and bear. If the deer persist in Cable Creek and the site in general future development will be subject to potential predation by top predators.

A1-10
cont'd

The proposed impacts are as follows:

1. Potential removal of 100-300 mariposa lily plants;
2. Loss of San Bernardino kangaroo rat designated Critical Habitat;
3. Overall loss of 265.2 acres of high quality natural habitat;
4. Loss of 26.4 acres of riparian habitat;
5. Loss of 168 acres of RSS;
6. Loss of 4.4 acres of RAFSS;
7. Loss of 1 acre of Southern willow scrub (SWS);
8. Loss of 6 acres of SWS and black walnut
9. Loss of 350-600 walnut trees, 2.1 acres and 31.6 acres of mixed habitat; walnut trees;
10. Loss of 2.0 acres of sycamore habitat;
11. Loss of springs;
12. Loss of numerous State species of special concern;
13. Loss of a significant wildlife corridor;
14. Loss of a mule deer nursery;
15. Loss of a 6.2 ac seasonal wetland;
16. Loss of foraging habitat for raptors;
17. Potential impacts to SBKR, least Bell's vireo (LBV), southwestern willow flycatcher, and coastal California gnatcatcher (CCGn).

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Proposed Project Mitigation

1. Mitigate the loss of Los Angeles Pocket Mouse (LAPM) habitat at a 1:1 ratio;
2. Mitigate for the loss of RSS at a 1:3 ratio, (one acre for every three impacted);
3. Mitigate for the loss of SBKR critical habitat at a 1:1 ratio offsite;
4. Signage and buyer awareness program regarding wildlife;
5. Restrict dogs to leash and cats to property boundary under jurisdiction of Homeowners Association;
6. For 26.4 acres of riparian replace on a 1:1 ratio by acquiring offsite mitigation lands of like habitat as determined by CDFG, or paying in-lieu fees to mitigation land bank as per CDFG;
7. Replace 220 black walnut trees.

A1-10
 cont'd

Department Concerns

The Department has many concerns regarding the proposed development of this site. The FEIR should address the following: mitigation for DFG jurisdictional water should occur at a minimum ratio of 3:1, seasonal wetland mitigation measures, analysis of the biological resources at the seasonal wetland and its use by wildlife; the location of springs and their use by wildlife, the location of detention basins and their impact on Cable Creek, the total number of native trees that will be removed and mitigation for the losses, an estimate on how much of the site is used by foraging raptors, adherence to the Department's 2009 plant survey guidelines, updated focused surveys for SBKR, CCGn, SWWFI; the impact of the loss of these resources on the Valley Region, and provision of a Habitat Management and Monitoring Plan. In addition, the applicant must submit a 1600 Lake and Streambed Alteration Agreement Notification, a California Endangered Species Act incidental take permit and potentially a United States Fish and Wildlife Federal Endangered Species Act permit. Any mitigation lands should replace the habitat and species lost to development. If replacement lands cannot be found that include the key elements of the site biology, then the County should consider that the project mitigation does not reduce the impacts to a level below significance.

A1-11

A1-12

Mitigation measures tend to mitigate impacts to specific species or habitats. This site contains numerous sensitive biological resources, a mule deer nursery, a wildlife corridor identified by the Missing Linkage wildlife movement project, and is a functioning ecosystem, with upland and riparian elements. As has been stated by the County, the Valley Region is urbanized with few existing natural open space areas. The proposed mitigation does not take into account the unique nature of this site and its importance to wildlife. In order to be an effective wildlife corridor, the corridor must be separated from the proposed development by a buffer of a minimum of 300 feet or a buffer and a barrier. The Department recommends that the project be redesigned to better protect biological resources. For instance, a more effective biological development proposal for this site would be to eliminate the northernmost portion of the development, including conserving the stream that trends northeast to southwest. Then a barrier could be constructed between the remaining northernmost development and the preserved area to protect the area and potential future residents.

A1-13

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California Endangered Species Incidental Take Permit

The criteria defining the requirements for a CESA ITP are found in Title 14 CCR, Sections 783.4(a) and (b). These require that the take is incidental to an otherwise lawful activity, the impacts of the take are minimized and fully mitigated, the measures to minimize and fully mitigate impacts are roughly proportional to the impact on the species, maintain the applicant's objectives to the greatest degree possible, and are capable of successful implementation. This section also requires that adequate funding is provided to implement the mitigation measures and that issuance of an ITP will not jeopardize the continued existence of a State-listed species.

If these requirements regarding the least Bell's vireo are not satisfied prior to approval of the Final Environmental Impact Report (FEIR), then a subsequent CEQA document must be prepared so that it can be reviewed by the public and comply with the Department's duties as a Responsible Agency under CEQA.

If the project involves the take of a Federal threatened or endangered species the project applicant will have to consult with the United States Fish and Wildlife Service (Service). If the impacts and mitigation from the Service are not included in the CEQA document, a subsequent CEQA document will have to be prepared and reviewed by the Department.

Streambed Alteration Agreements and CEQA

A jurisdictional delineation was conducted in 2009 and determined that there was 23.256 acres of DFG jurisdiction and 9.37 acres of impact to state jurisdictional waters. The site contains 14 unnamed streams and one seasonal wetland. The main hydrological feature is Cable Canyon (east and west fork). The seasonal wetland in the southern part of the site is 6.2 acres, is fed by streams and is therefore jurisdictional. The seasonal wetland and the streams that feed it would be developed. Cable Creek begins in the National Forest, runs through the northern part of the site, parallels the State 15 Highway and outlets to Devil Creek and Cajon Creek.

The area of impact of jurisdictional waters in the DEIR varies from 13.3 to 9.37. This needs to be clarified in the FEIR. The seasonal wetland should be included with CDFG jurisdiction. The DEIR states that mitigation will occur at a 1:1 ratio and shall be offsite, either through acquisition of like habitat or in-lieu fees.

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document.

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-

A1-14

A1-15

A1-16

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impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

A1-16
cont'd

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

- 1) 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 measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

A1-17

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

- 1) Avoiding the impact altogether by not taking a certain action or parts of an action,
- 2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
- 3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
- 4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
- 5) Compensating for the impact by replacing or providing substitute resources or environments.

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

A1-18

2. Response to Comments

Draft Environmental Impact Report for the Spring Trails Development
County of San Bernardino -- SCH 2009111086
Page 8 of 8

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames,
Environmental Scientist, at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,



Jeff Brandt
Senior Environmental Scientist

2. Response to Comments

A1. Response to Comments from the California Department of Fish and Game, dated September 12, 2011.

- A1-1 The City acknowledges the resource value of the San Bernardino Mountain foothills and the relationship of these resources to the survival of sensitive species.
- A1-2 The discussion of biological resources found on the project site is presented in the context of the Valley Region of San Bernardino County, not the significantly larger region of southern California as suggested by the Department's letter.
- A1-3 The biological analysis in the Draft EIR recognizes the biological value of the proposed project site to the numerous federal and state species of concern and species of special concern. The availability of RAFSS, RSS and chaparral plant communities with minimal disturbance as live-in habitats and the importance of this site for wildlife movement along the foothills of the San Bernardino Mountains was thoroughly vetted in the Draft EIR analysis and is further clarified in this FEIR.
- A1-4 The City recognizes the importance of the various riparian habitats and drainages found onsite and their value for resident native species. As such, the project was designed to avoid the majority of impacts to these sensitive biological resources, where feasible. Project implementation, however, would impact 13.3 acres of the 27.1 acres of the onsite state jurisdictional waters. As included in revised Mitigation Measure No. 3-6 (see Chapter 3, *Revisions to the Draft EIR*), to mitigate for impacted riparian habitat, the applicant shall 1) acquire offsite permanent mitigation lands of like that is biologically equivalent or superior habitat as determined by the California Department of Fish and Game (CDFG); and/or 2) pay appropriate in-lieu fees to an appropriate permanent mitigation land bank as determined by CDFG (McGill 2012).
- A1-5 Protecting the biological value of Cable Creek is a priority of the project. Per Mitigation Measure 3-4, a 300-foot-wide zone with a fence barrier shall be designed with approval by the City of San Bernardino Community Development Department and constructed prior to the issuance of occupancy permits. The width of 300 feet is chosen because this is the average width of the Cable Creek bed, the flattest part of the corridor which animals would be using. The fence would most likely be wooden and eight feet tall but the actual type and height would be determined by CDFG. It would stretch the entire length of the property along Cable Creek. The barrier would isolate the creek from the development and ensure the biological integrity of the Cable Creek as riparian habitat and as a wildlife corridor is maintained. The barrier will be designed to preclude the creation of an attractive nuisance that could attract domestic dogs and cats and other small mammals that constitute a food source for top predators.
- A1-6 The development footprint for the proposed project is governed by existing topography, drainage, and vegetation conditions. The development areas are located on the gently sloping alluvial benches between canyons, steep hillsides, and the Cable Canyon and Meyers Canyon drainage ways. The new development will be governed by standards detailed in the Spring Trails Specific Plan and upon approval, the project site's land use designation and zoning will be "Specific Plan". The overall density of the project will be less than one dwelling unit per acre (304 units/353 acres) and therefore, comparable to the pre-zoning designation of RE,

2. Response to Comments

which allows development at one dwelling per acre. The development plan for Spring Trails, however, clusters development into the most appropriate areas, resulting in individual lots that would be smaller than one acre in size.

The Spring Trails Specific Plan zoning replaces the City's Hillside Management Overlay District (HMOD). Consistency with the HMOD is not required. The engineering and grading plans for the proposed project have been designed so the project fits the natural topography of the project site. Housing and infrastructure are clustered on naturally flatter portions of the site to avoid dangers associated with hillside development. The site-specific hillside development restrictions are consistent with the City's General Plan, as described in Appendix B "General Plan Consistency Analysis" of the Specific Plan. In addition, the project is consistent with the Foothill Fire Zone Overlay District, which contains development restrictions for hillside development in fire-prone areas, as described in Appendix D "Foothill Fire Zones Overlay District Conformance" of Specific Plan.

- A1-7 The comment recites the historic biological studies and reports prepared for the project site. There is no comment on the EIR and no response is required.
- A1-8 Numerous biological inventories have been conducted on the project site over the past ten years and the site's biological resources values have been well established. Even so, pre-clearance surveys will be conducted per Mitigation Measure 3-1 for each federally and state listed species that have a potential to occur onsite. Sensitive plant surveys will follow the Department's November 2009 guidance for special status native plant populations and natural communities. Please refer to Revised Mitigation Measure 3-1 is included in Chapter 3, *Revisions to the Draft EIR*, which includes the follow-on requirements if any sensitive species are discovered during the pre-clearance surveys.
- A1-9 The 2009 Habitat Assessment was updated in May 2011 and included the results of previously prepared habitat assessments and focused surveys. Reports are included in their entirety in the Draft EIR technical appendices. The EIR, therefore, does not rely on future surveys. However, pre-clearance surveys will be conducted for each potentially occurring sensitive plant and wildlife species as specified in Mitigation Measure 3-1 (see Chapter 3, *Revisions to the Draft EIR*).
- A1-10 The comment lists the habitat and sensitive species that have been found on the project site and summarizes the proposed biological resource mitigation included in the Draft EIR. No response is required.
- A1-11 Mitigation for impacts to CDFG jurisdictional water will be biologically equivalent or superior in terms of value and function to offset the impacts to CDFG jurisdictional water including seasonal wetland, drainages and springs (see revised mitigation measure 3-6, in Section 3, *Revisions to the Draft EIR*). Impacts as identified in this comment have been addressed in the Draft EIR and revised mitigation measures provided in Chapter 3, *Revisions to the Draft EIR*, to provide additional detail. The 1602 Streambed Alteration Permit application process will further refine final development and design requirements for the project.

2. Response to Comments

The types and number of native and non-native trees that will be removed as part of the project has been addressed in the Draft EIR and is supported by two arborist reports included in the Draft EIR technical appendices. As disclosed in the Draft EIR, since the inventory of trees on the site is now dated, mitigation is provided to require an updated inventory of tree resources within the project footprint. In accordance with Mitigation Measure 3-13, all native trees will be replaced at a 1:1 ratio, with the minimum number of trees replaced at 220 trees. Exchange ratios by size of tree as well as performance standards required for tree mitigation are also included in Mitigation No. 3-13.

As stated in the Draft EIR, the project site lacks expansive grassland habitat and is dominated by dense RSS and chaparral plant communities, significantly limiting the amount of suitable foraging habitat for raptor species. It is estimated that suitable raptor foraging habitat is restricted to 12.5 acres of open grassland habitat.

A Habitat Mitigation and Monitoring Plan will be prepared as part of the Section 404 Wetland Permit.

- A1-12 The applicant must acquire a Streambed Alteration Agreement from the CDFG as well as Incidental Take Permits from both the CDFG and USFWS to mitigate potential impacts to federally and state listed species that occur onsite, as well as compensation for the loss or adverse modification to USFWS designated critical habitat. Offsite mitigation lands must replace the function and value of the habitat lost by site development. A survey of such available lands has identified feasible options that would reduce project impacts to less than significant. Contiguous off-site mitigation lands are identified in revised Mitigation Measure 3-7, included below in Chapter 3, *Revisions of the Draft EIR*, of this FEIR (McGill 2012).
- A1-13 See Response to Comment A1-5. A barrier will be installed at the outer limits of the California Walnut Woodland that surrounds Cable Creek at its interface with the RSS habitat on the hillsides above the canyon bottom. Per Mitigation Measure 3-4, this 300-foot barrier shall be designed with approval by the City of San Bernardino Community Development Department and constructed prior to the issuance of occupancy permits. This will provide a buffer inside the barrier fence that will be located on either side of Cable Creek. This combination of a barrier and buffer should protect the natural resources associated with the use of Cable Creek as well as the wildlife movement corridor that found in association with Cable Creek. The applicant did evaluate the possibility of not developing north of Cable Creek and constructing a barrier on the south side of Cable Creek, isolating the riparian, RSS and chaparral habitats north of Cable Creek from the development.
- A1-14 The mitigation under the two ITP permits for impacts to least Bell's vireo (LBVI), a federal and state listed species, will principally focus on avoidance of areas with suitable habitat for the species and minimization of impacts at the outer edge of the buffer area surrounding suitable habitat. Two individual LBVI were identified within the riparian habitat associated with Cable Creek. Cable Creek and LBVI occupied riparian habitat will be completely avoided and no impacts will occur. In addition, a 300-foot-wide zone surrounding the creek will also be avoided providing a significant buffer on each side of the creek and occupied LBVI habitat. Finally, the outer edges of the 300-foot buffer zone will be fenced to preclude access into Cable Creek and

2. Response to Comments

occupied LBVI habitat except for passive recreational use of a trail crossing over Cable Creek, further protecting Cable Creek and occupied LBVI habitat from potential impacts.

Use of the trail will be designed to minimize impacts to Cable Creek and occupied LBVI habitat. Draft trail designs will be reviewed with USFWS and CDFG prior to ground disturbing activities to ensure impacts are either avoided or minimized to the maximum extent possible. All of these above avoidance and minimization measures will be fully funded by the project applicant prior to any ground disturbing activities and developed prior to project construction. Assurances of funding will be built into the state and federal ITPs through the development of a Property Action Report (PAR) and provision of an agreed upon endowment. In addition, a letter of credit or other appropriate funding assurance will be filed with CDFG providing a secondary commitment to implement the mitigation.

- A1-15 The onsite seasonal wetland discussion in the DEIR has been modified to reflect the fact that impacts to waters of the State will be limited to a total potential impact of 13.3 acres, including the 6.2 acres of a seasonal wetland. A total of 13.8 acres of waters of the State will be avoided. The 13.3 acres of identified impacts shall be mitigated through the acquisition and conservation of biologically equivalent or superior waters of the State. The applicant has identified 51.5 acres of riparian habitat, including a seasonal wetland, in the lower reach of Cable Canyon, adjacent to but outside the project boundary that provides biological superior waters of the State. This property is available for mitigation and the applicant is in initial negotiations with the owner for acquisition. If this property is not obtained, the project applicant will identify and purchase another property of like habitat prior to ground disturbing activities. Once this property or another property of like habitat value is acquired, a Habitat Mitigation and Monitoring Plan will be prepared for the long-term preservation and management of the property. The HMMP will be conditioned in the wetlands permit application prior to ground disturbing activities. The adequacy of the mitigation will be approved by the CDFG as part of their approval and issuance of a Streambed Alteration Agreement for impacts to waters of the State.
- A1-16 The project has been designed to avoid sensitive biological resources, including jurisdictional waters, while at the same time achieving the majority of the project objectives, including economic viability. Impacts that cannot be avoided will be mitigated by developing biologically equivalent or superior preservation offsite, as described in revised Mitigation Measure 3-6, included in Chapter 3, *Revisions to the Draft EIR*, of this FEIR. Per this mitigation measure, the applicant will 1) acquire offsite permanent mitigation lands that are biologically equivalent or superior habitat as determined by the California Department of Fish and Game (CDFG); and/or 2) pay appropriate in-lieu fees to an appropriate permanent mitigation land bank as determined by CDFG (McGill 2012). This will be documented and submitted to CDFG by the City for review and approval as part of the 1602 Streambed Alteration Agreement.
- A1-17 The comment lists the standard requirements for submitting a Streambed Alteration Agreement notification and the CEQA definition of mitigation. These comments have been noted.

2. Response to Comments



- A1-18 The Draft EIR fully discloses the potential biological resource impacts of the project and provides mitigation measures to reduce the impacts to a less than significant level. As appropriate, these measures include follow up, confirmation resource surveys and requirements for preparation of more detailed mitigation plans prior to issuance of grading permits (e.g., prior to ground disturbance). Pursuant to CEQA, the measures include performance standards that assure the public effective mitigation even though some details may not be available at this time.

2. Response to Comments

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2. Response to Comments

LETTER A2 – California Department of Transportation (1 page)

<small>STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY</small>		<small>EDMUND G. BROWN Jr., Governor</small>
DEPARTMENT OF TRANSPORTATION DISTRICT 8 PLANNING 464 WEST 4th STREET, 6th FLOOR, MS 725 SAN BERNARDINO, CA 92401-1400 PHONE (909) 383-4557 FAX (909) 383-5936 TTY (909) 383-6300	RECEIVED SEP 26 2011 CITY OF SAN BERNARDINO DEVELOPMENT SERVICES DEPARTMENT	 <i>Flex your power! Be energy efficient!</i>
September 21, 2011	08-SBD-215/15 P.M. 13.87-14.104	
City of San Bernardino Community Development Department Attn: Terri Rahhal 300 North "D" Street San Bernardino, CA 92418		
Subject: Springs Trail Draft EIR – 329 Single Family Detached Residential Dwellings Units		
Dear Ms. Rahhal,		
The California Department of Transportation (Caltrans) has reviewed the draft Traffic Impact Analysis for the proposed Spring Trails project for the construction of 329 single family detached residential dwellings units in the City of San Bernardino. The methodologies for this report appears to be adequate, however, please consider the following comments.		
1. Table 1, Figures 4, 5, and 6; there are two different years of traffic data collected for the proposed study. Label and verify the existing year (i.e. 2008 or 2009)		A2-1
2. Existing truck volumes should be counted and then converted to Passenger Car Equivalent (PCE) volumes using PCE factors 1.5, 2.0, and 3.0 for 2-axle, 3-axle, and 4-or-more-axle trucks, respectively. Please verify the PCE calculations factor in Appendix B (traffic count worksheets), should be reflected in figures 5 and 6.		A2-2
We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Dan Kopulsky at (909) 383-4557 for assistance.		
Sincerely,		
		
DANIEL KOPULSKY Office Chief Community Planning/Local Development Review		
<small>"Caltrans improves mobility across California"</small>		

2. Response to Comments

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2. Response to Comments

A2. Response to Comments from California Department of Transportation, dated September 21, 2011.

A2-1 Table 1 and Figures 4, 5, and 6 of the traffic study have been revised to indicate the existing year as a footnote or in the legend (see Appendix A of this FEIR). In the Draft EIR, Table 5.14-2 and Figure 5.14-5 have been revised to reflect the changes. The revised table and figure are found in Section 3, *Revisions to the Draft EIR*, of this FEIR.



A2-2 Existing intersection traffic conditions were established through morning and evening peak hour traffic counts obtained by Kunzman Associates, Inc. from October 2008 (see Appendix B of the traffic study) and the resulting Passenger Car Equivalent traffic volumes (see Appendix C of the traffic study) are shown on Figures 5 and 6 of the traffic study, respectively. The revised traffic study figures are in Appendix A of this FEIR.

2. Response to Comments

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2. Response to Comments

Letter A3 – Regional Water Quality Control Board (3 pages)

	California Regional Water Quality Control Board Santa Ana Region	
Matthew Rodriguez <i>Secretary for Environmental Protection</i>	3737 Main Street, Suite 500, Riverside, California 92501-3348 Phone (951) 782-4130 • FAX (951) 781-6288 www.waterboards.ca.gov/santaana	Edmund G. Brown Jr. <i>Governor</i>
September 8, 2011	RECEIVED SEP 12 2011 CITY OF SAN BERNARDINO DEVELOPMENT SERVICES DEPARTMENT	
Terri Rahhal City of San Bernardino Planning Dept. 300 North D Street San Bernardino, CA 92418-0001		
DRAFT ENVIRONMENTAL IMPACT REPORT FOR SPRING TRAILS SPECIFIC PLAN, TENTATIVE TRACT MAP NO. 15576, MEYERS ROAD AT LITTLE LEAGUE DRIVE, CITY OF SAN BERNARDINO, SCH# 2009111086		
Dear Ms. Rahhal:		
<p>Staff of the Regional Water Quality Control Board, Santa Ana Region (Regional Board), has reviewed the City of San Bernardino's (City) Draft Environmental Impact Report (DEIR) for the proposed Spring Trails Specific Plan (Project). The Regional Board has commented previously on the former Martin Ranch Specific Plan (February 3, 2003) and for the Spring Trails Specific Plan Initial Study (December 31, 2009). The DEIR encourages additional comments, given minor changes to the Project and new information.</p>		
<p>The Project involves the proposed construction of a residential development in the most northwestern portion of the City of San Bernardino, to the northeast of Interstate 215 and Meyers Road. A 376.5-acre Project area (Tentative Tract Map No. 15576) would be formed by the annexation of 26.4 acres (four existing lots) to 352.8 existing acres. Approximately 241.5 acres would be graded toward the completion of 307 residences and three detention basins, with the remainder dedicated as natural open space.</p>		
A3-1		
<p>We believe that the Final EIR should incorporate the following comments 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, 1995, as amended (Basin Plan):</p>		
<p><u>Alternative Site Plan</u></p>		
<ul style="list-style-type: none">• As requested in our 2009 letter, the Final EIR should address how Project infrastructure could avoid the site's numerous drainages. The Jurisdictional Delineation (Appendices D7 and D8) indicates that a minimum of 7.37 impacted acres are jurisdictional to the U.S. Army Corps of Engineers and the Regional Board (Table 1), and 9.37 impacted acres are jurisdictional to the California Department of Fish and Game (Table 2). The Final EIR should direct the Project to avoid impacts to waters of the state and U.S., and to water quality standards, to the greatest extent possible. Therefore, we request that the Final EIR advocate adoption of the Alternative Site Plan described in Section 7 (Figure 7.2) as the "environmentally superior alternative." The Alternative Site Plan would reduce the Project to 175 houses and withdraw the Project footprint from several water bodies. If this alternative is considered infeasible, the Final EIR should explain why.		
A3-2 A3-3		
<p>California Environmental Protection Agency</p> <hr/> <p><i>Recycled Paper</i></p>		

2. Response to Comments

Terri Rahhal

- 2 -

September 8, 2011

Jurisdictional Delineation

- The Final EIR should provide a combined Jurisdictional Delineation with combined tables, including all impacted lengths and acreage of the affected water bodies. The current Project footprint (DEIR Figure 7) would develop the higher elevations of an alluvial fan that has coalesced from drainages emerging from (north to south) Cable Canyon, an unnamed canyon, and Meyers Canyon. For the identified drainages, tributaries, and a vegetated seasonal wetland, 15 of 17 water bodies will have wetland or non-wetland portions directly impacted by the Project (Jurisdictional Delineation Appendix D8, Section 6.0, p. 43-5, Tables 1 and 2).

A3-4

In a separate portion of the Jurisdictional Delineation (Appendix D7 Section 6.0), a separate Table 1 and Table 2 list approximately six additional water bodies that may be impacted by the Project's primary or secondary access roads (p. 10, 21-4). However, no impacted acreage is listed, perhaps because road alternatives have not been finalized. All Project jurisdictional areas, per agency, should be combined in the above-mentioned single table along with the impacted channel lengths and acreages.

- All of these drainages constitute waters of the state. If the proposed discharges of fill to waters of the state are not subject to Corps jurisdiction and regulated through a Clean Water Act Section 404 Permit and Section 401 Water Quality Standards Certification (Certification), they may be regulated by waste discharge requirements (WDRs) issued by the Regional Board under authority of the California Water Code.

A3-5

Mitigation

- The final EIR should specifically identify mitigation for the proposed impacts to jurisdictional waters and their beneficial uses. Intermittent Beneficial Uses specified in the Basin Plan for the Cable and Meyers Canyon watercourses, and extended to their tributaries, are Municipal Supply (MUN), Groundwater Recharge (GWR), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Cold Freshwater Habitat (COLD), and Wildlife Habitat (WILD). Mitigation of impacts to these beneficial uses will be necessary to obtain Certification of the Project.

A3-6

- Aside from the proposed open space dedication, Mitigation Measure Table 1-2 (Measures 3-2, 3-3, 3-4) proposes construction of "appropriate culvert and stream crossings" that do not inhibit flow regimes, avoidance of some drainage portions, vegetational planting, and offsite habitat replacement at a 1:1 ratio of acreage. All stream crossings must allow for unobstructed wildlife movement. Consultation with this office prior to submitting an application for the Certification is strongly encouraged, in order to discuss opportunities for further avoidance of these waters of the U.S. and state.

A3-7

- State policy directs that there shall be no net loss of wetlands. Impacts to the indicated wetland acreage must be mitigated such that there is no net loss of wetland acreage, function or service. We believe that studies should be conducted and presented, as part of the final EIR, to assess and document the current condition and function of the wetlands that will be impacted by the Project. The findings of these studies should be used as a benchmark for wetlands mitigation.

A3-8

California Environmental Protection Agency

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2. Response to Comments

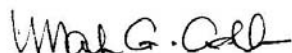
Terri Rahhal

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September 8, 2011

If you have any questions, please contact Glenn Robertson at (951) 782-3259, or grobertson@waterboards.ca.gov, or me at (951) 782-3234, or madelson@waterboards.ca.gov

Sincerely,



Mark G. Adelson, Chief
Regional Planning Programs Section

cc: State Clearinghouse
U.S. Army Corps of Engineers, Los Angeles – Jason Lambert
U.S. Fish and Wildlife Service, Carlsbad – Jenness McBride
California Department of Fish and Game, Ontario – Joanna Gibson

X: Groberts on Magnolia/Data/CEQA/CEQA Responses/DEIR - City of San Bernardino – Spring Trails Specific Plan – New 2011 Round.doc

California  Environmental Protection Agency

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2. Response to Comments

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2. Response to Comments

A3. Response to Comments California Regional Water Quality Control Board, dated September 8, 2011.

A3-1 The comment provides a summary of the project and introduces the commenter’s water quality concerns. No response is necessary.

A3-2 The City recognizes the importance of the various riparian habitats and drainages found onsite and their value to maintaining water quality of state jurisdictional waters. As such, the project was designed, including the design of the infrastructure for the project, to avoid impacts to these natural drainages, where feasible. However, impacts will occur to 13.3 acres of the 27.1 acres of jurisdictional waters of the state. Best Management Practices will be proposed and implemented as part of acquiring the various wetland permits, including the 401 Water Quality Certification, to ensure the impacts on water quality are minimized and/or mitigated.

A3-3 Chapter 7 of the Draft EIR does conclude that the ‘Alternative Site Plan’ alternative is the environmentally superior alternative. In concurrence with this comment, the Draft EIR discloses that this alternative would preserve the natural drainage as much as possible and reduce impacts to hydrology, water quality and biological resources. The Draft EIR also explains why the financial viability of this alternative is uncertain. As with the proposed project, the Alternative Site Plan would require the construction of major infrastructure improvements, including the construction of two offsite access roads, extension of domestic water service and three water reservoirs, and extension of sewer service to the site. As with the proposed project, the Alternative Site Plan would also include costly mitigation programs, including a comprehensive tree replacement program.

It is noted that the Alternative Site Plan is the preferred alternative of the RWQCB.

A3-4 The following chart presents the combined results of the two jurisdictional delineations. The corresponding text has been corrected to reflect these acreages.

Table 1				
Jurisdictional Impacts				
	Corps Jurisdiction		CDFG Jurisdiction	
	Existing Acres	Impacts Acres	Existing Acres	Impacts Acres
Project Site	12.66	7.37	23.26	9.37
Access Road	3.19	3.19	3.39	3.39
Totals	15.85	10.56	26.65	12.76

A3-5 The City recognizes that all these drainages constitute waters of the state. All of these drainages are also waters of the US and will be regulated under Section 401 of the Clean Water Act. As such, the applicant will prepare a 401 Water Quality Certification application as part of its environmental and entitlement clearance process. All permits will be processed and approved prior to issuance of grading permits.

2. Response to Comments

- A3-6 The Beneficial Uses identified for the site drainages in the Basin Plan are identified in the Draft EIR (see Section 5.7-1). Mitigation to protect water quality is detailed in the Preliminary Water Quality Management Plan (May 2009) and Hydrology and Water Quality Report (June 2009) included in Draft EIR Appendices I1 and I2, respectively. The project design features and Best Management Practices included in these reports are summarized in the Section 5.7, *Hydrology and Water Quality* of the Draft EIR. The measures include construction and operation requirements and address both the project site and access roads. Although additional engineering details will likely result in refinements of these BMPs during the 401 Water Quality Certification permit process, the Draft EIR adequately discloses existing resources, beneficial uses, and sufficient BMP detail (including responsible parties and timing for implementation), to assure mitigation for the beneficial uses will reduce impacts to less than significant.
- A3-7 The applicant will consult, as recommended, with the Regional Water Quality Control Board prior to finalizing its initial 401 Water Quality Certification application to ensure that potential impacts to all beneficial uses are addressed and appropriately mitigated as part of the permitting process.
- A3-8 The potential seasonal wetland (6.2 acres) was identified as a “problem area” because while hydrophytic vegetation and wetland hydrology were present, no apparent hydric soil indicators were present during the delineation. The approximate boundary of this potential seasonal wetland was therefore delineated based primarily on vegetation and hydrology criterion. A subsequent study of the seasonal wetland system will be conducted prior to the permitting process to verify that the feature is indeed a wetland system and to provide the additional data needed on current condition and function of the wetlands for determining wetland mitigation. As noted in this comment, wetland acreage will be mitigated such that there is no net loss of wetland acreage, function or service. See also, revised Mitigation Measure No. 3-6, Section 3.0, *Revisions to the Draft EIR*.

2. Response to Comments

LETTER A4– Center for Biological Diversity (10 page/pages)



CENTER for BIOLOGICAL DIVERSITY

*protecting and restoring natural ecosystems and imperiled species through
science, education, policy, and environmental law*

By FAX and Fed Ex

9/12/2011

Terri Rahhal, City Planner
City of San Bernardino
Community Development Department
300 North "D" Street, 3rd Floor
San Bernardino, CA 92418-0001
FAX: 909-384-5080

**Re: Draft Environmental Impact Report for Spring Trails Specific Plan (SP).No. 10-1,
General Plan Amendment (GPS) No. 02-09, and Tentative Tract Map (TTM) No. 15576
(Subdivision No. 02-09) SCH# 2009111086**

Dear Terri Rahhal:

The following comments on the Draft Environmental Impact Report for Spring Trails Specific Plan (SP).No. 10-1, General Plan Amendment (GPS) No. 02-09, and Tentative Tract Map (TTM) No. 15576 (Subdivision No. 02-09) SCH# 2009111086 (the "DEIR") are submitted on behalf of the Center for Biological Diversity (the "Center"). The Center is a non-profit environmental organization dedicated to the protection of native species and their habitats in the Western Hemisphere through science, policy, and environmental law. The Center has over 320,000 members and on-line activists throughout California and the western United States, including residents of San Bernardino County in the vicinity of the Spring Valley project site.

The DEIR indicates that the proposed project site has high natural resource values: from the occurrence of numerous rare plant communities (see below) to its importance as a wildlife movement corridor (Penrod et al. 2004). We have reviewed the DEIR and offer the following comments.

The DEIR Fails to Meet the Requirements of the California Environmental Quality Act.

An EIR is a detailed statement, prepared under the California Environmental Quality Act, Public Resources Code §§ 21000-21178 ("CEQA"), describing and analyzing all significant impacts on the environment of a proposed project and discussing ways of mitigating or avoiding those effects. Pub. Res. Code §21100; 14 CCR § 15362. The purpose of an EIR "is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made." *Laurel Heights Improvement Association v. Regents of University of California*, 6 Cal. 4th 1112, 1123 (1993) (emphasis in original) (citations omitted). An EIR should provide decision making bodies and the public with detailed information about the effect a proposed project is likely to have on the environment, to list ways in which the significant

Arizona • California • Nevada • New Mexico • Alaska • Oregon • Washington • Illinois • Minnesota • Vermont • Washington, DC

Heene Anderson, Biologist

8033 Sunset Boulevard, #447 • Los Angeles, CA 90046-2401
tel: (323) 654.5943 fax: (323) 650.4620 email: ianderson@biologicaldiversity.org
www.BiologicalDiversity.org

A4-1

2. Response to Comments

effects of a project might be avoided or minimized, and to indicate alternatives to the project. Pub. Res. Code § 21061; 14 Cal. Code Regs. (“CCR”) § 15002. California courts have emphasized that an EIR should: disclose all relevant facts; provide a balancing mechanism whereby decision makers and the public can weigh the costs and benefits of a project; provide a means for public participation; provide increased public awareness of environmental issues; provide for agency accountability; and provide substantive environmental protection. Because the DEIR for the Spring Trails obscures, rather than illuminates, the environmental impacts of the proposed project, the DEIR is inadequate to meet both the procedural and substantive mandates of CEQA.

A4-1
cont'd

A4-2

The project area encompasses some of the most ecologically sensitive and increasingly rare habitats in southern California, and is thus critically important for our region’s threatened, endangered, and sensitive species. The Center strongly urges the City of San Bernardino to require re-drafting and re-circulating another EIR that takes into account these comments.

A4-3

The DEIR Fails to Adequately and Appropriately Analyze Impacts to Biological Resources., Including Designated Critical Habitat.

The proposed Spring Trails project would result in the overall direct loss of the following sensitive and rare plant communities: more acres of Riversidian Sage Scrub (RSS) than are described as occurring on site! Table 5.3-5 indicates that 168.4 acres of RSS will be impacted by the project development (DEIR at 5.3-49, however, Figure 5.3-1 (DEIR at 5.3-5) indicates that only 167.9 acres occurs on site. The same type of inaccuracy between the Figure 5.3-1 and Table 5.3-5 is found for four other on-site rare plant communities including RSS/CWW, RAFSS, SSARW, and SAW. These discrepancies in acreage for a rare plant communities are important based on the need for substantial mitigation (see below). It strongly suggests potential inaccuracies in other “estimates” of vegetation types on the proposed project site. CEQA requires clear and consistent identification and analysis of impacts.

A4-4

Simply the fact that almost half of the on-site plant communities (number wise) and spatially a majority of the site is covered with rare communities points to the fact that the proposed project is poorly sited in an area rich with highly imperiled plants and animals.

These rare plant communities are classified as sensitive and require special protection, as they are being lost at an alarming rate locally, regionally, and state-wide. The proposed project fails to avoid adverse impacts to these sensitive plant communities. Furthermore since the proposed project fails to avoid or minimize impacts to these rare plant communities, the DEIR proposes woefully inadequate mitigation. At a minimum the mitigation ratio for these rare plant communities and the rare species that they support should be 5:1. Even with this more reasonable mitigation ratio, we note that the project will cause a net loss to the rare communities and the species they support.¹

A4-5

The impacts of this major project will be severe, particularly given the size and scope of the proposed development as well as the location of the project within a regionally critical

A4-6

¹ Moilanen et al. 2009

wildlife movement corridor. Unfortunately, the DEIR's analyses of direct, indirect, and cumulative impacts to biological resources are woefully inadequate, as described in further detail below.

A4-6
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Moreover, indirect and off site impacts from the proposed project not adequately identified or analyzed. The project will adversely affect an additional unknown number of acres of important habitats for at-risk species adjacent to the project area. It is important to bear in mind that "conservation" lands will still be seriously degraded by fuel modification and edge effects. The project is also directly in the path of one of the most critical regional wildlife corridors connecting the San Bernardino and San Gabriels (Penrod et al. 2004). (See Movement Corridors below).

A4-7

Critical Habitat

Parts of the project fall within the federally designated critical habitat for the San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*)(SBKR). The DEIR downplays the importance of these lands, by indicating that no SBKR were trapped "on site". Yet Appendix D9 recognizes that the area is likely occupied despite the fact that after only 5 nights of trapping no SBKR were detected (D-9 at pg.1). The purpose of critical habitat is not just to protect occupied habitat, but to provide for recovery of listed species. Listed species are already well down the path to extinction and absent adequate habitat to rebuild the species population numbers that critical habitat provides, will likely continue their decline towards extinction. No analysis of the impact to Critical Habitat is included. Critical habitat should be analyzed at the planning stage not only to prevent any "take" of or jeopardy to the species, but also to promote recovery of the listed species. See *Sierra Club v. U.S. Fish & Wildlife Service, 2001 U.S. App. LEXIS 3936 (5th Cir. 2001)*). The failure of the DEIR to analyze adverse modification of Critical Habitat for the SBKR is unfathomable. The DEIR has abjectly failed to provide the public with the information necessary to make an informed opinion as to the project's likely impacts to biological resources. These omissions alone render the EIR inadequate and require recirculation. This new information, not analyzed in the EIR, shows a new, substantial environmental impact resulting either from the project. CEQA Guidelines §15088.5.

A4-8

While we recognize that critical habitat designation for the California gnatcatcher was removed from the proposed project area in 2007, it does not relieve the DEIR from avoiding, minimizing and mitigating impacts to the RSS community. However, the DEIR instead dismisses the habitat impacts and proposes a

A4-9

Furthermore the DEIR incorrectly states that "While a number of California Species of Special Concern (SSC) have been observed within the RSS areas of the site, these species are not afforded specific legal protection..." (DEIR at pg. 5.3-50). Under CEQA, impacts to SSC must be avoided, minimized and if not - mitigated. Despite the DEIR's downplay of impacts to RSS, it provides no quantitative analysis of the substantial declines in RSS, but instead unsubstantiatedly claims that there are "many thousands of acres still remaining". While no

A4-10

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historical records are available on the project site or surrounding area, RSS in Riverside County over the past 60 years have been documented to have declined over 60%.²

A4-10
cont'd

The DEIR fails to offer any information about the number of acres of each habitat existing in the region, how this compares to the historical number of acres, and how many additional acres are proposed for elimination by other projects in the area. The EIR also provides literally no data about population estimates for the various wildlife and plant species that currently inhabit the project site, either before or after project build-out.

A4-11

The DEIR does not provide an impartial and thorough analysis of the impacts of the project to biological resources. Some of the habitat proposed for elimination by the Spring Trails Specific Plan is annual grasslands. The EIR misrepresents the importance of remaining grassland habitat – including lands dominated by non-native grasses and forbs – to wildlife species in the project area. Although non-native, this type of vegetation not only can support numerous sensitive species – and in fact provides some of the only remaining habitat for these species due to the widespread historic elimination of native habitats – but also has the potential to be restored. Unfortunately, the DEIR basically ignores the importance of the grasslands on the project site.

A4-12

Scientists estimate the remaining grassland habitat in California at 36% of its original acreage³. Remaining grasslands are fragmented by urbanization, which has likely accelerated the decline of several grassland species.⁴ Thus, these wildlife species are now dependent on all remaining grassland types – native or non-native – for habitat. The DEIR fails to evaluate the impact of the loss of presumably all of the non-native grasslands on site to development. The EIR also provides no population estimates for grassland dependent species in the area, either onsite or in the overall planning area.

The “analyses” provided in the DEIR are not quantitative, objective, rigorous examinations of the past and current populations of species in the project area and in southern California, and how the project, alone and in tandem with additional past and future development projects in the area, will affect these populations. Simply stating that the project will not significantly impact the species because they are known to occur elsewhere is by no means a sufficient project-level analysis. The conclusions of no significant impact are not based on any meaningful analysis or even common sense. If the habitat currently occupied by these species is destroyed, individuals will be eliminated from the project site and forced to seek shelter elsewhere in an area of San Bernardino County that is also rapidly losing much of its remaining open space and suitable habitat. This is a biological impact that must be identified and analyzed and if possible avoided or mitigated. It is improper for the DEIR to simply conclude without any evidence that the impact will not be significant.

A4-13

Movement Corridors

² Minnich and Dezzani 1998.

³ CPIF 2000

⁴ Ibid

The South Coast Wildlands Project is a collaborative effort amongst ecologists and regulatory agencies to design linkages to establish connectivity between large blocks of habitats in southern California. In September 2004, the South Coast Wildlands Project released their report entitled "A Linkage Design for the San Gabriel - San Bernardino." The proposed Spring Trails Master Plan Development project includes urban development within the boundary of the linkage described in the report. Therefore, the project will adversely impact a regionally critical wildlife movement corridor.⁵ However, the EIR disregards the importance of the site to wildlife movement and neglects altogether even to mention the South Coast Wildlands, which is readily available online and from regulatory agencies. The DEIR fails to illuminate that the project site is within and adjacent to a recognized, regionally critical linkage. The EIR provides a false picture of the project's true impacts to wildlife movement.

A4-14

Edge Effects

The EIR fails to evaluate indirect impacts to sensitive habitats, including impacts associated with the establishment of fuel modification zones, unpermitted recreational activities, the introduction of non-native plants, the introduction of pets, noise, and the loss and disruption of essential habitat due to edge effects.

The DEIR's "analysis" is inadequate and fails to quantify the effects and to adequately demonstrate how the design features will minimize impacts. The EIR fails to identify and properly evaluate impacts to species and ecosystems from invasive exotics species. Many exotic plant species invade disturbed areas and then spread into wildlands, carried by wind, fire, vehicle tires, etc.⁶ Moreover, landscaping with exotic species within the housing units can easily be a vector for introducing invasive exotics into adjacent habitats, regardless of whether the slopes directly adjacent to natural areas are planted with natives.

A4-15

The discussion on invasive species also completely neglects to mention invasive non-plant species. The best available data on edge effects for southern California habitats document the collapse of native ant population due the invasion of argentine ants up to 200 m (650 ft) from irrigated areas,⁷ and predation by house cats which decimate small vertebrate populations within 100 to 300 meters (radius of 32 ha home range reported by Hall et al. 2000)⁸.

Buffers for the Cable or Meyers Creeks are inadequate. In fact fuel modification could affect and degrade the biological resources in these areas.. Maintaining appropriate, fully protected buffer strips between streams and upland soil-disturbing activities is critical to sustaining aquatic and riparian ecosystems.⁹ Most of the current literature about estimating appropriate widths of riparian buffer strips takes into account the complexity of landscapes. The U.S. Forest Service and U.S. BLM have provided a width-adjustment method based on measured distances of sediment plumes from roads and landings: for a 50 percent slope adjacent to an

A4-16

⁵ Penrod et al. 2004;
⁶ Bossard et al 2000
⁷ Suarez et al. 1998
⁸ Bock et al 2002
⁹ Erman et al. 1996; , Reid and Hilton 1998

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ephemeral channel, the riparian protection width distance would be about 550 feet from either side of the stream edge. Additional research conducted as part of the Sierra Nevada Ecosystem Project (Erman et al. 1996) provided guidance for designating riparian buffers that incorporate steepness of surrounding slopes and erodability of soils: this research concluded that if the average slope were 25 percent, the buffer width should be 524 feet on either side of the stream, and if the slope were 50 percent, the buffer should be 672 feet. The DEIR fails to cite any available scientific literature about appropriate buffer widths. Both the Cable and Meyers Creeks Watersheds are at serious risk of degradation from the proposed project.

A4-16
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The DEIR fails to provide for reasonable, feasible mitigation measures to avoid and minimize adverse impacts to biological resources. For affected sensitive habitat and vegetation types, the EIR should have prioritized avoidance, followed by onsite habitat replacement at a mitigation ratio calculated to ensure success, followed by onsite restoration and enhancement, followed by off-site mitigation. The DEIR also fails to specify that the identification and purchase of mitigation areas, with establishment of effective long-term management, would occur prior to any grading.

Specific, feasible, and enforceable mitigation measures for impacts associated with fuel modification zones, unpermitted recreational activities, the introduction of non-native plants, the introduction of pets, noise, and the loss and disruption of essential habitat due to edge effects are available but were not incorporated in the EIR, including but not limited to the following:

A4-17

- minimum 300-foot setbacks between developed area, including roads and fuel modification, and sensitive habitat areas
- conditions prohibiting non-leashed outdoor pets (including cats)
- requiring, where appropriate, walls or fences that will inhibit domestic animals from harassing and harming native species including “cat-proof” fencing to prevent feral and house cats from accessing sensitive habitat
- capture programs to control feral cats
- techniques to control non-native invasive species
- prohibiting the use of pesticides and other toxic chemicals around homes
- requiring the use of native vegetation in landscaping
- providing public education regarding rare, threatened and endangered species and how local communities can help protect them
- requiring gates to restrict access to lands set aside for habitat preservation

The Project Must Comply with the Endangered Species Act

The project is subject to the Endangered Species Act (“Act”), and must fully comply with the Act’s provisions. Section 9 of the Endangered Species Act of 1973, and Federal regulations issued pursuant to section 4(d) of the Act, prohibit take of endangered and threatened species without a special exemption. 16 U.S.C. 1531 et seq. Section 7 of the Act requires Federal agencies to consult with the United States Fish and Wildlife Service (“USFWS”) should it be determined that their actions may affect federally listed threatened or endangered species. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to

A4-18

engage in any such conduct. Harm is further defined by USFWS to include significant habitat modification or degradation that actually kills or injures a listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by USFWS as an action that creates the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), such incidental taking is not considered to be a prohibited taking under the Act provided that such taking is in compliance with the Incidental Take Statement.

A4-18
cont'd

Approval of the proposed project will result in harm and harassment of the SBKR by direct destruction of critical habitat. These impacts of the sort that the Ninth Circuit has previously held constitute "take" of listed species. *Palila v. Hawaii Department of Land and Natural Resources*, 852 F.2d 1106, 1108 (9th Cir. 1988). (sheep grazing within the woodland habitat of the endangered Palila bird in Hawai'i caused habitat modification that constituted "take" under the ESA); *Forest Conservation Council v. Rosboro Lumber Co.*, 50 F.3d 781, 788 (9th Cir. 1995) (testimony of a biologist who declared that proposed timber harvest was reasonably certain to injure a northern spotted owl pair by significantly impairing their essential behavioral patterns, including breeding, feeding, and sheltering, if proved at trial, would demonstrate the reasonable certainty of harm necessary for an injunction under the ESA); *Marbled Murrelet*, 83 F.3d at 1067-68 (enjoining logging of trees used by threatened seabird for nesting). Just as in *Forest Conservation Council* and *Marbled Murrelet*, destruction of critical habitat on the site will significantly impair essential behaviors of listed species. This is not changed by the number of individual birds or the age of the trees. As the *Marbled Murrelet* court emphasized, "In this circuit, we have repeatedly held that an imminent threat of future harm is sufficient for the issuance of an injunction under the ESA." 83 F.3d at 1064 (citations omitted).

A4-19

Private landowners, corporations, state or local governments, or other non-Federal landowners who wish to conduct activities on their land that might incidentally harm (or "take") wildlife that is listed as endangered or threatened must first obtain an incidental take permit from the U.S. Fish and Wildlife Service. To obtain a permit, the applicant must develop a Habitat Conservation Plan (HCP), designed to offset any harmful effects the proposed activity might have on the species. No incidental take statement has been issued, and no Habitat Conservation Plan is present to allow for take of threatened species. The project cannot proceed in violation of the Endangered Species Act.

A4-20

The DEIR Improperly Defers CEQA Mandated Environmental Review

Many of the inadequacies of the DEIR identified in these comments can be attributed to the fact that the DEIR improperly defers identification and analysis of Spring Trails Specific Plan Development impacts, as well as formulation of specific mitigation measures, to later stages of project development. This deferral frustrates informed decision-making and violates CEQA. "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of

A4-21

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environmental consequences.” CEQA Guidelines § 15151. See *Concerned Citizens of Costa Mesa, Inc. v. 32nd District Agricultural Association*, 42 Cal. 3d 929 (1986) (“the EIR must contain facts and analysis, not just the agency’s bare conclusions or opinions.”); *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners*, 91 Cal.App.4th 1344 (2001); *Stanislaus Natural Heritage Project v. County of Stanislaus*, 48 Cal. App. 4th 182 (1996).

A4-21
cont'd

The DEIR also fails to adequately analyze the “Interface with adjacent Forest Service land area.” (DEIR at 2-3). The DEIR only addresses fire issues as mitigation. No impact on illegal trails or other impacts to adjacent Forest Service land is fully disclosed.

A4-22

Failure to include information resulting from the Spring Trails project frustrates informed decision making regarding the project and denies the public’s an ability to comment on impacts resulting from the project.

The DEIR Fails to Analyze a Meaningful Range of Feasible Alternatives.

An DEIR is required to describe a range of reasonable alternatives to the project, which would feasibly attain most of its basic objectives but would avoid or substantially lessen its significant effects. 14 CCR § 15126.6(a). The City has a substantive duty to adopt feasible, environmentally superior alternatives. Pub. Res. Code § 21002; 14 CCR §§ 15002(a)(3), 15021(a)(2). A lead agency cannot abdicate this duty unless substantial evidence supports a finding that the alternative is infeasible. See, e.g., *Citizens of Goleta Valley v. Board of Supervisors*, 197 Cal. App. 3d 1167, 1181 (1988).

A4-23

The DEIR fails to describe a reasonable range of alternatives to the Spring Trails Specific Plan. The lack of a reasonable range of alternatives is tied to both the failure to properly identify and analyze environmental impacts of the project, particularly impacts to biological resources, and the overly narrow “project objectives” which the City has imposed on the project. All DEIR alternatives include the same “development envelope” and grading limits.

A4-24

The DEIR also fails to include any alternative based on preservation of portions of the site and inclusion of all or part of the site in ongoing efforts to maintain and restore essential wildlife corridors in the San Bernardino Mountains. The alternatives analysis in the DEIR must be revised to include a meaningful range of alternatives that avoid the environmental impacts of the Spring Trails Specific Plan once those impacts are properly identified and analyzed.

A4-25

Conclusion

A lead agency must recirculate an EIR for further public comment under any of four circumstances:

A4-26

(1) When the new information shows a new, substantial environmental impact resulting either from the project or from a mitigation measure;

- (2) When the new information shows a substantial increase in the severity of an environmental impact, except that recirculation would not be required if mitigation that reduces the impact to insignificance is adopted;
- (3) When the new information shows a feasible alternative or mitigation measure that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt the mitigation measure; or
- (4) When the draft EIR was “so fundamentally and basically inadequate and conclusory in nature” that public comment on the draft EIR was essentially meaningless.
Guidelines §15088.5.

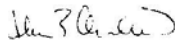
Based on the comments above, it is clear that the DEIR must be re-drafted and . Conditions (1) and (3) above will be met by meaningful and adequate discussion of the project description, impacts, mitigation measures, and cumulative impacts. The combined effect of these omissions makes it clear that the fourth condition has also been met.

A4-26
cont'd

The above-described defects must be corrected before the City can lawfully approve the project. The DEIR for the Spring Trails Specific Plan fails to adequately disclose, analyze, avoid, minimize, and mitigate the environmental impacts of the proposed project. As detailed above, the DEIR fails to comply with CEQA and fails to provide necessary information about the impacts of the project in many areas including biological resources, air quality, and water resources, and did not consider in adequate detail new information.

Neither decision-makers nor the public can make informed decisions about the costs to the environment of the proposed project based on this fundamentally flawed and cursory environmental review. The Center looks forward to reviewing a revised EIR that takes into account the issues raised in this comment letter and in letters provided by the San Bernardino Valley Audubon and others.

Sincerely,



Heene Anderson
Biologist
Center for Biological Diversity

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A4. Response to Comments from Center for Biological Diversity, dated September 12, 2011.

- A4-1 The comment provides an introduction to the letter and an overview of CEQA requirements. It does not contain any comments on the Draft EIR.
- A4-2 It is the City's opinion that the Draft EIR clearly discloses the existing biological resources present on the project site; and the potential impacts that could result from project implementation. Mitigation measures have been proposed to offset identified impacts to a less than significant level. Additional clarification is provided in this Final EIR. The EIR meets both the substantive and procedural requirements of CEQA.
- A4-3 None of the conditions which would require re-circulation of the Draft EIR under State CEQA Guidelines Section 15088.5 apply. There are no new significant impacts or changes that would result in substantial increases to the impacts identified in the Draft EIR, or feasible alternatives that have been identified that are not addressed in the Draft EIR. This Final EIR does 'clarify and amplify' information included in the Draft EIR. Recirculation is not required for such changes to the Draft EIR.
- A4-4 The acreage calculations in the text and Table 5.3-5 are correct. Figure 5.3-1 has been revised to be consistent with the rest of the document. The revised Figure 5.3-1 is provided in Section 3.4 Revised *and New Figures*.
- A4-5 The loss of sensitive habitats will be mitigated by acquisition of offsite permanent mitigation lands that are biological equivalent or superior as determined by the California Department of Fish and Game or payment of in-lieu fees to an appropriate permanent mitigation land bank as determined by CDFG (see revised mitigation measure 3-7 in Section 3, *Revisions to the Draft EIR*) (McGill 2012). This mitigation reduces the project's impacts to sensitive habitats to less than significant. A consultation with CDFG would take place as part of the 1602 Streambed Alteration Agreement and 2081 Incidental Take Permit and with USFWS as part of an Incidental Take Permit under the federal Endangered Species Act.
- A4-6 It is the City's opinion that the Draft EIR provides an adequate level of analysis for direct, indirect, and cumulative impacts to biological resources as discussed in Draft EIR Section 5.3, *Biological Resource*. Specific responses are provided in A4-14 and A4-15 below.
- A4-7 See Response to Comment A4-6.
- A4-8 An analysis of critical habitat was provided in Section 5.3.1 on page 5.3-33. Additional information on critical habitat was also provided in Table 5.3-4 and on Figure 5.3-4.
- A4-9 This comment regarding the loss of critical habitat for CAGN is incomplete. Without the full text of the comment, it is not possible to provide a meaningful response. It should be noted, however, that CAGN Critical Habitat does not occur within the project site or access road. There will be no loss or adverse modification of CAGN Critical Habitat from the proposed project.

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- A4-10 The loss of 168.4 acres of RSS habitat is expected to displace or adversely impact some of the species of special concern (SSC) that could occur on the project site. However, the applicant will purchase and permanently protect RSS habitat that is biologically equivalent to or superior than the 168.4 acres of onsite RSS habitat as determined by the CDFG (McGill 2012). The protected habitat will provide suitable habitat for many of the SSC species. Implementation of this mitigation measure will reduce the RSS impacts to less than significant (see revised mitigation measure 3-6 in Section 3, *Revisions to the Draft EIR*).
- A4-11 The project site is a 352.8-acre property located in the foothills of the San Bernardino Mountains. A significant portion of the habitats in the San Bernardino Mountains and the adjacent San Gabriel Mountains are undeveloped. The San Bernardino National Forest manages 676,666 acres but several thousand additional acres are in private ownership or under other governmental management. An inventory of all undeveloped habitats in the region and comparison to historical acres as suggested in this comment, is not required by CEQA. Pursuant to CEQA Guidelines (Section 15130, Discussion of Cumulative Impacts, b), “the discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact.” An analysis of the magnitude suggested in the comment is not required to identify the impacts of the project on biological resources. The County of San Bernardino intends to take on this task and is in discussion with federal, state, and private entities regarding the development of a regional habitat conservation plan to cover all these undeveloped habitats but has not formally started the preparation of the plan. This plan, once implemented, will provide management for sensitive plant communities and wildlife habitats in the region.
- Focused surveys on the project site are required to determine the project’s impact on a particular species. Focused surveys for sensitive species determine the presence or absence of the species, they do provide an indication of the total population. Copies of focused survey reports are included in the technical appendices. Presence of sensitive species will be mitigated through Mitigation Measures 3-1 through 3-9.
- A4-12 The project site supports 11.4 acres of non-native grasses (NNG). NNG are invasive and often displace native plant communities following disturbance. The non-native grasslands found onsite support very dense NNG that do not provide the open habitat needed by sensitive species such as burrowing owl and San Bernardino kangaroo rat known to occur in this area. The predominant wildlife species observed within the non-native grassland found onsite are California ground squirrels and gophers. Neither species are sensitive and both are associated with heavily disturbed habitats. Although non-native grasslands are used for foraging by raptor species, the 11.4 acres provide only a small percentage of the needed foraging habitat for raptor species and its loss would not be considered a significant impact to foraging raptor species.
- A4-13 The Draft EIR does provide quantification of the number of acres for each plant community or habitat type found on the project site, as well as discusses changes that have occurred on the project site over the last ten years. The current site

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conditions are the baseline from which future impacts due to project development was determined and upon which the requirements for mitigation is being developed. The Draft EIR recognizes that the loss of several of the sensitive riparian habitats and the RSS habitat will be considered a significant loss without mitigation. However, these habitats will be replaced offsite through the acquisition and permanent protection of biologically equivalent or superior conservation areas (see Response to Comment A1-4 and revised Mitigation Measure 3-6 in Section 3, *Revisions to the Draft EIR*, of this FEIR) (McGill 2012). The review and approval of the proposed offsite conservation properties will be coordinated with CDFG through the 1602 and 2081 permit processes and USFWS through the Section 7 Consultation process.

- A4-14 The City recognizes the importance of the wildlife movement corridor that occurs along Cable Creek and the project has been designed so that this important corridor is preserved. A barrier will be installed at the outer limits of the California Walnut Woodland that surrounds Cable Creek at its interface with the RSS habitat on the hillsides above the canyon bottom (see Response to Comment A1-5). This will provide a buffer of approximately 300 feet inside the barrier fence that will be located on either side of Cable Creek (see revised Mitigation Measure 3-4 in Section 3, *Revisions to the Draft EIR*). This combination of a barrier and buffer is designed to protect the natural resources associated with the use of Cable Creek as well as the wildlife movement corridor that is found in association with Cable Creek.
- A4-15 The Draft EIR does address indirect impacts, in particular the potential for the introduction of non-native, invasive plant species into the native habitat that will remain in the project area. Specific mitigation measures such as required adherence to the use of approved plant species for landscaping are provided in the Draft EIR to avoid the introduction on non-native, invasive plant species (Mitigation Measure 3-7). Other mitigation measures have been included to control the introduction of non-native predators such as domestic cats and dogs, as well as to avoid creating conditions that could attract native predators (Mitigation Measure 3-5).
- A4-16 As discussed above in Response to Comment A4-14, a barrier will be installed at the outer limits of the California Walnut Woodland that surrounds Cable Creek at its interface with the RSS habitat on the hillsides above the canyon bottom (see Response to Comment A1-5 and revised Mitigation Measure 3-4, included below in Section 3, *Revisions to the Draft EIR*). This will provide a buffer that includes the full extent of the relatively flat canyon bottom that occurs on either side of Cable Creek, approximately 300 feet in width. A barrier fence will be installed on either side of the canyon bottom to isolate the riparian habitat found on the canyon bottom from the surrounding development and will be designed to allow access into the Cable Creek area only at designated points and only for permitted/passive recreational activities. This combination of a protective barrier, controlled access points and a buffer will protect the natural resources found in Cable Creek as well as the wildlife movement corridor that occurs along Cable Creek. As noted above, the barrier will be established at the interface of the relatively flat canyon bottom with the steep slopes of the canyon walls. The Commenter suggests using the slope of the land to determine the size of the buffer. However, the buffer zone is on relatively flat ground, less than 15 percent slope, and the barrier fence would be at the base of steep slopes. The riparian habitat that provides wildlife movement opportunities through

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the canyon bottom ends at the interface with the steeper canyon walls that support Riversidean sage scrub habitat.

A4-17 The project design did consider the avoidance measures first, minimization measures second, and mitigation measures last as reasonable and feasible range of mitigation measures. However, the possible implementation of these measures had to be balanced against the economic viability of the project. The Center for Biological Diversity's (CBD's) letter mentions several feasible and enforceable mitigation measures for controlling indirect impacts on native habitats on wildlife species as a result of project development. All of these measures will be included in the Habitat Mitigation and Monitoring Plan (HMMP) that is being prepared as part of the regulatory permitting process, in the appropriate Covenants, Codes and Restrictions (CC&Rs) that each home owner will have to sign, as well as in the noxious weed control plan that will be prepared prior to the issuance of grading permits. All of these plans will be reviewed by the appropriate agencies prior to approval and implementation and prior to any ground disturbing activities.

A new Mitigation Measure 3-6 has been added to the Draft EIR to incorporate the CBD's suggested HMMP mitigation measures. These measures shall also be incorporated into the CC&Rs and the noxious weed control plan:

3-6 The following provisions shall be included in the Habitat Mitigation Monitoring Plan, the Covenants, Codes, and Restrictions, and the noxious weed control plan:

- Setbacks between developed area, including roads and fuel modification zones, and sensitive habitat areas shall be a minimum of 300 feet.
- Walls and/or fences that will inhibit domestic animals from harassing and harming native species, including "cat-proof" fences to prevent feral and house cats from accessing sensitive habitat, shall be implemented on the project site.
- Programs to capture feral cats should be implemented.
- Non-native invasive plant species shall be controlled through weed control techniques.
- Native vegetation shall be used in landscaping.
- Educational materials and programs shall be provided to inform residents of rare, threatened, and endangered species and how local communities can help protect them.
- Gates shall be used to restrict access to lands set aside for habitat protection.

A4-18 The City is aware that this project is subject to the state and federal Endangered Species Act. Potential impacts to a federally or state listed species will be avoided

2. Response to Comments

through project design. The proposed avoidance measures will be reviewed with CDFG and USFWS. The detailed measures will be reviewed and refined as part of the regulatory permitting processes (1602 Streambed Alteration Permit and 2081 ITP from CDFG and the Section 7 Consultation process with USFWS to offset potential loss or adverse modification of critical habitat) for this project.

- A4-19 An access road will cross designated Critical Habitat for SBKR. Presence and absence protocol surveys within the proposed alignment for the access road have been negative, indicating that this portion of Critical Habitat is not occupied. However, since implementation of the project will result in the loss of Critical Habitat for SBKR within jurisdictional waters, a Section 7 Consultation between the US Army Corps of Engineers and USFWS must be conducted before the Corps can issue a 404 permit.
- A4-20 As indicated above in Responses to Comments A3-5 and A3-19 above, the applicant will consult with CDFG and USFWS about the requirements for ITPs. Due to the nature of the habitats found onsite, potential impacts to federally and state listed species would occur within jurisdictional waters of the US and of the State, requiring additional consideration by the regulatory and wildlife agencies of impact to list species as part of the wetland permitting processes.
- A4-21 The Draft EIR has identified project impacts and feasible mitigation measures to reduce project impacts. The commenter does not identify any specific instances where the Draft EIR defers impact analysis and mitigation measures. Where some situations dictate that additional evaluation is necessary to refine mitigation to an engineering or final design level, e.g., geotechnical impacts and biological resource impacts, performance standards are provided in the mitigation measures.
- A4-22 The US Forest Service commented on previous Draft EIRs for the project site on April 6, 1998, March 17, 2003 and July 8, 2004. In each case, their comment letters emphasized that they neither supported nor opposed the development but sought to insure that appropriate mitigation would be required for impacts on National Forest lands. In particular, their three letters mentioned that Forest lands would not be made available for support of the development and that the Specific Plan and resulting EIR needed to clearly address the detailed wildland fire concerns listed in their March 17, 2003 letter. The Specific Plan for Spring Trails does consider and address each of the issues outlined by the US Forest Service in the above listed letters. Copies of each of the US Forest Service letters are available at the City of San Bernardino's Planning Department.
- A4-23 The Draft EIR has included a reasonable range of alternatives and has adequately analyzed these in comparison to the proposed project's impacts. Per Response to Comment A4-6, the Draft EIR has adequately disclosed and identified the proposed project's potentially significant impacts to biological resources. The project objectives for the proposed project have been established by the City to identify the general intentions and goals of the proposed project. They provide direction for how the proposed project can be economically viable while still taking into consideration the environmental and service constraints of the area. The project's objectives represent realistic development goals and restraints of the proposed project.

2. Response to Comments

The discussion of alternatives in Chapter 7 of the Draft EIR adequately discusses the feasibility of all project alternatives and identifies Alternative 3 as the environmentally superior alternative. However, the elimination of lots on the project site in accordance with Alternative 3 would make the project economically infeasible.

A4-24 The commenter is incorrect in stating that all of the project alternatives would have the same development envelope as the proposed project. See Section 7, *Alternatives*, of the Draft EIR, for a full description of the project alternatives. Only one alternative, Alternative 4, the Reduced Daily Grading Alternative, would have the same development envelope as the proposed project. Alternative 1, No Project/No Development Alternative, does not involve any development. Alternative 2, No Project/Existing General Plan Alternative, would only require grading of individual housing pads and access roads. Alternative 3, the Alternative Site Plan, would avoid sensitive areas of the project site and reduce the grading footprint from 224.3 acres to 147.5 acres (a reduction of 43 percent).

A4-25 Alternative 1, 2, and 3 would all preserve portions of the site. Alternatives 1 and 2, as required by CEQA, assume the site is not developed or developed under the existing land use designations, respectively. By nature, they would reduce impacts to biological resources because they would avoid developing sensitive areas. Alternative 3 was intentionally designed to reduce the grading footprint to reduce construction-related air quality and noise impacts, which are identified as significant and unavoidable impacts in the Draft EIR. As noted by the commenter, alternatives should avoid or reduce the significant and unavoidable impacts of the proposed project. However, by reducing the project's development footprint, this alternative also avoids the biologically sensitive areas (see Figures 7-1 and 7-2 of the Draft EIR). The revised site plan for Alternative 3 has a reduced footprint that is based on the project's site constraints. For example, the jurisdictional wetlands in the southeast corner of the project site and the entire northern portion of the site (north of Cable Canyon Creek) would be avoided (with the exception of the water tank, which would still be needed to supply the site).

A4-26 The commenter is incorrect in stating that the Draft EIR has qualified for recirculation. As stated in the comment, the following reasons have been provided for why the Draft EIR would need to be re-circulated:

- When new information shows a new, substantial environmental impact resulting either from the project or from a mitigation measure;
- When new information shows a substantial increase in the severity of an environmental impact, except that recirculation would not be required if mitigation that reduces the impact to insignificance is adopted;
- When new information shows a feasible alternative or mitigation measure that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt the mitigation measure, and;
- When the draft EIR was "so fundamentally and basically inadequate and conclusory in nature" that public comment on the Draft EIR was essentially meaningless (CEQA Guidelines Section 15088.5).

2. Response to Comments

No new information that would cause significant and unavoidable impacts has been identified since the circulation of the Draft EIR. The Draft EIR adequately identifies and discusses CEQA impacts based on the information available and new information identified by commenters does not create new significant impacts. Mitigation measures have been revised per suggestions of the CBD and other agencies and commenters. These revisions have been made in response to concerns identified by commenters.


Based on the responses to CBD's comments provided above, there is no need to re-circulate the Draft EIR because none of the criteria above have been met.

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2. Response to Comments

LETTER A5 – County of San Bernardino Department of Public Works (3 pages)

DEPARTMENT OF PUBLIC WORKS FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION • OPERATIONS SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION			COUNTY OF SAN BERNARDINO
825 East Third Street • San Bernardino, CA 92415-0835 • (909) 387-8104 Fax (909) 387-8130			GRANVILLE M. "BOW" BOWMAN, P.E., P.L.S. Director of Public Works
September 1, 2011	RECEIVED SEP 01 / 2011		File: 10(ENV)-4.01
Terri Rahhal, City Planner City of San Bernardino Community Development Department 300 North "D" St., 3 rd Floor San Bernardino, CA. 92418		CITY OF SAN BERNARDINO DEVELOPMENT SERVICES DEPARTMENT	
RE: NOTICE OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE SPRING TRAILS SPECIFIC PLAN			
Dear Ms. Rahhal:			
Thank you for giving the San Bernardino County Department of Public Works (Department) the opportunity to comment on the above-referenced project. The environmental document was circulated to other Divisions within our Department and the following are their comments:			
<u>Traffic Division (Ed Petre, P.E., (909) 387-8239):</u>			
1. Intersection 4, Kendall Drive at Little League Drive: The eastbound through lane does not have the minimum 10% growth as stated on page 3 of the report.	A5-1		
2. Intersection 4, Kendall Drive at Little League Drive: The existing morning volumes on Figure 5 do not match the count sheets.	A5-2		
<u>Permit Operations Support Division (James McKenzie, Jr., PWE II, (909) 387-7941):</u>			
1. In Section 1.4 Project Summary – the report shows the project beginning in 2010 – this date should be updated.	A5-3		
<u>Transportation Planning Division (Omar Gonzalez, PWE III, (909) 387-8164):</u>			
1. There is a difference between the number of lots discussed in the Traffic Appendix (329 sites) and the main docs (307 sites).	A5-4		
2. The San Bernardino General Plan circulation (page 14[22]) on Appendix K shows a collector road connecting Cable Canyon Road with Meyers Road. This connection is not addresses in mitigation of the identified impacts.	A5-5		
<u>Water Resources Division (Mary Lou Mermilliod, P.E., (909) 387-8222):</u>			
Reference is made to your August 3, 2011, Interoffice Memo, referencing pertinent documents on the share drive, requesting our review and recommendations for the subject Draft EIR. The City of San Bernardino is asking for comments on a DEIR for the Spring Trails Specific Plan formerly known as the Martin Ranch. The subject development is currently in an unincorporated portion of the County.	A5-6		
GREGORY C. DEVEREAUX Chief Executive Officer	Board of Supervisors BRAD M. TZELEFFLITZ First District NEIL D. FERRY Third District JANICE RUTHERFORD Second District GARY C. CYTT Fourth District JOSIE GONZALES Fifth District		

2. Response to Comments

City of San Bernardino
September 1, 2011
Page 2 of 2

We have previously commented on this site by Interoffice Memo dated April 6, 1998. A copy is included for you use (see attached).

The information provided in the April 6, 1998 memo is still considered accurate with the exception of the FEMA Flood Zone determination. The site is located in Flood Zone "D," according to the most current FEMA Flood Insurance Rate Map, Panel No. 060270-7930H, dated August 28, 2008.

A5-6
cont'd

We have reviewed the DEIR and our comments are as follow:

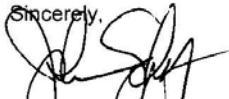
A5-7

1. We recommend that the project incorporate the County's regulations for development in a FEMA Flood Zone "D."
2. All of our previous comments still apply.

A5-8

If you have any questions or require additional information, please contact the specific individuals that have provided that specific comment, as listed above.

Sincerely,



JOHN SCHATZ, AICP
Supervising Planner
Environmental Management Division

JS:PE:mb/CEQA Comments to DEIR_San Bernardino_Spring Trails Specific Plan.doc
Attachment

cc: Patrick Egle

ATTACHMENT
System file

IN OFFICE MEMO

DATE: April 6, 1998
FROM: *Mike Fox*
MIKE FOX, Chief
Water Resources Division

PHONE: 72515
MAIL CODE: 0835



TO: **JIM BORCUK**, Chief
Environmental Management Division

File No. 2-309/1.00 ✓
TT 15576

SUBJECT: ZONE 2, CABLE CREEK CHANNEL - NOTICE OF PREPARATION DRAFT ENVIRONMENTAL IMPACT REPORT - MARTIN RANCH - CITY OF SAN BERNARDINO

Reference is made to a March 30, 1998, Notice of Preparation of a Draft EIR for the subject development, sent to us from the City of San Bernardino, requesting our review and recommendations.

The 352.8 acre site is located north of Meyers Road and east of Martin Ranch Road in the unincorporated area north of the City of San Bernardino. According to the most recent Flood Insurance Rate Map, dated March 18, 1996, the entire site lies within Zone X, areas determined to be outside the 500-year floodplain.

The site also lies within the drainage area tributary to the Flood Control District's Cable Creek Channel. During the historic floods of January and February, 1969, Cable Creek Channel sustained major erosion damage to its banks and levees. The floodflows washed out a dike protecting a bridge crossing at Interstate Highway 15. At other locations along the highway, large quantities of debris and mud were deposited on the pavement, fences were damaged and the shoulders and median strip were eroded.

A5-9

In July of 1993, BSI Consultants, Inc., on behalf of the Flood Control District, prepared a drainage study using the City of San Bernardino's Land Use Plan dated June 2, 1989. It should be noted that the proposed development was not anticipated nor shown on the City's Land Use Plan, and the addition of 352.8 acres of "developed" watershed will have a significant and adverse impact to both existing and proposed channel improvements for Cable Creek.

Our comments are as follows:

1. The Draft EIR should address the impact of additional runoff that will be created by this development on Cable Creek and include mitigation measures.
2. Other hydrology issues seem to have been adequately identified.

A5-10

A5-11

If you have any questions, or if you need additional information, please call MaryLou Mermilliod at (909) 387-2515.

MJF:MLM:AF:bfb ID#12544AA

2. Response to Comments

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2. Response to Comments

A5. Response to Comments from San Bernardino Department of Public Works, dated September 1, 2011.


- A5-1 The East Valley Traffic Model forecasts were used in the traffic impact analysis. Appendix C of the traffic impact analysis includes the future growth increment calculation worksheets for the study area intersections. The eastbound movement at Intersection 4, Kendall Drive at Little League Drive shows a nominal (negative) increase in growth based upon the traffic model forecasts. However, the overall intersection shows an increase from existing traffic volumes to Year 2035 traffic volumes of 39% $[(400 - 288)/288]$ during the morning peak hour and of 91% $[(530 - 277)/277]$ during the evening peak hour.
- A5-2 The morning peak hour traffic count worksheet provided by National Data and Surveying Services had an Excel worksheet error. However, the traffic impact analysis did use the correct traffic volumes. Appendix C of the traffic study includes the future growth increment calculation worksheets that are based upon the peak hour turning movement volumes.
- A5-3 The description in Section 1.4, Project Summary, has been updated with the correct project start date, 2013. In accordance with proposed construction phasing, the project would be complete in 2015, assuming no changes to future planning decisions and market forces occur. The revised text is in Section 3 of this FEIR, Revisions to the Draft EIR.
- A5-4 As discussed in Section 5.14 of the Draft EIR, *Transportation and Traffic*, the traffic study and the project description differ in the total number of proposed housing units. The traffic study assumes 329 units, the originally proposed number, and the Draft EIR assumes 307, the currently proposed number. Previous development plans for the Spring Trails project had included 329 units. Instead of revising the traffic study, the traffic analysis in the Draft EIR is based on 329 units, which provides a more conservative estimate of traffic impacts. No revisions to the Draft EIR are made in response to this comment.
- A5-5 The circulation map in the City of San Bernardino's Circulation Element (Figure 5.14-1 of the Draft EIR) shows Cable Canyon Road and Meyers Road connecting. However, this map shows projected roadway locations at the buildout of the San Bernardino General Plan and not current conditions. These two roads are not currently connected. Since it is not guaranteed that these roads would connect in the future, the environmental analysis of the traffic impacts in the Draft EIR does not assume this connection.
- A5-6 The comments from the Water Resources Division of the San Bernardino County Public Works Department include the previous comments on the previously proposed Martin Ranch project. The previous comments are included in the Interoffice Memo dated April 6, 1998. It is noted that all comments are the same with the exception of the comment on the FEMA Flood Zone determination. The most recent FEMA Flood Insurance Rate Map (FIRM) indicates that the project site is in Flood Zone D, not X. This issue is addressed in Response to Comment A5-7.

2. Response to Comments

- A5-7 The project site is in FEMA Flood Zone D, not X. Zone X has a low to moderate flood risk area and is above the 100- and 500-year flood levels. Zone D is used to classify areas of undetermined flood risk because not enough analysis has been conducted for the area. Chapter 19.16 of City of San Bernardino's Development Code (Flood Plain Overlay District) restricts development in areas of special flood hazards, areas of flood-related erosion hazards, and areas of mud slide, as identified by the FEMA FIRMs. Development restrictions do not apply to Zone D as it is not in one of these zones. The Draft EIR has been revised to reflect the accurate flood zone designation. The revised text is found in Section 3, *Revisions to the Draft EIR*, of this FEIR.
- A5-8 Responses to the previous comments of the Department of Public Work's Interoffice Memo are provided in Response to Comments A5-9 and A5-10.
- A5-9 The comment regarding the 1969 Cable Creek Channel flood is noted. In regards to the comment about the proposed project's impact to natural drainage in the area, the Draft EIR addresses hydrology impacts in Section 5.7, *Hydrology or Water Quality*. The proposed project's impact to the existing drainage conditions are discussed in both the hydrology study and the Draft EIR. With the implementation of best management practices (BMPs), standard conditions, and the specific plan's design features, it was determined that hydrology impacts would be less than significant.
- A5-10 Section 5.7, *Hydrology and Water Quality*, addresses additional onsite runoff entering Cable Creek and finds the impact to be less than significant. Although Cable Creek is not included on the Clean Water Act's list of impaired waters (Section 303(D)), the down stream creek, Lytle Creek, is included on the list. Water pollutants during the construction and operational phase of the proposed project have potential to affect the water quality of Cable Creek. A water quality management plan and a stormwater pollution prevention plan will be prepared for the proposed project, both of which include BMPs that would reduce water quality impacts. In addition, project design features will reduce water quality impacts to Cable Creek. As determined in the Draft EIR, impacts to Cable Creek are less than significant.
- A5-11 Comment noted.

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LETTER A6 – Department of the Army, Corps of Engineers (3 pages)

	<p>DEPARTMENT OF THE ARMY LOS ANGELES DISTRICT, CORPS OF ENGINEERS P.O BOX 532711 LOS ANGELES, CALIFORNIA 90053-2325</p>	<p>RECEIVED AUG 29 2011 CITY OF SAN BERNARDINO DEVELOPMENT SERVICES DEPARTMENT</p>
<p>August 17, 2011</p>		
<p>REPLY TO ATTENTION OF: Office of the Chief Regulatory Division</p>		
<p>Terri Rahhal Community Development Department 300 North "D" Street, 3rd Floor San Bernardino, California 92418-0001</p>		
<p>Dear Ms. Rahhal:</p>		
<p>It has come to our attention that you plan to develop the area formerly known as Martin Ranch in San Bernardino, California. This activity may require a U.S. Army Corps of Engineers permit.</p>		
<p>A Corps of Engineers permit is required for:</p>		
<p>a) 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,</p>		
<ol style="list-style-type: none">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;		

A6-1

2. Response to Comments

-2-

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

An application for a Department of the Army permit is available on our website: <http://www.spl.usace.army.mil/regulatory/eng4345a.pdf>. If you have any questions, please contact Daniel Swenson of my staff at 213-452-3414 or via e-mail at Daniel.P.Swenson@usace.army.mil. Please refer to this letter and SPL-2011-00765-DPS in your reply.

A6-1
cont'd

Sincerely,



Daniel P. Swenson
Chief, Los Angeles Section
North Coast Branch
Regulatory Division

2. Response to Comments

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

OFFICIAL BUSINESS

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Torri Nakhel

*Community Development Dept.
800 N. 1st Street, 3rd Floor
San Bernardino, CA 92410-0001*

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2. Response to Comments

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2. Response to Comments

A6. Response to Comments from Department of the Army, Corps of Engineers, dated August 17, 2011.


A6-1 Comment acknowledged. As disclosed in the Draft EIR and in this Final EIR, the applicant will apply for a U.S. Army Corps of Engineers 404 permit.

2. Response to Comments

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2. Response to Comments

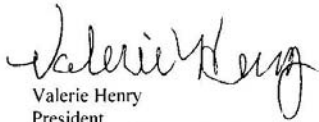
LETTER A7 – Devore Rural Protection Association (2 pages)

 <p>D E V O R E R U R A L P R O T E C T I O N A S S O C I A T I O N</p>	<p>1043 Woodlawn Ave, Devore, CA 92407</p>
<p>September 10, 2011</p>	
<p>Terri Rahhal, City Planner City of San Bernardino Community Development Department 300 N. "D" Street, 3rd Floor San Bernardino, Ca. 91418-0001</p>	
<p>RE: Spring Trails Specific Plan SP 10-01</p>	
<p>Dear Ms. Rahhal:</p>	
<p>As representatives for the residents of the community of Devore, we would like to go on record as being opposed to the Spring Trails Project and feel some issues addressed in the Draft EIR to be insufficient to protect the residents of Verdemon and ultimately the residents of Devore. The following issues are of concern to our residents:</p>	
<p>1.) Traffic – Adding up to 3600 vehicles per day (3100 based on “low population” estimates) to the already overburdened roadways/freeways in the area with no infrastructure improvements, will create a nightmare in traffic congestion. This will impact residents of all the surrounding areas, including Devore. With infrastructure modifications, such as widening on/off ramps to 2 lanes on the I-215 at Palm Avenue and/or adding an on ramp northbound on the I-215 and an off ramp south bound on the I-215 at Little League Drive could alleviate a great deal of this congestion.</p>	A7-1
<p>2.) Fire mitigation – With dense developments, comes higher fire hazards. This project being located in the foothills of the San Bernardino Mountains, which has experienced several devastating fires in recent decades, escalates the danger to a much higher level. In a major fire, high-density homes can turn a fire into a raging wild land inferno, hopping from house to house, building in intensity, causing further destruction and possible loss of life as we have seen in past occurrences. Limiting the number of homes/keeping the minimum acreage per parcel to no less than between 1 and 5 acres (currently at 5 acres) would further help mitigate the extreme fire hazard in the area. Increased/larger open “green planting” areas will help in minimizing the spread of fires. Staggering these “green belts” help to stop the “wick effect” in spreading fires.</p>	A7-2
<p>3.) Wind – The area in which the project is located is subject to violent winds of up to 100+ mph. These can be very destructive and totally devastating when a fire is present. Increased open areas of “green planting” would help minimize the impact of blowing dust and trash.</p>	A7-3
<p>4.) Local/Endangered Species Habitat – With no habitat buffer for wildlife, many species may become stressed and ultimately die out in the area. With dense housing in the project area, the sole remaining habitat for wildlife will be the Cable Canyon area. Leaving a “buffer” zone on the upper project area would serve as a corridor for wildlife. Leaving native trees or replacing all trees that are removed will also help maintain wildlife habitat and encourage all species to remain. Devore residents enjoy the wildlife that lives in and around the area, but would be overburdened with added wildlife moving to our community.</p>	A7-4


2. Response to Comments

Thank you for addressing our concerns. We look forward to being notified of any and all progress on this project.

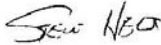
Sincerely,



Valerie Henry
President
Devore Rural Protection Association



Marcee Klapp
Vice President
Devore Rural Protection Association



Steve Helt
Secretary
Devore Rural Protection Association

A7. Response to Comments from Devore Rural Protection Association, dated September 10, 2011.

A7-1 Based on the traffic study, revised May 2011, the proposed project would generate approximately 3,149 vehicle trips per day. This total trip generation is based on the Institute of Traffic Engineer's *Trip Generation* (8th Edition, 2008) handbook. Infrastructure improvements at Palm Avenue and Interstate 215 (I-215) include adding an additional southbound left turn approach lane and installing traffic signals at both the north- and southbound ramps. With these improvements, the level of service (LOS) at opening year will be LOS B for both the north- and southbound ramps. At project buildout, the northbound onramps will have an LOS D and the southbound onramps will have an LOS C. These are all acceptable LOS values per the City of San Bernardino's LOS threshold.

There are currently no on- and off-ramps at the junction of Little League Drive and I-215. Little League Drive travels over I-215 and drivers must enter the freeway at either Palm Avenue or Glen Helen Parkway. The California Department of Transportation (Caltrans) does not have any improvements planned for the Little League Drive/I-215 junction. The only improvements to Caltrans facilities included in the Draft EIR are those that have been previously identified by Caltrans. These include the improvements to the Palm Avenue/I-215 Interchange, found in the San Bernardino Associated Governments Development Mitigation Nexus Study (2009), and the I-215 mainline improvements, found in the I-15/I-215 Devore Interchange Reconfiguration Project Study Report (but are not currently funded).

A7-2 Fire impacts are addressed in Section 5.6, *Hazards and Hazardous Materials*, and they are based on the analysis and findings in the Fire Protection Plan (July 2011) prepared for the proposed project by Firesafe Solutions. The analysis in the Fire Protection Plan uses weather information from the Devore remote access weather station (RAWS) and the BEHAVE Fire Behavior Prediction and Fuel Modeling System to model the intensity of a fire approaching the project site. The fire models include information on flame length, wind speed, and slope. As shown in the fire history of the project site, the risk of fire is significant. Worst-case scenarios were used to develop the fuel modification plan, which includes allowable plant palate, the distance of separate landscaping zones from buildings, and building setbacks from each other.

As mentioned in the comment, the distance between homes becomes a risk during intense fires because of the fire's potential to jump between structures. The commenter has requested the "green space" between buildings be increased and to keep the lots no smaller than one to five acres. In the Fire Protection Plan, the fuel modification zones created for the proposed project are based on a systems approach to address fire prevention and are the appropriate size for the project as it is proposed. The concept behind the systems approach is to create fuel modification zones in which the fire is systematically deprived of available fuel to reduce the size of the flame and the amount of heat that would be generated. Each of the three fuel modification zones is described in detail in Section 5.6 of the Draft EIR. The maintenance and clearing of prohibited vegetation will depend on a strict enforcement routine, which includes a Lighting and Landscape Maintenance District (LLMD), the Homeowners' Association (HOA), and individual homeowners. The San

2. Response to Comments

Bernardino Fire Department (SBFD) is responsible for approving annual reports from the Homeowners' Association. Annual reports must be submitted every year the project is in place.

The fuel modification zones and plan are designed specifically for the project site. Increasing the distance between lots would not be as effective as maintaining fire-resistant landscaping in the fuel modification zones. The requirements prescribed in the Fire Protection Plan, using fire-resistant building materials, and the implementation of the Fuel Modification Plan, the risk from fire would be reduced on the project site.

A7-3 The effect of high velocity winds has been taken into account for fire modeling through the Computer Fire Behavior Prediction and Fuel Modeling System (BEHAVE) modeling software. Based on the weather data obtained from the Devore Remote Area Weather Station (RAWS), high velocity winds reached speeds of 71 miles per hour. The worst-case scenarios created in the BEHAVE software for the proposed project assume maximum wind occurring in conjunction with wildfire events. The Fire Protection Plan has been designed assuming these inputs.

As mentioned by the commenter, wind also becomes problematic in regards to dust and debris. During construction, dust and debris would be controlled by limiting dust-inducing construction activities when wind speeds are over 25 miles per hour, watering soil and equipment, covering loose materials with tarp, and using chemical stabilizers to reduce soil erosion. Mitigation measure 2-1, in Section 5.2, *Air Quality*, of the Draft EIR, applies to Section 5.6, *Hazards and Hazardous Materials*, and requires these actions to be completed, reducing construction-related dust and debris from affecting neighboring properties.

The Specific Plan Development Standards outline requirements for Trash Collection. As described in the Specific Plan, the outdoor trash receptacles would be entirely enclosed with a solid fence. This would reduce the amount of trash that could be blown around by the wind. Also stipulated in the Specific Plan is the following:

- The CC&Rs shall include detailed responsibilities of each homeowner for trash container drop-off and pick-up, container spacing, as well as penalties for noncompliance.
- All individual containers must be returned within 24 hours of collection.

To assure that trash and debris is also controlled in common areas (i.e., parks and trails) the following development standard has been added to the Specific Plan:

- The Landscaping and Lighting Maintenance District (LLMD) shall be responsible for trash collection and maintenance within common areas. Procedures shall detail responsibilities and timing for trash collection (daily, weekly, etc.) and shall include provisions for forecasted high wind events.

No additional mitigation measures are needed to control wind-blown debris.

A7-4 See Responses to Comments A1-13 and A4-14 for a discussion of how the project design would accommodate Cable Creek.

LETTER A8 – Local Agency Formation Commission (2 pages)



LOCAL AGENCY FORMATION COMMISSION

215 North "D" Street, Suite 204 • San Bernardino, CA 92415-0490
(909) 383-9900 • Fax (909) 383-9901
E-mail: lafco@lafco.sbcounty.gov • www.sbclafco.org

Established by the State of California to serve the Citizens, Cities, Special Districts and the County of San Bernardino

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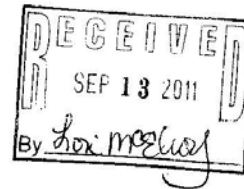
KATHLEEN ROLLINGS-McDONALD
Executive Officer
SAMUEL MARTINEZ
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MICHAEL TUERPE
LAFCO Analyst
Vacant
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Deputy Clerk to the Commission
REBECCA LOWERY
Deputy Clerk to the Commission

LEGAL COUNSEL

CLARK H. ALSOP

September 12, 2011

Terri Rahhal, City Planner
City of San Bernardino
Community Development Department
300 North "D" Street, 3rd Floor
San Bernardino, CA 92418-0001



RE: Notice of Completion/Notice of Availability of a Draft EIR
for the Spring Trails Specific Plan

Dear Ms. Rahhal:

LAFCO received the Spring Trails Specific Plan and Draft EIR. After reviewing the documents, LAFCO has the following comments and/or concerns:

4. Environmental Setting

- Section 4.3.12 General Plan and Zoning (City of San Bernardino), page 4-24, indicates that the project site is zoned Residential Estate (RE) in the City. However, there is no additional statement that the additional 26.4 acres is also zoned as RE especially since the City's land use map (shown on Figure 4.6) shows the area with a different color than what is shown as the area with the RE designation.

A8-1

It is LAFCO's suggestion that the area labeled as "Area to be annexed along with Spring Trails" on the City's land use map be replaced with an outline instead of a different color to clearly show that the additional 26.4 acre area is also designated by the City as RE. By having a color, the area can be interpreted as having a different land use designation.

A8-2

2. Response to Comments

- Section 4.3.12 General Plan and Zoning (City Sphere of Influence), page 4-24, third paragraph, indicates that the project site and adjoining parcels total 377 acres. Please note that the project site (352.8 acres) and the additional area (26.4) totals to 379.2 acres. Based on some of the land use data identified in the report, the 377 acres may be the total of the project site and the offsite acreage for the primary and secondary access roads – not the additional area to be annexed.

A8-3

5. Environmental Analysis

- Section 5.8 Land Use and Planning, County of San Bernardino General Plan, page 5.8-4, identifies the northern 160 acres as private unincorporated land. "Private Unincorporated" is not a land use designation under the County's list of Land Use Zoning Districts. Although the area is privately owned, the County's land use designation for the area is still Resource Conservation (RC) which allows for 1 dwelling unit per 40 acres.

A8-4

It is also LAFCO's suggestion that the area labeled as "Private Unincorporated" be removed from the County's land use map (shown on Figure 4.6) in order to clearly show what the land uses are in the County. By having a different color and/or label for "Private Unincorporated", it will be construed by a reader that Private Unincorporated is a specific land use designation under the County's jurisdiction.

A8-5

- Section 5.8 Land Use and Planning, page 5.8-8, again designates the northern 160 acres as private unincorporated land. Please see comment above related to Resource Conservation.

A8-6

Thank you again for allowing us to provide comments to the Draft EIR and Specific Plan. If you have any questions concerning the information outlined above, please do not hesitate to contact me or Samuel Martinez, Assistant Executive Officer, at (909) 383-9900. Please maintain LAFCO on your distribution list to receive further information related to this process. We look forward to working with the City on its future processing of this project.

Sincerely,



KATHLEEN ROLLINGS-McDONALD
Executive Officer

2. Response to Comments

A8. Response to Comments from Local Agency Formation Commission, dated September 12, 2011.


- A8-1 As stated in the comment, the 26.4-acre area to be annexed with the project site is also pre-zoned Residential Estate (RE) by the City. Chapter 4 of the Draft EIR, *Environmental Setting*, has been revised to clarify that both the project site and the 26.4-acre area are pre-zoned with the same land use. Figure 4-6 has also been revised. The revised text is found in Section 3.2 of the FEIR, *Revisions in Response to Written Comments*, and the revised figure is found in Section 3.3, *Revised and New Figures*.
- A8-2 See Response to Comment A8-1.
- A8-3 The total combined acreage of the project site and the 26.4-acre area is 379.2 acres, not 377 acres. The error has been fixed and the revised text is found in Section 3.2 of the FEIR, *Revisions in Response to Written Comments*.
- A8-4 The northern portion of the project site is currently designated as Resource Conservation (RC) by the County. Although the land is privately owned, the land use designation is RC. This has been clarified in Chapter 5.8 of the Draft EIR Section 5.8, *Land Use and Planning*, as included in Section 3.2 of the FEIR, *Revisions in Response to Written Comments*.
- A8-5 Figure 4-6 of the Draft EIR has been revised to more clearly indicate the County's land use designations. The northern portion of the project site is now the same color as the rest of the RC-designated areas. The revised figure is in Section 3.3 of this FEIR.
- A8-6 The text on page 5.8-8 of the Draft EIR has been revised to indicate the site is designated in the County's General Plan as RC. The revised text is in Section 3.2 of this FEIR.

2. Response to Comments

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2. Response to Comments

LETTER A9 – Native American Heritage Commission (3 pages)

<p>STATE OF CALIFORNIA</p> <p>NATIVE AMERICAN HERITAGE COMMISSION 915 CAPITOL MALL, ROOM 384 SACRAMENTO, CA 95814 (916) 653-6251 Fax (916) 657-5390 Web Site www.nahc.ca.gov ds_nahc@pacbell.net</p>	<p>Edmund G. Brown, Jr., Governor</p>  <p>01532 9/12/11 P</p> <p>August 25, 2011</p> <p>RECEIVED AUG 26 2011 STATE CLEARING HOUSE</p>
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Ms. Terri Rahhal, Deputy Director
City of San Bernardino Development Services Department
300 North "D" Street
San Bernardino, CA 92418

Re: SCH# 2009111086; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "Spring Trails Environmental Impact Report Project;" located in the City of San Bernardino, San Bernardino County, California.

Dear Ms. Rahhal:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within one-half mile of the 'area of potential effect (APE).

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

A9-1

2. Response to Comments

significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC is of the opinion that the current project remains under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

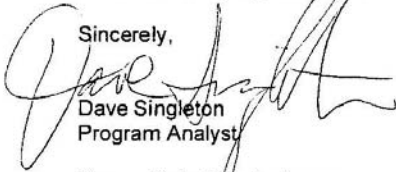
To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

A9-1
cont'd

2. Response to Comments

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

2. Response to Comments

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2. Response to Comments

A9. Response to Comments from Native American Heritage Commission, dated August 25, 2011.

A9-1 The City of San Bernardino contacted Native American tribes for SB 18 consultation on January 13, 2010, using the list of tribes provided by the Native American Heritage Commission (NAHC) in their comment letter on the Notice of Preparation for the Spring Trails Specific Plan Draft EIR. No responses were received by the City. Additionally, the City contacted tribes on April 26, 2012, to notify them of the 45-day referral period for the proposed Spring Trails Specific Plan pursuant to SB 18 Government Code §65352. The tribes contacted for the 45-day referral period include the tribes previously contacted for the SB 18 consultation and additional tribes from NAHC's updated 2012 contact list for San Bernardino County, which was provided by Dave Singleton of NAHC on April 2, 2012. No responses were received from any of the representatives contacted.

NAHC has suggested that the project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 – 43351). The proposed project does not trigger environmental review under NEPA because there are no federal funds involved nor is the project a federal undertaking. However, as stated above, consultation with Native American tribes per SB 18 has been completed as part of the cultural resources assessment. In addition, the *Archaeological and Paleontological Resources Assessment Report with Mitigation Plan for the Spring Trails Project* (August 2010) prepared for the proposed project includes the results of sacred lands search and an assessment of properties that may be on a local, state, or national historic record. The results of these assessments indicate that significant impacts would not occur to historic properties and that there are no sacred lands on or near the project site.

NAHC also suggests confidentiality of historic properties of religious and cultural significance should be considered. To maintain confidentiality, the City has only released a restricted version of the cultural resources assessment to the public, one that does not show the locations of historic and cultural sites.

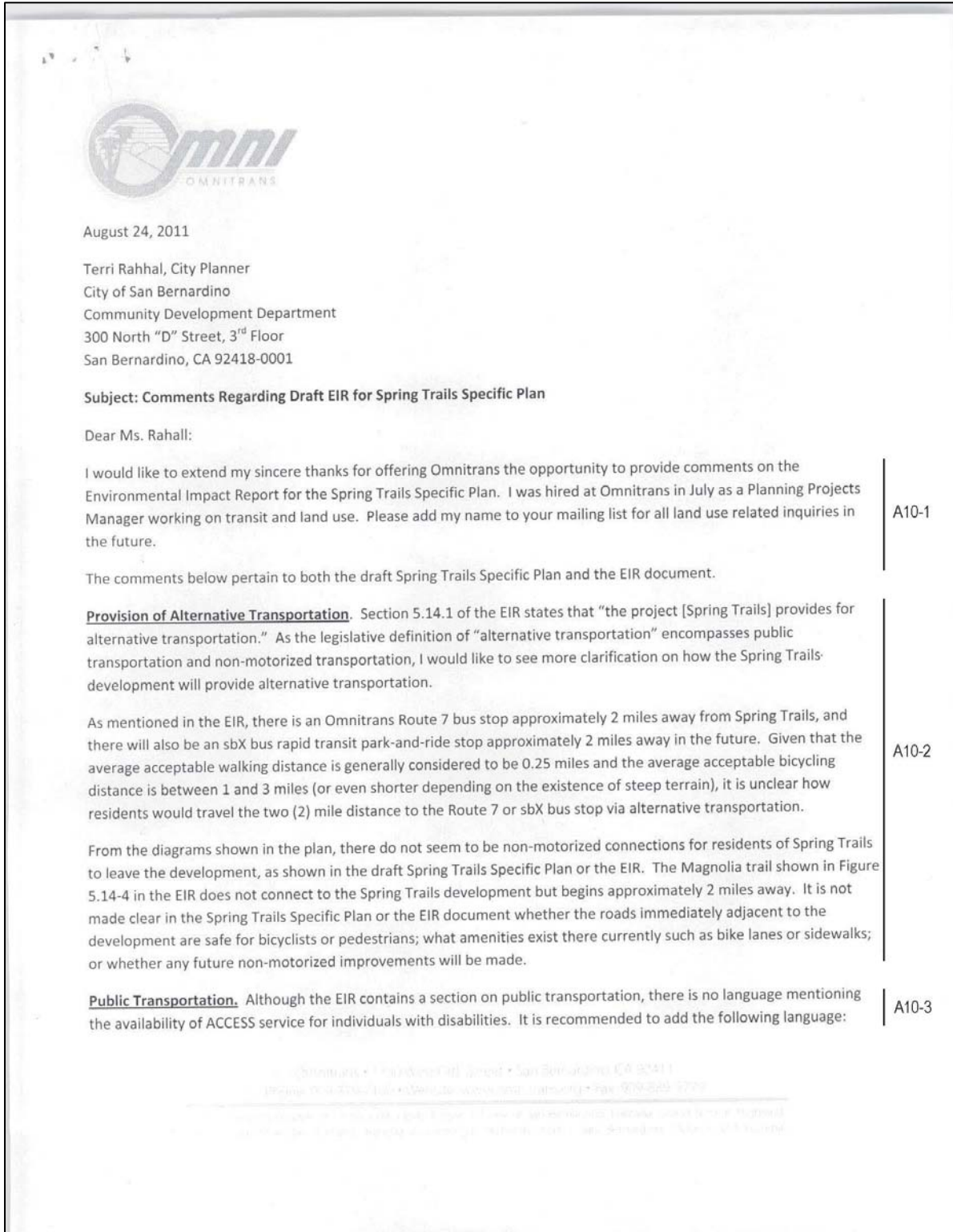
Lastly, the Draft EIR includes mitigation measures consistent with Public Resources Code Section 5097.98 regarding the accidental disturbance of archaeological resources.

2. Response to Comments

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2. Response to Comments

LETTER A10 – Omnitrans (3 pages)



2. Response to Comments

<p>ADA paratransit service is door-to-door demand-response service provided to individuals who have disabilities that limit them from being able to ride a fixed route, and there is an application process to register for the service. Rides must be scheduled between one day and seven days in advance.</p>	
<p>Because the Spring Trails project site is located more than 0.75 miles away from the end of the route 7, Omnitrans is not required under the Americans with Disabilities Act to provide paratransit service to residents of Springs Trails. Thus, the current ACCESS service area boundary ends at Frontline and Little League Drive. ACCESS also provides service to residents of the City of San Bernardino outside of that ACCESS service area for a \$5 surcharge, which will include residents of Spring Trails once the City of San Bernardino annexes the area. ACCESS fares with surcharge range from \$7.75 to \$10.75 one way, depending upon travel distance, which is \$15.50 to \$21.50 round trip (compared with a fare of \$0.60 per trip on the fixed route buses for seniors or individuals with disabilities).</p>	A10-3 cont'd
<p>Notes on the Draft Conceptual Site Design Shown in the Plan Document. Although it is noted in the draft Spring Trails Specific Plan that the conceptual diagrams for the site design are merely conceptual and not final, I have the following suggestions to be taken into consideration when the site design is finalized:</p>	
<p>The draft plan for the Spring Trails project mentions on page 3-35 the goal of “reducing auto use within the community.” This statement needs better definition for two reasons: 1) there is no baseline from which to “reduce” vehicle miles driven because the community does not yet exist; 2) it is not made clear how the site design minimizes auto use.</p>	A10-4
<p>The draft plan also cites on page 2-2 a goal of providing “a network of internal trails.” However, the diagram on page 2-9 does not show a connected network of trails. Half of the cul de sacs are connected by trails, and not all streets in the cross section diagrams are shown with sidewalks on both sides or at all. Thus, it is not made clear whether all residents of the development would be able to access the parks shown on the diagram on page 2-9 or other destinations within the development without using a car. A plan view of the site design with all sidewalks and crosswalks detailed, as well as a pedestrian circulation analysis, would help to explain this.</p>	
<p>Sustainability. More description is needed of how the Spring Trails development will promote conservation of resources. To reiterate the comments provided in the EIR from the Center for Biological Diversity, any assertion of a sustainable development must include an assessment of the total carbon footprint of the development, calculated based on per-person or per-household greenhouse gas (GHG) emissions. GHG emissions result from long-term vehicle miles travelled and household energy usage in addition to construction processes, manufacture of construction equipment and materials, and manufacture and installation of infrastructure to serve the development.</p>	A10-5
<p>Similarly, since the EIR asserts that the Spring Trails development will minimize or reduce energy usage, it would be helpful to see a comparison of the short-term and long-term energy use that will be generated by the Spring Trails development compared with other types of developments, such as an urban infill development.</p>	A10-6
<p>Tables 5.8-2 and 5.8-3 in the EIR also could provide more explanation of how the project addresses consistency with the following regional goals from SCAG’s Regional Growth and Development Plan:</p>	
<p>Policy OSC-8: Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.</p>	A10-7
<p>Policy OSC-10: Developers and local governments should promote infill development and redevelopment to revitalize existing communities.</p>	
2	

2. Response to Comments

Policy OSC-13: Developers and local governments should encourage multiple use spaces and encourage redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core.

Policy WA-11: Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.

Policy EN-8: Developers should incorporate and local governments should include the following land use principles that use resources efficiently, eliminate pollution and significantly reduce waste into their projects, zoning codes and other implementation mechanisms:

Mixed-use residential and commercial development that is connected with public transportation and utilizes existing infrastructure.

Land use and planning strategies to increase biking and walking trips.

RTP G3: Preserve and ensure a sustainable regional transportation system.

RTP G6: Encourage land use and growth patterns that complement our transportation investments and improves the cost-effectiveness of expenditures.

Infrastructure Needs. In Chapter 6 of the draft Spring Trails Specific Plan, which lists the infrastructure improvements that will be financed by the developer, it would be helpful to see a projection of the long-term infrastructure maintenance costs that will be incurred by the City of San Bernardino. This would help someone reading the plan to understand how the long-term costs of the development are being balanced between public and private funds.

It may also be worth considering a Low-Impact Development-type design as another alternative in the EIR. This would help to illustrate how the infrastructure costs could be minimized by clustering development on a small portion of the site.

Conclusion. Thank you again for providing us this opportunity to comment on the project. Omnitrans looks forward to continuing its work on transportation and land use in close partnership with the City of San Bernardino in the future. Please feel free to contact me if you need any additional clarification or further information related to the comments herein.

Sincerely,

Anna Rahtz

Anna Rahtz
Planning Projects Manager
(909)379-7256

Anna.Rahtz@omnitrans.org

A10-7
cont'd

A10-8

2. Response to Comments

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2. Response to Comments

A10. Response to Comments from Omnitrans, dated August 24, 2011.

A10-1 Comment noted.

A10-2 Section 5.14.1 of the Draft EIR does not state that project provides for alternative transportation. Draft EIR Section 5.14.1, *Transportation and Traffic*, includes a discussion of the alternative transportation available in the City of San Bernardino and a description of different classes of bike lanes. Under the discussion of environmental impacts in Section 5.14.3, the threshold statement indicates that the proposed project provides access to alternative forms of transportation, including public transportation. It does not suggest that public transportation such as buses would be available onsite. Onsite bike paths, which connect to the City's street network (and indirectly to the primary regional multipurpose trail at Magnolia Avenue) will be provided. When the primary roadway is extended to meet Little League Drive, it will have a bicycle/pedestrian path, separate from the road. This path is designated as a Community Trail in Figure 3.10 of the Specific Plan. It is not expected that residents would walk to the bus stop to use public transit but biking to the Omnitrans Route 7 bus stop, a little over two miles from the project site, would be feasible.

The proposed project would not prevent the use of or negatively impact alternative and public transportation systems.

A10-3 As requested, the Draft EIR public and alternative transportation text has been revised to include this discussion (see Section 3.2, *Revisions to the Draft EIR*).

A10-4 These comments pertain to the Draft Specific Plan and not the Draft EIR. No response is necessary.

A10-5 The responses to the comments on the Draft EIR from the Center for Biological Diversity are provided in this FEIR under comment letter A4. The proposed project's greenhouse gas emissions are calculated and discussed in Draft EIR Section 5.16. Although mitigation measures 16-1 through 16-5 would reduce the proposed project's greenhouse gas emissions, the project would have a significant and unavoidable greenhouse gas emission impact, as discussed in Section 5.16. Chapter 5 of Spring Trails Specific Plan includes a description of sustainability measures and design features.

A10-6 A comparison of energy use between the proposed project and other types of projects, such as in-fill projects, is beyond the scope of the EIR. The project analysis of the EIR is meant to determine how much energy would be generated by the proposed project and whether the existing facilities and supplies would be able to serve the proposed project. The project analysis is not intended to compare the proposed project's energy demand with other types of land uses or projects located elsewhere in the City. A discussion of alternative projects is provided in Section 7, *Project Alternatives*, in the Draft EIR.

The energy requirements of CEQA are discussed in Appendix F of the CEQA Guidelines. "Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project (2012 CEQA

2. Response to Comments

Guidelines, Appendix F).” The discussion in Appendix F lists suggested energy characteristics of the project that may be listed in the project description, the environmental setting, impact analysis, and mitigation measures. These characteristics include existing energy consumption, the proposed project’s energy consumption, how it complies with energy requirements, and how it would impact energy infrastructure and supply sources.

The project minimizes and reduces its potential energy use by implementing energy and water conservation measures outlined in the Specific Plan and by incorporating the most recent mandatory green building standards for residential structures (California Green Building Code). The EIR does not assert that it would reduce or minimize energy use when compared with other types of projects or land uses; it merely states that for this project site and type of project, the proposed development would implement development standards that reduce the amount of energy used.

A10-7 Per the suggestion, the discussion of how the project complies with these policies on (Table 5.8-2 and 5.8-3 of the Draft EIR) has been revised. The discussion of the project’s compliance with the Regional Transportation Plan (RTP) Goal G3 has not been revised. RTP G3 asks for preserving and ensuring a sustainable regional transportation system. The proposed project would contribute traffic on I-215 but it would not directly alter the regional transportation system. The sustainability of the freeway system would not be altered.

The revised text for the remaining discussions is included in Section 3.2 of this FEIR, *Revisions to the Draft EIR*.

A10-8 The first part of this comment is a comment on the Draft Specific Plan and does not concern the Draft EIR. In response to the second part of the comment, regarding the inclusion of a low-impact project alternative, see Chapter 7, *Alternatives*, of the Draft EIR. There are two alternatives, the No Project/Existing General Plan Alternative and the Alternative Site Plan, that would develop a smaller portion of the site. Buildout under the County’s General Plan would only allow 38 homes over the entire site and the Alternative Site Plan would allow 175. The comparison of these alternatives to the proposed project is discussed in full detail in the Draft EIR.

LETTER A11 – San Bernardino Valley Audubon Society (6 pages)



San Bernardino Valley Audubon Society
P. O. Box 10973, San Bernardino, California 92423-0973

September 11, 2011

Terri Rahhal
Deputy Director
Development Services Department
300 North "D" Street
San Bernardino, CA 92418
E-mail: rahhal_te@sbcity.org

Re.: Spring Trails Environmental Impact Report

Dear Ms. Rahhal,

I submit these comments on behalf of the San Bernardino Valley Audubon Society (SBVAS). As with this projects previous incarnation as Martin Ranch, SBVAS remains opposed to its approval.

A11-1

Aesthetics: We believe these impacts are significant, as the natural landscape of the western San Bernardino Mountains will be permanently altered. This region is the gateway to the San Bernardino Valley, and should be maintained in its natural state.

A11-2

Air Quality/Greenhouse Gas Emissions: These impacts are listed as Significant and Unavoidable. When does a community like San Bernardino take the initiative and say these impacts need to stop? The way to avoid the significant greenhouse gas impacts is to deny the project. All the mitigation measures about recycling, carpooling and Title 24 standards are well and good, but the fact remains that the construction and use of 307 new housing units will cause a significant increase in greenhouse gas emissions, all for a housing development we do not need, when the housing market is glutted with foreclosures and financially unsustainable homes.

A11-3

Biological Resources: We are distressed at the potential loss of 168 acres of Riversidean Sage Scrub, a sensitive plant community. Mitigation for this loss is listed as replacement off-site at a 1:3 ratio (one acre replaced for every 3 acres lost), or fees in lieu of replacement. This is lower than the replacement ratios of riparian habitat and other sensitive plant communities in western San Bernardino County. No justification is given for the 1:3 ratio. We propose an appropriate ratio of 2:1. We also request that all aspects of this mitigation be subject to the approval of the California Department of Fish and Game, with oversight by the California Native Plant Society. As it stands in the DEIR, mitigation via in-lieu fees is subject only to the Community Development Director.

A11-4

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CITY OF SAN BERNARDINO
DEVELOPMENT SERVICES
DEPARTMENT
NPDES

2. Response to Comments

The City of San Bernardino Hillside Management Overlay District (HMOD) requires a replacement of native shrubs at a ratio of at least 2:1. This would adhere to the stated purpose of the HMOD to protect the natural and topographic character of our hillsides, including environmentally sensitive plants and features. We are aware that this replacement ratio is often interpreted as facilitating planting of native shrubs within the housing development itself. However, there simply would not be room for the number of shrubs required given that 168 acres of RSS will be destroyed, along with significant acreage of other plant communities containing RSS plants. Also, the simple replacement of shrubs within the development does nothing to protect the natural character of our hillsides, and does not replace the intact RSS ecosystem that supports a wide variety of native animals both large and small that will not be supported by isolated shrubs in peoples' front yards. In addition, the use of RSS shrubs in the buffer zones would be dangerous and inappropriate, given the strict limits on flammability imposed by the Fire Protection Plan for this proposed development.

A11-4
cont'd

We strongly suspect that it will be impossible to appropriately and locally replace the RSS from this site. This plant community has experienced severe losses along the coastal slope of the San Bernardino Mountains due to housing, agriculture, flood control projects and increased fire due to human influences. We doubt the project proponents will be able to find 336 contiguous acres of RSS in this area that is for sale, let alone the inappropriately low 56 acres they are offering. This is grounds for denying the project, not for listing yet another significant but unavoidable impact.

A11-5

The mitigation measures relating to California Walnut are similarly unworkable. California Walnut Woodland is listed as a rare and sensitive plant community. Simply digging them up and planting them in peoples' front yards does nothing to maintain this native plant community and the various animals that depend on the walnut trees for shelter and food. California Walnut Woodland and riparian/California Walnut Woodland need to be replaced at a 2:1 ratio, just like the RSS habitat replacement. The proposed mitigation measures do not reduce the impacts to this plant community to less than significant.

A11-6

Mitigation Measure 3-10 concerning nesting birds is not science-based and is not valid. Different species of birds initiate nesting at different times. Many neotropical migrants do not nest until May. Therefore, a single nesting survey 14 days prior to the nesting season could take place as early as February 1st and would miss many birds that would nest later. In addition, many birds attempt second nestings if conditions allow. These would also take place well after the single nesting survey required. Furthermore, forcing construction to wait only until the young have fledged has no scientific basis, as most species continue to feed and protect their young for around two weeks after fledging. They depend on the resources of their nesting territory during much of this period. In other words, Mitigation Measure 3-10 does little more than pay lip service to protecting nesting birds via the Federal Migratory Bird Act, and will have very limited real benefits. The impacts to nesting birds cannot be mitigated to a level of insignificance by the measures proposed.

A11-7

Wildlife Corridors: All mitigation measures designed to maintain the functionality of the Northern Wildlife Corridor are in direct conflict with the fire protection plan, and will likely be overruled by the Fire Marshall. This plan is based on clearing of vegetation, not protecting it,

A11-8

2. Response to Comments

and fire protection will no doubt hold the trump card. The Wildlife Corridor mitigation measures are written to allow for the supremacy of the fire protection plan, and are therefore hollow and invalid.

A11-8
cont'd

San Bernardino Kangaroo Rat (SBKR): This species will probably not be impacted by the project except where the planned secondary access road crosses Cable Creek Wash. I say “probably” because of the experience of San Bernardino County Museum biologists at the Etiwanda Fan, where SBKR occurs in very low levels in habitat very similar to the RSS habitat on the project site. These low populations are often not detected by standard protocol surveys such as those conducted on the project site. Cable Creek Wash is included in Critical Habitat for this endangered species. Mitigation for habitat destruction and direct mortality related to the proposed secondary access road should focus on preserving habitat within Cable Creek Wash itself. Many local projects purchase credits at the local habitat land banks across the freeway in Cajon Wash or on the Etiwanda Fan to fulfill their “take” requirements. We strongly recommend against this. It will be far more valuable biologically to maintain and protect the Critical Habitat in Cable Creek itself, which would contribute to the recovery of the species, facilitated by reintroduction of the species to Cable Creek Wash from the nearby but isolated population in Cajon Creek.

A11-9

Species of Special Concern: There are a few of these species that were detected on-site by biological consultants, and several more that were listed as having a high or moderate potential to occur on site. Through my 20 years of working in Devore, I have had many opportunities to observe wildlife in the area, from Kimbark Canyon just west of the project site, to the Cable Canyon alluvial fan directly below the project site, to Baily Canyon just east of the project site and other nearby locations. I can attest that the following animals of SSC status are present in the close vicinity, and are almost certainly on the project site as well. I can provide dates and exact locations for these species if required.

Two-striped garter snake (Kimbark Canyon; Devore)

Western spadefoot toad (Badger Canyon)

California glossy snake (Cajon Wash, closest location at Cable Creek crossing of I215)

California silvery legless lizard (Cable Creek Wash below project)

California patch-nosed snake (Cable Creek Wash below project)

San Bernardino ring-neck snake (Devore; Kimbark Canyon; Cable Creek Wash below project)

San Diego banded gecko (Devil Canyon nw of California State University, San Bernardino)

Rosy boa (Devore; Glen Helen Parkway)

San Gabriel Mountains slender salamander (Kimbark Canyon; Devil Canyon) Contrary to the account in the DEIR, this species does not breed in water. The live oak woodlands along Cable Creek at the northwest portion of the project are perfect for this species.

Cactus Wren (previously in Cable Creek Wash, large population still persists in Cajon Wash south of project site)

Golden eagle, a fully protected species. Seen foraging all around the project site, south to confluence of Lytle/Cajon Creek, west to Devore, east to Palm Avenue and north over the mountains to Silverwood Lake.

Other SSC raptors (White-tailed kite, Ferruginous hawk, Northern harrier, Swainson’s hawk) are occasionally seen migrating and foraging in the immediate vicinity. Coopers hawks are frequently seen foraging in the immediate vicinity, probably breed locally.

A11-10

2. Response to Comments

San Diego Black-tailed jackrabbit (Cable Creek Wash)

Other species of interest that occur in the immediate vicinity of the project and almost certainly on it are Spotted Skunk, Long-tailed Weasel, American Badger, Bobcat, Black Bear, and Mountain Lion. I did not personally see the latter three species, but I have been shown photographs and given verbal accounts documenting their occurrence in Devore.

When the above list of species is added to those SSC animals observed on site, i.e. San Diego desert woodrat, Northwestern San Diego pocket mouse, Los Angeles pocket mouse, Rufous-crowned sparrow, Bell's sage sparrow, Sharp-shinned Hawk, Coastal desert whiptail, and San Diego horned lizard, a formidable and significant number of species of special concern will be negatively affected by the project. The cumulative affect of the project along with the many other development projects in the vicinity will be highly detrimental to the wildlife of the region. Many of these species are tied to RSS habitat, and cannot survive in an urbanized environment. No mitigation is offered for this long list of animals that will lose their habitat from the project. It may be that no appropriate mitigation is possible, given the paucity of similar large swaths of foothill sage scrub habitat in the western portion of the San Bernardino Mountains.

A11-10
cont'd

Geology and Soils: Trenching will be required to determine final setbacks from all the strands of the San Andreas and related faults where they traverse the project area. In all likelihood, this will eliminate much of the housing in the fault zone, rendering this wide belt uninhabitable. The subsequent project will look much like the Alternative Site Plan, at least in the lower portions of the project. Severe earthquakes also have the potential to damage roads and disable essential service lines such as water and electricity, making evacuation during a natural emergency difficult or impossible.

A11-11

We request that the geological trenching be subject to restoration requirements. Measures should be required to minimize ground disturbance and introduction of non-natives, plus the full restoration to a natural state when the trenches are re-filled.

If the trenching results require changes in the design plan, the EIR process should be reopened, and the new project analyzed and publicized so that the public and government officials will be able to decide if the newly designed project is feasible and desirable. This Supplemental EIR should be published prior to recordation of the final maps, and should automatically nullify any prior approvals given by the City Council.

A11-12

Fire: The approval of this project in light of the severe danger from fire and other natural disasters requires a huge leap of faith by the Council Members, the Fire Marshall and the public at large. Can the Council Members and the Fire Marshall truly stand behind approval of this project when they know beyond a shadow of a doubt that there will be devastating fires and a severe earthquake on this property in the future? And for what benefit? Tax dollars that will be eaten up by the increased costs required to maintain a development in perpetuity in an intrinsically unsafe location? Is the City really convinced that the fair-share agreement to continue funding the Verdernont Fire Station is enough to counterbalance the inevitable loss of property that will play out when this slope burns again? Will the City officials be able to sleep at night when there is a distinct possibility that someone will lose their life in a natural disaster at

A11-13

2. Response to Comments

<p>Spring Trails? We at SBVAS are at a loss to understand the so-called logic that would be employed to approve Spring Trails given the certainty of devastating fire events in the future.</p>	<p>A11-13 cont'd</p>
<p>Many of the fire prevention mitigation measures depend unrealistically on voluntary cooperation from the Homeowners Association (HOA), such as no exposed wood on their buildings and lots, and maintenance and inspection of the buffer zones. One annual inspection by the HOA for fire code compliance and one inspection by a Wildland Fire Protection Specialist every five years is nowhere near enough vigilance to maintain a fire-safe community at this location. 200 feet is not enough of a fuel modification setback to stop a wind-driven fire at this location when spotting is predicted to reach as far as 1.4 miles. We at SBVAS recognize the necessity of planning for fires, and acknowledge the value of the Fire Safe plan submitted to the City in reducing the dangers to the potential future residents of Spring Trails. Yet we must reiterate that the City Planners and Council, by approving this project, are accepting responsibility for loss of property and, heaven forbid, loss of life when the next wildfire sweeps over this area. I remember watching the presentation of the Fire Safe representative at a planning department meeting on this project. What struck me was the reaction of this well-intentioned man when I asked him if he would be willing, in the context of fire safety, with all other factors being equal, to relocate and live at Spring Trails. His reaction was an uncomfortable silence.</p>	<p>A11-14</p>
<p>Hydrology and Water Quality: The DEIR states that the project will increase surface water flows into the drainage systems, yet this is not considered a significant impact. As with the DEIR analysis of fire danger, I have the unique perspective of having worked in Devore for 20 years, and I witnessed the effects of flooding in Devore and the KOA campground. Yes, that was an unexpectedly intense storm, and the hydrology models and infrastructure planned for Spring Trails are designed to accommodate a 100-year event. Again, it all comes back to what risks the City Council and the public are willing to take. I suggest that the Council Members are willing to take more risks than the people that live in the area, people who know that storms don't read predictions about how much rain will drop in any particular area. Given the historical propensity of this local area for heavy storm events, coupled with an increasingly unstable and unpredictable global weather regime, we at SBVAS consider the hydrology and flood risk for this project is higher than is predicted in the DEIR, and could result in flooding damage.</p>	<p>A11-15</p>
<p>Land Use Planning: We feel that this project is in conflict with the Hillside Management Overlay District, the Foothill Fire Zone Overlay and the San Bernardino City Code, for the reasons stated in the sections above. With regards to the preservation of habitat and wildlife, we feel the project is in violation of CEQA and the Federal Migratory Bird Act for the reasons stated in the sections above.</p>	<p>A11-16</p>
<p>Public Services: With regards to the secondary access route, we request full disclosure on the status of land purchases and easements that would allow this road to proceed. We have been told that the project proponents do not have all the land or easements they need for this road, despite having several years to acquire them and despite the fact that this was one of the major reasons Martin Ranch was rejected. If what we have heard is true, then we think this project should not even be brought up for consideration.</p>	<p>A11-17</p>
<p>With regards to School Services, I found it unrealistic that no mitigation was deemed necessary</p>	<p>A11-18</p>

2. Response to Comments

for the increase in student population from the project. Having worked in the San Bernardino City Unified School District for 20 years, I can tell you that saying the influx of new students (even without arguing the numbers) will have no impact is ludicrous, especially in the current financial crisis that has forced our local schools to increase class size and implement other drastic measures just to keep their doors open.

A11-18
cont'd

Transportation and Traffic: This project will not alleviate an already substandard Level of Service for local traffic, even with the planned mitigation measures. We are also concerned about the uncertainty surrounding the Secondary Access Route and the planned but unfunded Interstate 15/215 Interchange Reconstruction. Without an access route to the interchange that avoids the Palm Avenue Exit, local traffic impacts from this project will be unacceptable.

A11-19

Alternatives: SBVAS could support either No Project Alternative. We took a close look at the Alternative Site Project, but ultimately, it is still too destructive to RSS habitat. As discussed earlier, we are convinced that the mitigation measures regarding RSS are extremely inadequate. We are also concerned that the Alternative Site Plan will still be subject to the same dangers from natural disasters, particularly fire, and would not be safe for prospective residents. Despite the size reduction from the proposed project, the Alternative Site Plan would still be a major housing development that is not needed, and would create damaging levels of air pollution and greenhouse gases. Concerns about the secondary access route remain, along with other impacts on traffic. Hydrology, Geology, Land Use Planning, Aesthetics, and Public Services will still have costs and impacts that we contend will be problematic.

A11-20

We find it interesting that on page 7-28, in the discussion of the Ability to Attain Project Objectives, we find the statement that the viability of this alternative is uncertain with regards to the project costs and the ability to bring in a reasonable financial return. There is no definitive statement that this alternative will not bring a reasonable financial return and therefore not meet goal number 9 for the project. Yet in Table 7.7, the Alternative Site Plan is listed as not fulfilling goal number 9. This discrepancy suggests that the "reasonable financial return" criterion is very fluid and indefinite. For this reason, we feel this criterion should not be given a great deal of weight in the approval process, and in particular should not be invoked in any Statement of Overriding Considerations regarding this project.

A11-21

Thank you for the opportunity to submit these comments.



Dave Woodward

San Bernardino Valley Audubon Society

Conservation Committee

909 783 2417

davegoodward@earthlink.net

2. Response to Comments

A11. Response to Comments from San Bernardino Valley Audubon Society, dated September 11, 2011.

A11-1 Comment noted.

A11-2 Draft EIR Section 5.1, *Aesthetics*, uses visual simulations to depict the proposed project at various stages of development and at full buildout. Although the proposed project would alter the appearance of the San Bernardino foothills in this area, the impacts were found to be less than significant. View simulations from various public vantage points, included in Section 5.1 of the Draft EIR, show that the proposed project would be visible but would not significantly change the landscape. The specific plan includes vegetation screening and proposes landscaping and design features that blend with the existing environment. The aesthetic character of the project area would be altered but as described in Section 5.1, the impacts are not significant.

A11-3 As stated by the commenter, short-term air pollutant emissions generated by project-related construction activities and long-term GHG emissions would exceed SCAQMD'S significance thresholds. These impacts were considered significant unavoidable impacts of the project. The Alternative analysis identifies that the No Project Alternative would eliminate the significant, unavoidable air quality and GHG impacts of the project. This comment is noted.

A11-4 As described in the Draft EIR Land Use discussion under Impact 5.8.3 (DEIR page 5.8-48), the proposed project would replace the Hillside Management Overlay District (HMOD) with the proposed development restrictions of the Specific Plan. This section of the DEIR describes how the Spring Trails grading plan and development standards achieve the overall goals of the HMOD to minimize the height of visible slopes, provide for more natural-appearing manufactured slopes, minimize grading quantities, minimize slope maintenance and water consumption, and provide for stable slopes and building pads.

As detailed in DEIR Section 5-3, *Biological Resources*, the loss of 168.4 acres of RSS habitat will be mitigated by the purchase of biologically equivalent or superior habitat offsite as determined by the California Department of Fish and Game (CDFG) or payment of in-lieu fees. The applicant has identified RSS habitat within the immediate area that is available for purchase and that would be permanently protected RSS habitat (see Response to Comment A1-4 and revised Mitigation Measure 3-6, included in Section 3, *Revisions to the Draft EIR*) (McGill 2012). The mitigation plan is consistent with Fire Protection Plan prepared for the project.

Although not subject to the HMOD specifications, the project has been designed to be consistent with the HMOD objectives to protect the natural and topographic character of the hillsides. Of the total 352.8 acres, the project site has 111.3 acres of natural open space (outside the project footprint) and 126 acres of controlled open space (planted with fuel modification vegetation, including native vegetation, as approved by the Fire Marshall). The open space acreage totals 237.3 acres (67 percent of the project site). These open space areas would maintain the character of the foothills. Further, the HMOD restrictions only apply to hillsides of 15 percent or

2. Response to Comments

greater slope (approximately 133 acres of the project site). The onsite preservation of open space (237.3 acres) offsets visual impacts to natural vegetation.

- A11-5 As noted in Response to Comment A11-4, the applicant has already located a sufficient quantity and quality of offsite mitigation habitat to replace the 168.4 acres of RSS habitat that will be lost by site development. As stated above, an evaluation of the quality of this conservation area will be conducted to document that the proposed mitigation is biologically equivalent to or superior to the 168.4 acres of onsite RSS habitat (McGill 2012).
- A11-6 Impacts to an estimated 2.1 acres of California Walnut Woodland will be mitigated at a 2:1 ratio. The applicant has identified 4.2 acres of California Walnut Woodland on adjacent property along Cable Creek, adjacent to the project site that will provide the needed mitigation. The applicant is in discussion with the landowner to purchase this property for mitigation. If the applicant is unable to acquire this property, the applicant will be required to find another biologically equivalent or superior property(ies) acceptable to the wildlife agencies before the proposed mitigation measures will be met and the various wetland and take permits can be issued (prior to project site disturbance).
- A11-7 Mitigation Measure 3-11 has been modified to require that the developer conduct clearance surveys 10 days prior to construction and then at 3 days prior to construction between February 1 and August 31. This mitigation measure will be clarified with CDFG prior to its implementation.
- A11-8 The commenter is concerned that Mitigation Measure 3-12, meant to maintain the natural habitat in the Northern Wildlife Corridor, would be trumped by the Fire Protection Plan, which includes fuel modification to control the advance of wildfires. As shown on Figure 5.6-1 of the Draft EIR, the Northern Wildlife Corridor would be landscaped in accordance with the Fire Protection Plan Zones A and B, the "Fuel Modification Plant Palette," and the "Building Setback" zones. These zones require thinning, mowing, and pruning of native vegetation. None of the zones may contain any plants that are on the SBFDD's Undesirable Plant Species list (Appendix I of the Fire Protection Plan). If plants are removed in this area because they are on Undesirable Plant Species list, they must be replaced with native, approved plant species. Since the requirements of these fire protection zones may require removal of sensitive plant species, Mitigation Measure 3-12 has been revised to reduce impacts to biological resources by requiring that a vegetation restoration and maintenance plan with specified criteria be created for the Northern Wildlife Corridor. Criteria include restoring and enhancing vegetation, providing riparian habitat, planting replacement native trees, maintaining clear passage through the corridor, reducing and redirecting artificial light, constructing bridges with soft bottoms, and incorporating any other recommendations from the "A Linkage Design for the San Gabriel-San Bernardino Connection" report (from the 2004 South Coast Missing Linkages Project).

Grading and construction activities may require clearing or damage of portions of the vegetation in the Northern Wildlife Corridor. However, per mitigation measure 3-12 in the Draft EIR, the northern and southern wildlife corridors would restore and maintain native plant cover. As mentioned above Mitigation measure 3-12 has been

2. Response to Comments

revised to require the development and implementation of a vegetation restoration and management plan (see Chapter 3, *Revisions to the Draft EIR*).

- A11-9 The access road would cross through unoccupied SBKR Critical Habitat. This area of critical habitat is also considered jurisdictional waters of the US and any fill within this area will require a Section 404 wetlands permit from the US Army Corps of Engineers. The Corps will need to consult with USFWS under Section 7 of the Endangered Species Act regarding the loss or adverse modification of critical habitat, occupied or not. Through this process, both the Corps and USFWS will require an appropriate level of mitigation to offset any impacts from the loss of SBKR Critical Habitat.
- A11-10 The commenter has provided a list of species that have been observed by biologists on the project site and surrounding area. An additional list of species of special concern that have been observed in the area is also provided. The observance of these species has been noted. Numerous biological surveys, which are used to supplement the biological assessment, have been completed and documented in the biological appendices to the Draft EIR. The species of special concern listed in the comment were not observed onsite during biological assessments unless noted otherwise (see Table 5.3-4 of the Draft EIR). The loss of RSS habitat is addressed in Response to Comment A11-4.
- A11-11 The comment is correct in stating that additional geotechnical investigations still need to be completed on the project site. However, not all splays of the San Andreas Fault need to be investigated further.

The three lineaments of the San Andreas fault that are known to be active, identified as splays A, B, and C on Draft EIR Figure 5.5, *Geology and Soils*, are given 50 foot setbacks. This determination came as a result of the geotechnical research completed in the Kleinfelder investigations in 1997, 1998, and 2000. These reports indicate that a portion of splay A and splays E and D are not active. To confirm the determinations made in these reports, fault trenching and additional geotechnical investigations are required to make final site design requirements. These investigations could not be completed on the project site due to site constraints and would need to be completed after site grading and before the recordation of the final maps (Mitigation Measures 5-1 through 5-3). The proposed project must incorporate all final design recommendations of the additional investigations and findings.

During an earthquake, the infrastructure and roadways on the site may become damaged. The proposed project has incorporated design features to reduce the risks related to emergency situations (see Table 5.14-6 Draft EIR Section 5.14, *Transportation and Traffic* which explains how the proposed project has been designed for efficient emergency access and evacuation). In addition, the infrastructure that lies across earthquake fault splays would be designed to withstand earthquake fault ruptures, as described in the Draft Specific Plan.

- A11-12 Additional trenching would be completed after the grading of the areas that must be trenched, after ground disturbance has already taken place. The additional trenching must be completed at this time because site constraints prohibit surveyors from accessing these portions of the site as they are now. Before grading of the project

2. Response to Comments

site can occur, pre-construction clearance surveys must be conducted for each of the federally and state listed species that have a potential to occur onsite. If the trenching results require changes to the site plan that would potentially cause new significant impacts, supplemental environmental review may be required. At that time the City would review changes to the plan and determine the appropriate CEQA process and documentation.

A11-13 This comment regarding the City's responsibility in approving the project has been noted. The scope of CEQA does not cover economic and social effects of a project, such as tax benefits, per CEQA Guidelines Section 15131. Potential fire impacts and effects on existing fire protection facilities are discussed in Sections 5.6, *Hazards and Hazardous Materials*, and 5.12, *Public Services*, of the Draft EIR. See also Responses to Comments A7-2 and A7-3 for a discussion of the fire analysis methods. The information as disclosed in the Draft EIR will be used by City decision-makers in reviewing the project.

A11-14 See Responses to Comments A7-2 and A7-3.

A11-15 The City understands the hydrology and flooding risks associated with the proposed project's site. As discussed in hydrology study, the project site is not within a high risk flood zone as identified by the Federal Emergency Management Agency (FEMA), but floods have occurred historically in the area. The hydrological report (Rick Engineering 2010) and analysis in the Draft EIR address the potential environmental impacts of storm events. The proposed onsite stormwater collection system would collect all onsite flows and direct them to detention basins or rain gardens. The detention basins are designed to detain stormwater so that it drains at a normal rate. Per the City's standards, they must collect less than or equal to 90 percent of the pre-project flows during 2-, 10-, 25-, and 100-year storm events. Offsite drainage rates would not be significantly impacted from the proposed project and the risk from flooding is found to be less than significant.

A11-16 As discussed in Section 5.8, *Land Use and Planning*, the proposed project is not in conflict with the Hillside Management Overlay District (HMOD). When the proposed Specific Plan is adopted, the zoning of the site would be changed to Specific Plan. As part of the development regulations for the Specific Plan zoning, hillside development regulations that are specific to this site would be implemented. These supersede the City's existing HMOD regulations.

The City's Development Code would be followed in respects to creating a new land use district (Specific Plan) and complying with the Foothill Fire Zones Overlay District (See Sections 5.6, *Hazards and Hazardous Materials*, and 5.14, *Transportation and Traffic*).

Compliance with the Migratory Bird Treaty Act (MBTA) is discussed in Section 5.3, *Biological Resources*, of the Draft EIR. Mitigation 3-10 of the Draft EIR restricts construction activities when nesting birds are present.

A11-17 The primary and secondary access roads are part of the project description, are described in Section 3, *Project Description*, of the Draft EIR, and are shown on Figures 3-3, *Development Plan*, and 3-6, *Circulation Plan*, of the Draft EIR. The City of

2. Response to Comments

San Bernardino Fire Department requires two access roads be built to this project in order to provide emergency access and evacuation routes. In addition, per mitigation measure 14-3 in Section 5.14, *Transportation and Traffic*, in the Draft EIR, the access roads must be built to the Fire Department's minimum standards prior to the placement of combustible material on the project site.

Developer is either under contract to purchase or pursue permits for use with respect a majority of the necessary right-of-way for the primary and secondary access roads. To the extent the primary and secondary access roads require the acquisition of additional right-of-way, or for the construction of any public improvements on property not owned by the Developer, Government Code Section 66462.5 will control the Parties' rights and obligations with respect to that public improvement, except as to those properties specifically identified in the Development Agreement.

For those properties located within the City of San Bernardino, the City will provide reasonable, non-financial assistance in connection with Developer's attempts to acquire any Access Property which is held by a public agency. Furthermore, except as to those properties specifically identified in the Development Agreement, the City may assist in condemnation proceedings for the right-of-way necessary to complete the access roads, after reasonable and diligent efforts by the Developer to separately acquire the property. However, San Bernardino will have no obligation to either approve a final tract map implementing the Tract Map or assist in any material way in connection with the acquisition of those properties specifically identified in the Development Agreement.

With regard to that real property lying outside the municipal limits of the City of San Bernardino, the Developer shall work with the City and the government agency with jurisdiction over that property to pursue the right-of-way through the use of eminent domain proceedings.

- A11-18 The projected student populations are based on the generation rate used by the San Bernardino City Unified School District (SBCUSD). As disclosed in Draft EIR, Section 5.12.4.3, SBCUSD would charge the project Level 2 fees of \$5.40 per square foot for single-family residential units. School fees levied by school districts under SB 50 are defined as comprising full mitigation for a project's impacts on public schools.
- A11-19 After the implementation of mitigation measures, local traffic on City streets would operate at acceptable levels of service per the City's standard thresholds (see Table 5.14-7 in Draft EIR Section 5.14, *Transportation and Traffic*). As stated by the commenter, Caltrans' proposed improvements to the I-215 mainline improvements identified in the I-15/I-215 Devore Interchange Reconfiguration Project Study Report are currently planned but unfunded. This significant and unavoidable impact is identified in the Draft EIR.
- A11-20 The commenter's support of either No Project Alternative is noted.
- A11-21 CEQA requires a discussion of reasonable projects alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of

2. Response to Comments

the alternatives (CEQA Guidelines Section 15126.6). The EIR shall include sufficient information about each alternative to allow a meaningful evaluation and comparison to the proposed project, but is not required to analyze the alternatives at the same level of detail as the proposed project. The discussion on page 7-28, of the Draft EIR, provides a reasoned analysis of why the Alternative Site Plan alternative is unlikely to realize a reasonable return on investment. This does not contradict Table 7-7.

2. Response to Comments

LETTER A12 – South Coast Air Quality Management District (5 pages)



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

E-Mailed: September 9, 2011
Rahhal_Te@sbcity.org

September 9, 2011

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CITY OF SAN BERNARDINO
DEVELOPMENT SERVICES
DEPARTMENT

Ms. Terri Rahhal
Community Development Department
City of San Bernardino
300 North "D" Street, 3rd Floor
San Bernardino, CA 92418-0001

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed Spring Trails Specific Plan Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final environmental impact report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the project's construction air quality impacts and greenhouse (GHG) emissions impacts. Specifically, the lead agency has determined that the project's construction emissions will exceed the AQMD's CEQA significance thresholds for NOx, PM10 and PM2.5 resulting in significant regional, localized and cumulative air quality impacts. Further, the project will have significant GHG emissions impacts that are primarily from mobile sources related to a substantial increase of vehicle trips associated with the proposed project's operations. However, the lead agency fails to adequately address this increase in mobile source emissions and does not require any mitigation measures to address mobile source emissions reductions. Therefore, the AQMD staff recommends that the lead agency minimize the project's significant air quality impacts and GHG emissions impacts by requiring additional mitigation pursuant to Section 15126.4 of the CEQA Guidelines. Details regarding these comments are attached to this letter.

A12-1

2. Response to Comments

Ms. Terri Rahhal

2

September 9, 2011

AQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

A12-1
cont'd

Sincerely,



Ian MacMillan

Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110802-01
Control Number

Ms. Terri Rahhal

3

September 9, 2011

Mitigation Measures for Construction Air Quality Impacts

1. The lead agency concluded that the proposed project will have significant construction-related air quality impacts. Specifically, the lead agency determined that the project will have significant NOx, PM10 and PM2.5 emissions. Therefore, AQMD staff recommends that the lead agency consider additional mitigation measures pursuant to CEQA Guidelines Section 15126.4 including the following

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,
- Reroute construction trucks away from congested streets or sensitive receptor areas,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications, and
- Require the use of the cleanest burning diesel haul trucks available, such as trucks that meet 2010 model year EPA standards.

A12-2

Further, the AQMD staff recommends that the lead agency revise air quality mitigation measure 2-3 as follows:

- During project construction, all construction, equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:
 - ✓ Project Start, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ✓ Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A12-3

2. Response to Comments

Ms. Terri Rahhal

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September 9, 2011

- ✓ A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- ✓ Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean up of off-road diesel vehicles, such as heavy duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>

A12-3
cont'd

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

Mitigation Measures for Greenhouse Gas Emissions Impacts

2. Based on a review of the GHG Emissions Analysis (Section 5.16 of the draft EIR) the AQMD staff is concerned about the project's significant GHG emissions impacts. Specifically, the lead agency determined that a substantial amount of GHG emissions will be emitted during the project's operational phase from transportation sources. Also, the lead agency determined that the project would be inconsistent with regional transportation strategies (e.g., SCAG Compass Blueprint) intended to reduce vehicle miles traveled (VMT). As a result, the lead agency concluded that the project's substantial GHG emissions and inconsistent transportation measures result in significant GHG impacts.

A12-4

Further, under SB 375 SCAG is required to develop a sustainable community strategy (SCS) as a part of the 2012 RTP that achieves regional GHG reduction targets of 8% per capita for the planning year 2020 and 13% per capita for 2035. However, the lead agency has not stipulated specific mitigation measures or targets to reduce the substantial (i.e., approximately 50%) increase in mobile source emissions allowed under the proposed project. Therefore, pursuant to Section 15126.4 of the CEQA Guideline and consistent with the SCS the lead agency should minimize the project's significant air quality impacts by incorporating the transportation mitigation measures found in the greenhouse gas quantification report¹ published by the California Air Pollution Control Officer's Association in the final EIR.

¹ California Air Pollution Control Officer's Association. August 2010. Quantifying Greenhouse Gas Mitigation Measures. Accessed at: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

2. Response to Comments

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2. Response to Comments

A12. Response to Comments from South Coast Air Quality Management District, dated September 9, 2011.

A12-1 The South Coast Air Quality Management District's (SCAQMD) concerns regarding the significant unavoidable air quality and GHG emissions impacts identified by the project are noted. Specific responses to the Commenter's request for additional mitigation to reduce significant impacts of the project are below. As appropriate, the SCAQMD comments and guidance will be incorporated into this Final EIR.

A12-2 Mitigation Measure 14-4 was incorporated in the Transportation and Traffic section of the EIR. This mitigation measure requires that traffic control plans be prepared to minimize construction-related traffic congestion. It has been revised to incorporate the mitigation measures suggested by the commenter. However, it will be impossible to completely avoid driving construction trucks away from congested streets or residential and school land uses on at least some portion of the construction route. The majority of truck trips would occur during the first phase of construction, when grading is occurring. After this phase, truck trips would be fewer. The suggested mitigation measure to direct trucks away from congested streets and sensitive land uses has not been incorporated.

Mitigation Measure 2-1 in the Air Quality section of the EIR requires enhanced fugitive dust control measures. In accordance with the Commenter's request, Mitigation Measure 2-1 has been modified (see Chapter 3, *Revisions to the Draft EIR*).

Per the traffic study, traffic signals are warranted for existing traffic conditions at Palm Avenue at I-215 Freeway northbound and southbound ramps. Caltrans improvements and these intersections include traffic signals, which are anticipated to be installed in Year 2012. The traffic signals timing will be coordinated when installed and no mitigation is necessary.

Mitigation Measure 10-1 in Section 5.10, *Noise*, requires that the construction contractor properly maintain and tune all equipment so no additional mitigation is warranted.

Use of trucks that meet 2010 emission standards for haul activities is not feasible because the construction contractor for the proposed project would likely subcontract for haul services and therefore does not have direct control over the model year trucks used by subcontractors. In addition, 2010 model year trucks are too new to be readily integrated in most truck fleets. For example, even trucks accessing the San Pedro Bay Ports are not required to have 2007 model year or newer trucks until 2013 and 2010 model year or newer trucks are not required to be used at Ports until January 1, 2023. Given that State and Federal grant programs have been utilized to upgrade the drayage fleet at Ports, it is highly unlikely that trucks in construction fleets can be mandated to have newer trucks without equivalent financial incentives.

A12-3 Mitigation measure 2-3 has been revised based on the recommendations of SCAQMD for off-road construction equipment (see Chapter 3, *Revisions to the Draft EIR*).

2. Response to Comments

Mitigation measures listed online were considered and applicable measures were incorporated. The comment on SCAQMD's Surplus Off-Road Opt-In for NO_x (SOON) fund is noted. The SOON program provides funds to accelerate cleanup of off-road diesel vehicles, such as heavy duty construction equipment. Because there is no calculation for measuring a decrease in emissions based on this recommendation and no way to monitor emission reductions, CEQA does not consider this a mitigation measure; however, the comment is noted and is included in the administrative record.

A12-4 SCAQMD's concerns regarding the significant unavoidable GHG emissions impacts identified by the project are noted. The increase in transportation-related GHG emissions generated by the project has been quantified and was accounted for in the determination of significant unavoidable GHG emissions impacts of the project.

The EIR considered applicable single-family residential measures listed in the California Air Pollution Control Officer's Association's (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures. Alternatives to the project that would involve changes in the land use intensity, type, or locations (CAPCOA reference LUT-1 through LUT-8) to reduce GHG emissions were considered in Chapter 7 of the Draft EIR, Alternatives to the Proposed Project, in accordance with the CEQA Guidelines.

The commenter suggests implementing the transportation mitigation measures found in the CAPCOA Quantifying Greenhouse Gas Mitigation Measures. The EIR did not identify transportation-related mitigation measures because no feasible measures are available that would affect the alternative mobility choices available for residents in the proposed low-density, single-family residential neighborhood as the area is currently underserved by transit service and personal vehicles are the primary mode of choice (CAPCOA reference TST-3). Pedestrian and bike routes on surface streets are available and will be provided within the development (CAPCOA reference SDT-1 and SDT-5); however, these alternative modes of transportation may not be the primary mode of choice for suburban commuters as a result of the jobs-housing disparity in the local San Bernardino area. The Sustainable Communities Strategy (SCS), adopted by the Regional Council of the Southern California Association of Governments (SCAG), addresses the land use connection in reducing passenger vehicle VMT (vehicle miles traveled). Because of the project's location and posted speed limits on major arterials that allow access to the site, a neighborhood electric vehicle (NEV) network would not provide the needed connectivity between jobs and housing (CAPCOA reference SDT-3). In order to encourage residents to purchase the cleanest vehicles available, a new mitigation measure 16-10 has been added based on the recommendations of SCAQMD for GHG emissions to encourage residents to purchase plug-in electric hybrid vehicles or all electric-powered vehicles (see Chapter 3, *Revisions to the Draft EIR*).

16-10 Garages shall be electrically wired to accommodate electric vehicle charging. The location of the electrical outlets shall be specified on building plans.

2. Response to Comments

LETTER R1 – Group Letter (3 pages)

The following form letter was submitted independently by 27 individual parties as listed in the commenter's summary table in Section 2, including each sender's address. The original letters are on file at the City's Community Development Department and are available for viewing upon request.

	address <u>4119 W. Meyers Rd</u>
	address <u>SAN BERNARDINO 92407</u>
	date <u>9/9/11</u>
Terri Rahhal, City Planner City of San Bernardino Community Development Department 300 North "D" Street, 3 rd Floor San Bernardino, CA 92418-0001	
RE: Spring Trails Specific Plan SP 10-01 and Tract Map (TTM) No. 15576	
Dear Ms. Rahhal:	
I am opposed to the proposed Spring Trails Project and find the conclusions in the Draft EIR faulty, misleading, not enforceable and a detriment to the Verdmont Community and city.	
Some of my main concerns and oppositions are:	
<ol style="list-style-type: none">1. Zoning change from 5 acre parcels to 10,800 sq. foot lots2. Annexing of tract into the city from the county3. Density-306 homes vs 384. Not all the land for the access roads has been acquired5. Project does not have a right of way across Martin Ranch Road6. All access will be put onto Little League7. Only Freeway access will be Palm Ave.8. 216.7 acres will be graded over a three month period9. Half of the development will be slopes up to 30'10. Grading will put 17,929 trucks on local roads-total traffic added each day 1,494 vehicles11. "... Levels of (pollutants during grading) above CA Air Resource Board thresholds. . ."12. Project will produce "... significant and unavoidable increase in greenhouse gasses. . ."13. Project will be built on 3 active faults14. Faults will be under roadways-earthquake may hinder evacuation15. Project site experiences 70-100 mile winds/erosion and fire hazards16. Project site is in High Fire, High Wind Zone17. Two fires on site in the last ten years-2003 and 200718. Chemicals, pollutants, and pesticides will leach into ground water-degrading the water in nearby wells of Meyers and Martin Ranch residents19. Bulk of the project is cul-de-sacs=fire hazard for defense and evacuation20. Creates more imperious surface for run off-2003 flood deaths at KOA21. Detention Basins serve as parks-hazard to children-vector control-pesticides	
	R1-1

2. Response to Comments

22. Noise levels above acceptable levels for sensitive receptors for 3 years
23. Sensitive receptors at North Verdemont Elem., Palm Elem., Caesar Chavez Junior High, Western Reg. Little League, Verdemont Comm Ctr and Lib.
24. Population figures are not based on national standards of 2.3 children per household
25. Population should be 1320 vs. 1028
26. School population estimate too low –should be 700 vs. 214
27. School study numbers are outdated-2009 numbers
28. Fees will only cover 1.3 policemen for 1 year
29. Average non-violent police response time not accurate per neighborhood experience
30. Fire response time is above National Standard of 8 minutes (flashover)
-study cites 12-13 minutes
31. Fire force has been reduced in the city by 25%
32. All fire mitigation is based on “Fire Planting Zones”
-not enforceable with current city code and not maintainable with current LLMD
33. Schools at capacity-will necessitate portables or busing
34. Parks as detention basis in an area that regularly has heavy rainfall is life-threatening
35. Drawing do not show the split equestrian-pedestrian trails
36. Enforcement of off road and ATV will be impossible-already not able to enforce in the local washes-will encroach into National Forest
37. Will make “. . .unacceptable levels of service. . .” on local roads and Freeway 215 ramp
38. Palm and 215 northbound already rated as “F”-project will move southbound to “F”
39. Cul-de-sacs limit and impede traffic flow
40. Project MUST cul-de-sac Meyers Road-parents will bypass islands and planned access routes to take kids to school
41. 3100 vehicles per day is not an accurate number as their population numbers are wrong
42. Project needs to construct sound walls on west and southern sides of projects to protect current homes from the massive increase in traffic and noise
43. Traffic study does not factor in already approved projects between Little League and Palm, the 900 Unit University Hills Project and the CA State peak travel hours which differ from the normal peak business hours
44. Water infra-structure needs to have all phases in prior to the construction of homes
45. With the zone costs of water it is doubtful that the HOA will keep zones watered
46. New large water line up Meyers must not reduce lanes or stop normal flow of already low pressure volume-fire hazard evacuation, no water for fire flow
47. Will be unable to curtail forestry creatures and trash problems
48. Will be unable to mitigate wind and trash problems

R1-1
cont'd

2. Response to Comments

49. Project abuts National Forest on three sides-fire fighting costs will be billed back to the city-under state legislative consideration
50. Grading will be during the windy season-3 water downs per day will not stop blowing dirt-weekends???
51. Project includes S.B. K-rat habitat and is home to an endangered Swainson's hawk
52. Project will only be replacing "native trees"-loss of 2000 non-native trees-wind breaks, erosion barriers, habitat
53. Study states". . .long term irreversible change to environment. . ."
54. study claims they will wash down all trucks and tires prior to entering site-enforcement?
55. Fire Mitigation Plan relies solely on "planting zones"
56. Types of plants will be restricted-how is this enforceable?
57. HOA and LLMD will never be able to police, cite, mitigate and fund this
58. Fuel modifications zones MUST be in place for Phase 1
59. There is no mitigation for high winds and fire
Our fires come during Santa Ana winds.
60. Fire resistant building materials must be used on entire tract
61. Contrary to study report, fires come from all directions
62. Slopes make fires spreader quicker and fire fighting more difficult-125.1 acres of slope
63. Cul-de-sacs will slow fire fighting and impede fire engines
64. No parking in bulbs of cul-de-sacs will not be enforceable-police cut 52 officers this year, code short handed and rarely responsive to calls
65. Plan allows wood fences and outbuildings
66. States that a structure fire will require 15 firemen-that equals 5 stations in S.B.-if that many are available during wildfire season
67. Study predicts flames up to 100 feet
68. Greenbelts will only be inspected for the first 5 years-then what?
69. Vent problems-technically will only be able to vent on one side
70. Study states insulation will be cellulose, shredded newspaper, recycled cotton-highly flammable
71. Need to require a hose bib on each side or every house

R1-1
cont'd

Please enter these concerns and challenges into the comments on the Spring Trails Project. Thank you for your time and consideration of my concerns.

Sincerely,

Name Saryt Baulan Brandt
Address 4119 W. Meyers Rd.
SAN BERNARDINO, CA 92407

2. Response to Comments

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2. Response to Comments

R1. Response to Comments from Group Letter, dated variously September 8 through 11, 2011.

R1-1 The comment letter contains numerous concerns of neighboring residents. To comprehensively address the concerns, topical responses have been provided. Comment numbers from the letter are referenced to assure that all items have been addressed).

Zoning/Land Use Changes (Re: Comments 1-3)

The project site and the 26.4-acre parcel that is being annexed along with the proposed project are both rezoned as Residential Estate (RE) under the City's zoning code, which allows development at the density of one dwelling unit per acre. Upon approval of the project, the land use and zoning designations for the project site would be redesignated to "Specific Plan." The Specific Plan zoning and land use designation is consistent with the existing rezoning for the site (one dwelling unit per acre). As discussed in Chapter 3 of the Draft EIR, *Project Description*, the lots range in size from 10,801 square feet to 18.3 acres. The average lot size is 29,000 square feet. The clustering of development to areas that are most feasibly developable causes density to be greater in these areas. However, the average density of the entire 352.8-acre project site would be 0.87 dwelling units per acre. Although the proposed development would not be consistent with the County's General Plan Land Use designations, the proposed project is consistent with the City's rezoning for the project site. Upon project approval and annexation to the City, the site's general plan land use designation and zoning would be consistent with the City's General Plan and zoning.

The project site is within the City's Sphere of Influence (SOI), which means it currently is subject to the County's General Plan and Zoning Code development regulations but it is also an area of probable expansion by the City. When the project site was added to the City's SOI in 1996, as approved by the Local Agency Formation Commission (LAFCO), it was rezoned by the City for RE. As stated in California Government Code, section 56375 (a)(7), "[t]he decision of the commission with regard to a proposal to annex territory to a city shall be based upon the general plan and rezoning of the city."

Acquisition of Land by Project Applicant (Re: Comment 4-5)

The primary and secondary access roads are part of the project description, are described in Section 3, Project Description, of the Draft EIR, and are shown on Figures 3-3, Development Plan, and 3-6, Circulation Plan, of the Draft EIR. The City of San Bernardino Fire Department requires two access roads be built to this project in order to provide emergency access and evacuation routes. In addition, per mitigation measure 14-3 in Section 5.14, Transportation and Traffic, in the Draft EIR, the access roads must be built to the Fire Department's minimum standards prior to the placement of combustible material on the project site.

The secondary and primary access roads require the acquisition of remaining parcels in order to complete the entire roadway. The applicant is working with the land owners of these properties to finalize these transactions. The proposed Development Agreement for the Spring Trails Specific Plan specifically outlines the

2. Response to Comments

necessary steps for the acquisition of the parcels for primary and secondary access roads.

Access to the Project Site (Re: Comment 6-7, 40)

The majority of Little League Drive would not receive all of the trips from the project site. Future residents of the proposed project would access the project site via one of two main access roads. The primary access road would connect to an extension of West Verdemont Drive and enter the project site west of Little League Drive. As shown in Draft EIR Figure 5.14-6, *Projected Trip Distribution*, about 1,700 hundred average daily trips (approximately 54 percent) would travel along the primary access road and onto Little League Drive to access adjacent roadways and Interstate 215 (I-215). The remaining 1,400 average daily trips (46 percent) would travel along the secondary access road to the frontage road. The segment of Little League Drive that would receive the majority of the vehicle trips would be improved to accommodate the additional traffic from the proposed project. These vehicles would only travel for a short distance on Little League Drive before crossing the freeway.

To prevent residents of the proposed project from entering Meyers Road from the secondary access road, Meyers Road will either be turned into a cul-de-sac to the east of the secondary access road (with gated emergency access only) or the secondary access road will be designed to have a median that prevents access to Meyers Road. These design options are included in the Spring Trails Specific Plan (Figure 3.9).

The majority of the project traffic would access I-215 at Palm Avenue but this is not the only freeway access for the proposed project. A portion (11 percent) would travel north along Kendall Avenue/Cajon Boulevard to access the freeway at Glen Helen Parkway. The traffic study includes analysis of traffic impacts at the Palm Avenue ramps at I-215. With the proposed roadway improvements, the Palm Avenue/I-215 interchange would operate with acceptable LOS values during both the morning and evening peak hours for both the northbound and southbound ramps.

Construction Phasing and Grading (Re: Comments 8-10)

As described in Draft EIR Section 3.4.6, grading of the access roads and the proposed project site would take approximately three months in the first year of construction. This time estimate was used to determine a conservative number of truck haul trips per day during the grading period. Assuming this length of time, there would be approximately 249 truck trips per day (an equivalent of 1,494 passenger cars). The environmental impacts of these truck trips are discussed in Draft EIR Section 5.14, *Transportation and Traffic*, in the Draft EIR.

Approximately 121 acres are on slopes of 30 percent or more, 112 acres are on slopes between 15 and 3 percent, and 119 acres are on slopes of 15 percent or less. As shown in Draft EIR Figure 5.1-1, the proposed project focuses development on flatter areas. The Spring Trails Specific Plan included development restrictions and development guidelines for areas with steep slopes. Although the Specific Plan's development restrictions supersede the Hillside Management Overlay Zone

2. Response to Comments

requirements, development on slopes of 15 percent or more would be subject to development restrictions (see discussion of Impact 5.8-3 in the Draft EIR).

Air Quality and Greenhouse Gas Emissions (Re: Comments 11-12, 50)

General concerns about the proposed project's impacts related to air quality and greenhouse gas emissions are mentioned in the comment letter (comments 11 and 12). These environmental impacts are discussed full detail in Draft EIR Sections 5.1, *Air Quality*, and 5.16, *Greenhouse Gas Emissions*. The concern over these issues is noted and will be forwarded to decision-makers for their consideration.

Construction dust generated during grading would be reduced by watering down soil during grading activities during all phases of the grading process. The first phase of construction would be limited to rough grading, installation of backbone utilities, and the construction of detention basins. After this, individual lots and improvements would be completed sequentially starting from the south and moving north. During construction, even when grading is not occurring, all exposed surfaces must be watered at a minimum of every three hours and at least three times a day (Mitigation Measure 2-1). Soil stabilizers will also be used to control wind erosion (Mitigation Measure 2-1). Additionally, grading activities would only occur when winds are 25 miles per hour or less (Mitigation Measure 2-1). These steps effectively reduce dust and debris from being blown around on the project site by high winds. This mitigation measure is enforced by the City during construction site inspections.

Earthquakes and Related Hazards (Re: Comments 13-14, 19, 39)

As shown in Draft EIR Figure 5.5-3 and mentioned in the comment letter, active fault lines cross the project site. As required by the California Alquist-Priolo Earthquake Fault Zoning Act, no residential structure is allowed within 50 feet of a known active fault line and all homeowners would be notified of the hazards via disclosures in their title reports and the project CC&Rs. The geotechnical studies prepared for the proposed project site (Kleinfelder 2000 and Leighton Associates 2009) have included design parameters and development restrictions for the project site that are consistent with the Alquist-Priolo Act, the Seismic Hazard Mapping Act, and the state and City's building code. See Response to Comment A11-11 for a discussion of additional investigations required prior to final map recordation. Hazards associated with San Andreas Fault splays are discussed in Draft EIR Section 5.5, *Geology and Soils*.

The project site has been designed to meet the Foothill Fire Zones Emergency Access Design Standards, as discussed in Draft EIR Section 5.14.3. Compliance with these design standards is required to ensure the site is accessible as possible and can be evacuated as efficiently as possible during emergency situations (Comments 14, 19, and 39). See Table 5.14-6 in Draft EIR Section 5.14, *Transportation and Traffic*.

Fire and Wind Hazards (Re: Comments 15-17, 19, 32, 39, 45, 48, 55-67, 69-71)

The project site is subject to high winds and is susceptible to wild fires, as has been documented in the Draft EIR (Section 5.6, *Hazards and Hazardous Materials*). Items

2. Response to Comments

15, 16, 17, and 55 of the comment letter mention high wind and fire concerns. See Response to Comment A7-2 for a response to fire hazard concerns and Response to Comment A7-3 for a response to high wind concerns. Items 56 and 57 of the comment letter state concerns related to enforcing the maintenance of the fuel modification zones. As discussed in A7-2, the enforcement of these fuel modification zones would be a joint effort by the homeowners, the HOA, the LLMD, and the San Bernardino Fire Department (responsible to annual report approvals). The fuel modification zones would be completed during the second construction phase (as described in the Spring Trails Specific Plan). The first phase of construction would be limited to rough grading, installation of backbone utilities, and the construction of detention basins. The plantings required to establish the fuel modification zones would have a better chance of surviving if planted during the second phase of construction, when additional site disturbance would be minimal. Therefore, they are included in Phase II of construction, not Phase I.

In regards to high winds blowing onsite trash (comment 48), as described in the Specific Plan, the outdoor trash receptacles are entirely enclosed with a solid fence for aesthetic purposes. This would also help reduce the amount of trash that is blown around by the wind. If high winds are blowing on trash pick-up days, the residents shall not place trash on the curb for pick-up. Per the CC&Rs, residents shall call the City of San Bernardino's Integrated Waste Management District (IWMD) to schedule another day for trash pick-up (Mitigation Measure 6-8). Public spaces, such as trails and parks would be maintained by the LLMD and the HOA. Trash and debris would be removed from these places, reducing the likeliness that it will be blown around in the wind. No additional mitigation measures are needed to control wind-blown debris.

In response to comments 60, 61, 69, 70, and 71, fire susceptibility of building material and the methods used to determine the direction of fire approach are discussed under responses A7-2 and A7-3. They are also discussed in full in the Draft EIR (Section 5.6, *Hazards and Hazardous Materials*) and the Fire Protection Plan (Draft EIR Appendix G. Home would be constructed with fire-retardant materials as discussed in Section 8 of the Fire Protection Plan (Compliance Matrix). The required number of hose bibs per house is two per the City of San Bernardino Development Code. However, due to the high fire risk in this area, a minimum of four hose bibs will be provided per house and included in the specific plan (Chapter 3, *Development Code*, of the Specific Plan). The types of insulation used in houses would be restricted to those allowed by the Foothill Fire (FF) Zones Overlay District. Paper-faced insulation would be prohibited per the Specific Plan (San Bernardino Municipal Code Chapter 15.10). The use of the materials listed in Draft EIR Mitigation Measure 16-4 would be subject to approval by the Fire Chief. The direction fire may originate from is based on the historic weather and fire data used in the BEHAVE fire modeling software.

Cul-de-sac roadways have been designed to specifically accommodate fire engines, as shown on Draft EIR Table 5.14-6 (comment 63). Parking on cul-de-sac bulbs is not allowed per Foothill Fire Zones Overlay District code and would be enforced by the City.

2. Response to Comments

Per the Specific Plan, fencing and other nonresidential structures would be constructed of noncombustible material (comment 65).

In response to item 66, it is not clear where the Draft EIR states that 15 firefighters would be required to combat a structure fire.

Groundwater Contamination (Re: Comment 18)

Comment 18 mentions the concern of possible drinking water contamination due to onsite runoff carrying chemicals and pesticides into groundwater wells. As discussed under Impact 5.7-4 Draft EIR Section 5.7, *Hydrology and Water Quality*, onsite runoff would be captured in catch basins, inlets, and storm drain systems and would be conveyed to three extended detention basins for water quality treatment and detention. A final water quality management plan (WQMP) will require the implementation of operational best management practices (BMPs) that would reduce the potential for onsite contaminants to affect offsite water wells. See Draft EIR Section 5.7 for additional discussion of this issue.

Drainage and Flooding (Re: Comments 20-21, 34)

A hydrology and drainage study has been prepared for the project site, which addresses existing and proposed drainage patterns and describes site design requirements to detain and treat onsite flows in either detention basins or rain gardens. The increase in impervious surface is factored into the analysis in the hydrology study, which is incorporated into Draft EIR Section 5.7, *Hydrology and Water Quality*, and included in its entirety as Draft EIR Appendix I1.

The use of detention basins as parks is a common practice to create a multipurpose open space. The detention basins are designed to hold floodwaters from a 100-year flood and would have an emergency spillway that would convey 1,000-year flood flows for their respective drainage area. As the detention basins would be maintained by the Homeowners Association, it would be their responsibility to notify the public and close detention basins when they are not safe for use.

Noise (Re: Comments 22-23, 42)

Comments 22, 23, and 42 indicate concern regarding noise exposure for sensitive land uses and existing residences surrounding the project site. The exposure of sensitive land uses to construction and operational noises is discussed in full detail in Draft EIR Section 5.10, *Noise*. The Draft EIR concluded that exposure to construction noise sources over an approximately three-year period would be a significant and unavoidable project impact. This concern is noted and will be forwarded to decision-makers for their consideration.

Operational noise impacts, which include traffic and stationary noise sources, were quantified in the analysis in Section 5.10, *Noise*, and determined to be less than significant. Project-related traffic at buildout year 2013 would cause noise levels to increase by more than three decibels (dBA) on the new access roads, along Little League Drive, and Belmont Avenue between Little League Drive and Magnolia Avenue. However, ambient noise levels would not exceed the City's standard for

2. Response to Comments

outdoor noise in a residential area (65 dBA Community Noise Equivalent Level (CNEL)) under year 2013 with project conditions along these roadways. Residential uses would generate stationary noise sources on the project site, including heating, ventilation, and air conditioning (HVAC) units from residential units, and noise from landscaping activities. HVAC units and other equipment would be acoustically engineered with mufflers and barriers to ensure that no exceedance of the City's noise standards would occur.

Population (Re: Comments 24-25)

The population estimate used in the Draft EIR is based on the 2009 Department of Finance (DOF) factor of 3.34 persons per household specifically for the City of San Bernardino. The DOF updates population statistics on an annual basis and this information is used by the California Housing and Community Development Department to determine regional housing need. The most up-to-date information at the time of EIR preparation was 2009. The Department of Finance 2010 data for County of San Bernardino average household size information is 3.34 and the 2010 average household size of the City is 3.30. The proposed project's population projection of 1,025 persons is therefore reasonable and conservative.

Public Services

School Services (Re: Comments 26-27, 33)

These comments request that different student generation rates be used to determine future populations and that the analysis should update the existing school enrollment information. The student generation rate is based on the rate used by the San Bernardino City Unified School District (SBCUSD) for single family detached residential units at the time of the EIR preparation. The estimated student populations (102 elementary students, 52 middle school students, and 60 high school students) are accurate projections and are based on typical methods for addressing environmental impacts to school facilities.

The existing enrollment figures are from academic year 2008/09. The most recent data available is for academic year 2009/10. To provide a response to this comment, the enrollment information for 2009/10 was researched. For North Verdmont Elementary School, the enrollment in 2009/10 was 494, compared to 518 in 2008/09 (a decrease of 24 students). For Cesar E. Chavez Middle School, the enrollment in 2009/10 was 1,054, compared to 1,077 in 2008/09 (a decrease of 23 students). For Cajon High School, the enrollment in 2009/10 was 2,913, compared to 2,636 in 2008/09 (an increase of 277 students). This does not change the impact level significance assessment of school service impacts in the Draft EIR. The proposed project would still require the payment of school impact fees per Senate Bill 50 and these fees would constitute full mitigation of school impacts as established by that legislation.

Police Services (Re: Comments 28-29)

It is assumed that comment 28 is referring to developer impact fees required to be paid by the project applicant (\$183,506.18). The fees contribute to fund equipment

2. Response to Comments

and facilities. Police staffing is funded through the City's General Fund Property tax generated by the proposed project would contribute to the City's General Fund on an ongoing-basis. The San Bernardino Police Department (SBPD) has stated that the proposed project would cause a slight increase in calls to the project area. In regards to response time, the information used in the Draft EIR is based on the data provided by the SBPD for the Northwest Police District.

Fire Service (Re: Comments 30-31, 49)

As stated in the Draft EIR, the fire response time is greater than the average response time for the San Bernardino Fire Department (SBFD). The implementation of the Fire Protection Plan is meant to reduce the risk of wild fires and to delay their advance, giving SBFD ample time to reach the site. See Response to Comment A7-2 for a discussion of the fuel modification zones and their purpose.

As stated in the Draft EIR, the SBFD has an automatic aid agreement with the San Bernardino County Fire Department (SBCoFD) and is also a participating agency in the California Master Mutual Aid Agreement, in which participating local and state agencies agree to provide mutual aid in dealing with disasters including fire, flood, and earthquakes. Vegetation fires on the project site would result in a multiagency response, which would include the US Forest Service under this agreement. Financial agreements pursuant to the Mutual Aid Agreement are beyond the scope of this EIR.

Parks and Recreation (Re: Comments 35-36)

In response to item 35 of the comment letter, the equestrian/pedestrian trail is not shown as a split trail because it does not separate equestrian and pedestrian uses. Both would be able to use the single eight-foot wide trail. The trail is shown in Draft EIR Figure 3-8.

In response to Comment 36, trail access and routes will be clearly marked, encouraging hiking, biking, and equestrian activities. All-terrain vehicles (ATV) would not be allowed to use these trails and trails would not extend into the US Forest Service lands. Per the Specific Plan, all onsite trails would have fencing or other markings that indicate their location and designated use. The trails would be jointly maintained by the HOA and the LLMD. These organizations would reinforce the use of these trails and would restrict ATV use of these trails or access to the US Forest Service land from these trails.

Traffic (Re: Comments 37-38, 41, 43)

In response to Comment 41, the projected number of vehicle trips (3,149) is based on land use, not population. The generation factor used is the standard generation factor used by traffic engineers for single-family residential land uses (as found in the Institute of Transportation Engineers' *Trip Generation*, 8th edition, handbook).

In response to Comment 43, the traffic analysis completed for the proposed project uses projected traffic growth from the East Valley Traffic Model to determine the proposed project's impact in combination with expected growth in the area.

2. Response to Comments

Determining traffic during the morning and evening peak hours is consistent with the San Bernardino Congestion Management Plan methodology. California State Traffic peak hours apply only to state highways and are not used to determine traffic impacts.

Water Utilities (Re: Comments 44, 46)

As discussed in the Draft EIR, the remaining offsite water improvements (Phase II of the Verdemont improvements) must be constructed prior to the issuance of any residential building permits on the project site. The water improvements for the three pressure zones on the project site would be constructed in phases that coincide with the construction of utilities of each zone and must be completed prior to the issuance of residential building permits for their respective zone. The phasing of the infrastructure and development would not put the site at risk for fire. Development would only occur in the zone that has water availability. Before development would be allowed in the next zone, water infrastructure must be in place.

There would not be any new water lines constructed in Meyers Road. As shown in Figure 3-11 of the Draft EIR, and discussed in Section 5.15, *Utilities and Service Systems*, a 20-inch water line is proposed as part of the Phase II Verdemont improvements. This line would connect the offsite infrastructure with the onsite infrastructure. It would travel through the primary access road, not Meyers Road, and, as mentioned above, it would be constructed prior to the issuance of any residential building permits. It would not cause delays in evacuations. In addition, it would be connected to a future water tank and would not affect existing fire flow.

Wildlife and Biological Impacts (Re: Comments 47, 51-52)

In response to Comment 47, the issue of the urban-wildlife interface is discussed under Impact 5.3-1 in Draft EIR Section 5.3, *Biological Resources*. Under CEQA, a significant impact would only occur when sensitive species are threatened by the proposed development. However, the proposed project's potential to attract all types of wildlife is of concern for residents and wildlife agencies because of the nuisance and dangers associated with these interactions. Mitigation measures have been included to reduce the attraction of wildlife to the project site. When properly enforced, mitigation measures would reduce the opportunities for urban-wildlife impacts to occur.

Impacts to biologically sensitive species and trees are discussed in Draft EIR Section 5.3, *Biological Resources*, and Section 5.17, *Forestry Resources* (Comments 51 and 52). As discussed in Section 5.17, *Forestry Resources*, the eucalyptus trees do not meet the definition of "forest land" as defined by Section 12220(g) of the Public Resources Code (PRC) because it does not support, and has not historically supported, 10 percent native tree cover. In addition, the eucalyptus trees are prime fuel for forest fires; the removal of these trees is requested in the Fire Protection Plan because it would greatly reduce a prominent fuel source for fires.

Impacts San Bernardino kangaroo rat (SBKR) and Swainson's hawk habitat are discussed in Section 5.3, *Biological Resources*, in the Draft EIR. Although the proposed secondary access road partially covers SBKR habitat, no SBKR's have

2. Response to Comments

been observed on the project site during biological surveys. Because the SBKR habitat is also jurisdictional waters of the US, both the US Army Corps of Engineers (Corps) and US Fish and Wildlife Service (USFWS) mitigation to offset these impacts is proposed (Mitigation Measure 3-6). Swainson's hawk, a state-listed threatened species, and other raptors use the site for foraging. However, despite the relatively large number of raptor species observed on the site over the years, it does not appear that the site is frequented for long periods of time by raptor species. The project site lacks expansive grassland habitat and is generally dominated by dense Riversidean sage scrub and chaparral. These habitats do not provide particularly favorable conditions for foraging raptors due to the lack of prey visibility. It can therefore be concluded that the site provides only marginally suitable foraging habitat for raptors and that these species would be more likely to rely on other areas for the majority of their foraging activities.

Although development of the project site would change the existing terrain and natural erosion barriers, the project site would be designed and landscaped to avoid erosion (see Section 3 of the Specific Plan, Development Standards). Also, the project is required to comply with the Clean Water Act, which requires an Erosion and Sediment Control Plan, and the City's Foothill Fire Zones Overlay District, which has development standards for erosion.

Other (Re: Comments 53, 69)

The commenter is correct in stating the EIR concludes that project implementation would result in "significant irreversible changes" Pursuant to CEQA Guidelines Section 15126.2(c), these changes are listed in Draft EIR, Chapter 9.

Comment 69 states "vent problems – technically will only be able to vent on one side." The meaning of this comment is unclear and therefore a response could not be drafted.

2. Response to Comments

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LETERR2 – Edward Behrens (2 pages)

Terri Rahhal

From: edward behrens <ersdb2000@yahoo.com>
Sent: Monday, September 12, 2011 10:12 AM
To: Terri Rahhal; sigrid.behrens@wcpd.org
Subject: Comments re "Spring Trails" EIR

**Comments regarding "Spring Trails" Environmental Impact Report.
September, 2011.**

We have been residents of San Bernardino and the North Verdemon area for over twenty years. During that time we have watched the growth and development of this area. We have commented on the ill-advised project now called "Spring Trails" in the past and this Environmental Impact Report does little to allay our concerns and fears. R2-1

TRAFFIC:
While any increase in residences creates additional traffic, the number of residences to be created in this project and the extremely limited access will only greatly increase the traffic flow in the area and on existing streets, particularly in the morning and evening when residents might be expected to be leaving and returning home. R2-2

It should be noted that there are three schools (two elementary and one middle school) directly on what may be reasonably expected to be access routes of the new residences and in the morning and afternoon these roads are already crowded with parents and school buses dropping off or picking up students. Additional residential traffic of the volume which might be expected will greatly negatively impact safety and increase pollution and congestion. R2-3

DRAINAGE AND POTENTIAL FLOODING:
The area where my residence stands has flooded in the past, only eight years ago. Our property and the property of many of our neighbors as well as many streets flooded. This was after a fire, but fires in the area occur with alarming frequency. R2-4

If drainage from additional paving and building in the area is directed down into our area, flooding will occur again, and not just during a "one hundred year" rain and perhaps not only after a fire. Even now, during heavy rains drainage capability is sometimes at or near capacity and my observation after living here over 20 years is that additional run off cannot be managed without damage to existing facilities and residences.

CEMETARY DISTURBANCE:
It is my understanding that old and historic graves are located in the project area. R2-5

While the current view of some in our society may be that nothing should stand in the way of making money, our society should be respectful of history and those that have gone before us.

1

2. Response to Comments

The unnecessary disturbance of graves should be abhorrent to everyone and should neither be accepted or allowed.

R2-5
cont'd

WILDLIFE:

The North Verdumont area is and has always been rich with wildlife. Beside such animals as raccoons, skunks, hawks, snakes of many variety and owls, we have personally observed deer, bear, mountain lion, and bobcat living and thriving in this area.

Disrupting and destroying the habitat of these animals for commercial considerations, especially when many of the current residents moved here specifically for the rural environment offered, again should be unacceptable. The mere setting aside of some other piece of land does nothing to moderate the harm done to the location in question and the people and animals currently living there.

R2-6

CONSTRUCTION:

While the disruption of the lifestyles and enjoyment of current residents property from construction is somewhat temporary, it is still perhaps measured in many months or years, and is a real factor to consider.

R2-7

The pollution and safety concerns that may be expected from construction equipment and the movement of large vehicle over relatively narrow and winding residential streets cannot be dismissed.

R2-8

Physical damage to those same street from the use of large vehicles and heavy trucks will occur and will be permanent. This city is already graced with too many "pot holes" and cracked streets to add additional unnecessary stress and damage to the roads, which may then have that damage exaggerated with the coming of winter rains.

R2-9

We have witnessed a number of similar projects in the general area, all of which promised to mitigate any damage or disruption but still resulted in heavy pollution, blowing dust and debris being left for residents to clean up and damage to existing roadways, in some cases a distance from the actual project.

R2-10

CONCLUSION:

It is my conclusion and recommendation that this project has been and remains unacceptable for a number of reasons. No adequate and acceptable solutions to the problems this project presents have been found.

The environmental impact report should not be accepted and the project disapproved.

Edward and Sigrid Behrens
6868 Little League Dr.
San Bernardino, Ca 92407

2. Response to Comments

R2. Response to Comments from Edward Behrens, dated September 12, 2011.

- R2-1 Comment acknowledged. This comment will be forwarded to decision-makers for their consideration.
- R2-2 The traffic generated by the proposed project is discussed in Chapter 5.14, *Transportation and Traffic*, of the Draft EIR. Although the proposed project would contribute traffic to the local roadways, all City roads would operate at acceptable levels of service during the morning and evening peak hours with the implementation of mitigation measures (see Table 5.14-7 of the Draft EIR). As identified in the Draft EIR (Section 5.14, *Transportation and Traffic*), freeway segments along I-215 would experience unacceptable levels of service with or without the proposed project.
- R2-3 As discussed in Section 5.14, *Transportation and Traffic*, of the Draft EIR, the only intersections near North Verdemon Elementary School and Cesar Chavez Middle School that would have an unacceptable LOS, and require improvements, are the Kendall Avenue/Palm Avenue intersection and the Palm Avenue/I-215 northbound and southbound ramps intersections. As stated in Mitigation Measure 14-1, the Kendall Avenue/Palm Avenue intersection would either be constructed through a fair share fee program or by the project applicant. The Palm Avenue/I-215 northbound and southbound ramps intersections improvements would be constructed with a fair share fee program. With these roadway improvements, the intersections would operate at acceptable levels of service.
- R2-4 See the discussion on flooding and drainage under Response to Comment A5-9.
- R2-5 Section 5.4, *Cultural Resources*, discusses the Meyers Family Cemetery and mitigation measures to avoid disturbance to the grave site. Concerns regarding the potential presence of the Meyers Family Cemetery on the project site were raised during the public comment period on the Notice of Preparation/Initial Study (November 24, 2011, through December 23, 2011) and at the public scoping meeting (December 14, 2009). In response, the analysis in the cultural resource report was expanded to include ground-penetrating radar, which detects objects buried underground. The findings indicated that two rectangular anomalies are present in the expected location of the Meyers Family Cemetery. At this time, it is not known whether the cemetery site would require grading. Mitigation Measure 4-5 provides options for preserving the burials depending on whether the area would be disturbed or not. If the site of the presumed coffins must be graded, the project applicant would work with the Meyers family to excavate the remains with respect. The applicant would hire a qualified archaeologist to develop a work plan that would include an agreement with the Meyers family as to the disposition of any human skeletal remains.
- R2-6 Since the project site is undeveloped and partially within the San Bernardino National Forest (SBNF), the presence of biological resources has been a priority issue of discussion in the Draft EIR. Section 5.3, *Biological Resources*, of the Draft EIR, identifies which sensitive species and types of native habitat are present on the project site. Mitigation measures have been proposed to reduce the proposed project's impacts to sensitive species and native habitat. Section 5.3 also identifies

2. Response to Comments

mitigation measures to reduce the negative impacts associated with the urban-wildlife interface. Discouraging animals from entering the site in search of food would help reduce impacts to other, non-sensitive species in the project area. As discussed in Response to Comment A4-17, the design of the proposed project did consider habitat avoidance measures first, minimization measures second, and mitigation measures last as reasonable and feasible range of mitigation measures. This commenter's opinion regarding the proposed mitigation will be forwarded to decision-makers for consideration.

R2-7 The environmental impacts of construction are fully addressed in Section 5.2, *Air Quality*, 5.10, *Noise*, and 5.14, *Transportation and Traffic*. As concluded in Draft EIR, Chapter 6, *Significant Unavoidable Adverse Impacts*, the project's construction-related air quality and noise impacts are significant and unavoidable. Decision-makers must adopt a statement of overriding considerations to approve the project in light of these significant impacts.

R2-8 Section 5.2, *Air Quality*, addresses construction-related air quality impacts. As identified in the Draft EIR, after the implementation of mitigation measures, concentrations of PM₁₀ would still exceed the local ambient air quality standard (AAQS) threshold at the onsite sensitive receptor. Concentrations of criteria air pollutants at offsite sensitive receptors would be below AAQS thresholds.

In regards to construction traffic, see the discussion of construction traffic impacts in Section 5.14-3 of the Draft EIR. Construction-related traffic, such as haul trucks, would generate 249 truck trips per day (a passenger car equivalent of 1,494 trips). The generation of construction traffic would potentially impact the intersection of Kendall Avenue and Palm Avenue during the AM and PM peak hours. Therefore, construction vehicles are prohibited from using this intersection during these hours. Additional mitigation measures, including the development of a construction traffic plan, are also required, as described in Section 5.14 of the Draft EIR. Other than haul trucks, large construction equipment would be transported to the project site and remain on the site until work was completed. Construction traffic impacts would be less than significant.

R2-9 Construction impacts to traffic flow are discussed and mitigated in DEIR Section 5.14, *Transportation and Traffic*, in the Draft EIR. Mitigation Measure 14-4 requires preparation of a construction management plan for the proposed project, including the requirement to establish truck haul routes on appropriate facilities. To address the concerns in this comment, Mitigation Measure 14-4 is supplemented as follows:

Prior to the issuance of grading permits, the project applicant shall prepare a construction traffic plan that shall be approved by the City of San Bernardino Public Works/Engineering Division. The construction traffic plan shall:

- Prohibit project construction traffic from using the Kendall Drive/Palm Avenue intersection during the morning peak hour (7:00 AM and 9:00 AM) and the evening peak hour (4:00 PM and 6:00 PM)
- Establish truck haul routes on the appropriate transportation facilities.

2. Response to Comments

- Require that the project developer provide a photo or video inventory of existing haul route roadway conditions prior to the commencement of any grading or construction activity and a subsequent inventory upon development completion. Interim condition reports shall be provided to the Public Works/Engineering Division as specified in the Construction Traffic Management Plan. The developer shall be required to repair any construction-related roadway damages as determined by, and to the satisfaction of the Public Works/Engineering Division.
- Provide Traffic Control Plans (for detours and temporary road closures) that meet the minimum Caltrans, City, and County criteria.
- Minimize offsite road closures during the peak hours.
- Keep all construction-related traffic onsite at all times.

R2-10 All of the construction-related air quality, noise, and traffic environmental impacts have been mitigated to the extent feasible, as described in the Draft EIR. This concern is acknowledged and will be forwarded to decision-makers for their consideration.

2. Response to Comments

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2. Response to Comments

LETTER R3 – Denise Casas (2 pages)

Denise Casas
3695 W. Meyers Road
San Bernardino, CA 92407
September 11, 2011

Ms. Terri Rahhal, City Planner
Development Services Department
300 North D Street
San Bernardino, CA 92418

RE: Spring Trail Specific Plan SP 10-01 and Tract Map (ITM) No. 15576 (formerly Martin Ranch Road Project)

Dear Ms. Rahhal,

Please enter, for the record, my opposition in the proposed Spring Trails Project. I live in an area that would be impacted greatly by many factors if this development is approved. I am at the base of Meyers Road near the intersection with Little League Drive.

R3-1

There are many reasons why I'm opposing this project. All the land needed for this project has not been acquired and the project does not have a right of way across Martin Ranch Road.

R3-2

I believe the study is not accurate in the figures reported. The population will be much higher than projected by the EIR. Traffic increases will further tax an already crowded area by the Verdemont Elementary School and Cesar Chavez school. This area is already a bottleneck that residents of Meyers Road and above have to deal with on a daily basis. This traffic study does not factor in the already approved projects between Little League and Palm Avenue. These area schools are already capped so any developments being built means that additional children would have to be bused to a different school.

R3-3

R3-4

R3-5

All freeway access will be Palm Avenue and they are already overtaxed, with the north bound onramp already at an "F" rating. This project would bring the southbound ramp to an "F" rating as well.

R3-6

I was here for the fires and subsequent evacuations in October 2003 and October 2007. Nothing is mentioned about the 2007 fire. The evacuation in the event of another fire would be drastically hindered with this large increase in population. This area experiences winds of up to 120 m.p.h. The projected fire response is 12 to 13 minutes. A house will pretty much be completely engulfed and a total loss in that timeframe.

R3-7

Then there is the fact that this project will be build on three active faults, which will be under the roadways (a potential evacuation disaster).

R3-8

2. Response to Comments

This project will produce levels of pollutants during grading - above CA Air Resource Board threshold and will produce "significant and unavoidable increase in greenhouse gasses". This means I'll be breathing this in??

R3-9

Our forestry creatures would be pushed back even further. They're already venturing into the lower areas near the Little League baseball field in search of food. They would lose more of their natural habitat.

R3-10

I have lived here for fourteen years now and plan on staying here the rest of my life. I'd like to be able to have horses and maintain my acre. Rezoning to allow this project would threaten the lifestyle I moved here for.

R3-11

For the above reasons and many more, I feel that this development should not be allowed to proceed. It must be more strictly regimented and monitored. The developer should be made to adhere to the zoning already in place and work within those boundaries set forth. They should be willing to greatly consider the infrastructure and the impact of the development, not only on the vegetation and wildlife, but also on the community already in place.

R3-12

I ask you to deny the approval of this project and to make my concern available to the developer and other developers in this area.

R3-13

Sincerely,

Denise Casas

2. Response to Comments

R3. Response to Comments from Denise Casas, dated September 11, 2011.

- R3-1 Comment acknowledged.
- R3-2 See Response to Comment A11-17.
- R3-3 The projected population for the project is based on the most current, area specific persons per household information (please refer to the Population and Housing discussion in the Response to Letter R1)
- R3-4 The traffic analysis completed for the proposed project uses projected traffic growth from the East Valley Traffic Model to determine the proposed project's impact in combination with expected growth in the area. As discussed in Section 5.14, *Transportation and Traffic*, of the Draft EIR, the only intersections near North Verdmont Elementary School and Cesar Chavez Middle School that would have an unacceptable LOS, and require improvements, are the Kendall Avenue/Palm Avenue intersection and the Palm Avenue/I-215 northbound and southbound ramps intersections. As stated in Mitigation Measure 14-1, the Kendall Avenue/Palm Avenue intersection would either be constructed through a fair share fee program or by the project applicant. The Palm Avenue/I-215 northbound and southbound ramps intersections improvements would be constructed with a fair share fee program. With these roadway improvements, the intersections would have less than significant impacts.
- R3-5 Please refer to the discussion regarding school services under Public Services in Response to Letter R1.
- R3-6 See Response to Comment A7-1. The commenter is correct in stating that the proposed project would result in unacceptable service levels at the Palm Avenue/I-215 north- and southbound ramps without mitigation. However, the intersection improvements incorporated into the project as mitigation measures would improve LOS to acceptable levels.
- R3-7 See Responses to Comments A7-2, A7-3, and R1-1 for discussions of the fire analysis methods and fire response times. The commenter incorrectly states that the 2007 fire is not mentioned in the Draft EIR. This fire is mentioned in the site's fire history discussion in Section 5.6.1 of the Draft EIR.
- R3-8 See Response to Comment A11-11.
- R3-9 Section 5.2, *Air Quality*, addresses construction-related air quality impacts. As identified in the Draft EIR, after the implementation of mitigation measures, concentrations of PM₁₀ would still exceed the local ambient air quality standard (AAQS) threshold at the onsite sensitive receptor. Concentrations of criteria air pollutants at offsite sensitive receptors would be below AAQS thresholds. As discussed in Section 5.16, Greenhouse Gas Emissions, in the Draft EIR, the operation of the proposed project would generate greenhouse gases and cause significant and unavoidable greenhouse gas impacts. However, greenhouse gas emissions are of concern because of the effect they have on Earth's atmosphere

2. Response to Comments

and potential climate change impact. They would not have direct health effects on humans.

- R3-10 Section 5.3, *Biological Resources*, of the Draft EIR discusses the proposed project's potential to affect natural habitat and the species in the area. It also discusses the urban-wildlife interface between the proposed project and the San Bernardino National Forest (SBNF). As stated in Response to Comment A4-5, impacts to onsite biological habitat would be mitigated through the conservation of biologically equivalent habitat offsite. Conserving the offsite habitat would allow animals to use it undisturbed by the proposed development.

The City and the applicant understand that the placement of the proposed project adjacent to the SBNF may attract animals to the project site as they search for food.

- R3-11 Implementation of the proposed project would not alter offsite zoning, land use, or density. Potential indirect impacts of the proposed project on surrounding properties are addressed in the respective sections of the Draft EIR (air quality, noise, aesthetics, etc.). The proposed project is consistent with the City's anticipated residential use for the project site as included in the General Plan (pre-zoning for this site in its sphere of influence). Furthermore, future residents of the proposed project would be required to sign an acknowledgment that they are going to reside adjacent to animal/horse-keeping properties and this statement will be in the proposed project's CC&Rs.

- R3-12 The City will take these issues into consideration when making a decision on the project. In regards to the County zoning and land use designations, the zoning and land use topic is discussed in Response to Comment R1-1. When the project site was added to the SOI in 1996, it was given the rezoning designation of Residential Estate (RE), allowing a density of one unit per acre. As identified in the comment, this density is greater than the County's land use designation. The buildout of the project site under the County's land use designation is discussed as an alternative to the proposed project (Section 7, *Alternatives*, of the Draft EIR). As discussed, buildout under the County's General Plan would still require the construction of infrastructure and the access roads. Depending on infrastructure and roadway costs and the revenue gained from home sales, buildout under the County General Plan may not be financially feasible. In addition, the secondary access road would most likely connect to Meyers Road, contributing traffic to this roadway, which is not preferred by residents in the area.

- R3-13 This comment is acknowledged and will be forwarded to decision-makers.

2. Response to Comments

LETTER R4 – Pascual Casas (2 pages)

Pascual Casas
3695 W. Meyers Road
San Bernardino, CA 92407
September 11, 2011

Ms. Terri Rahhal, City Planner
Development Services Department
300 North D Street
San Bernardino, CA 92418

RE: Spring Trail Specific Plan SP 10-01 and Tract Map (ITM) No. 15576 (formerly Martin Ranch Road Project)

Dear Ms. Rahhal,

Please enter, for the record, my opposition in the proposed Spring Trails Project. I live in an area that would be impacted greatly by many factors if this development is approved. I am at the base of Meyers Road near the intersection with Little League Drive. I believe the study is not accurate in the figures reported. I feel the population will be much higher than projected by the EIR. Traffic increases will further tax an already crowded area by the Verdemon Elementary School and Cesar Chavez school. This area is already a bottleneck that residents of Meyers Road and above have to deal with on a daily basis. Not to mention, these schools are already capped so any developments being built would mean that additional children would have to be bused to a different school.

The 215 freeway ramps at Palm Avenue in San Bernardino are already overtaxed, with the north bound onramp already at an "F" rating. This project would bring the southbound ramp to an "F" rating as well.

I was here for the fires and subsequent evacuations in October 2003 and October 2007. Nothing is mentioned about the 2007 fire. The evacuation in the event of another fire and/or earthquake would be drastically hindered with this large increase in population.

With the fires comes the destruction of vegetation to prevent or at least reduce erosion. The rain we had on Christmas Day 2003, proved the drainage is not adequate nor was the wash below my house maintained to allow for the runoff.

I have lived here for fourteen years now and plan on staying here the rest of my life. I'd like to be able to have horses and maintain my acre. Rezoning to allow this project would threaten the lifestyle I moved here for.

I feel that this development should be much more strictly regimented and monitored. The developer should be made to adhere to the zoning already in place and work within those

2. Response to Comments

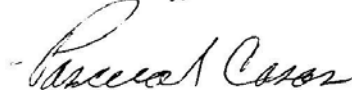
boundaries set forth. They should be willing to greatly consider the infrastructure and the impact of the development, not only on the vegetation and wildlife, but also on the community already in place.

R4-9
con'd

I ask you to deny the approval of this project and to make my concern available to the developer and other developers in this area.

R4-10

Sincerely,



2. Response to Comments

R4. Response to Comments from Pascual Casas, dated September 11, 2011.

- R4-1 Comment noted.
- R4-2 See the discussion on population under Response to Comment R1-1.
- R4-3 See Response to Comment R3-4.
- R4-4 See the discussion of school services under Response to Comment R1-1.
- R4-5 See Response to Comment R3-6.
- R4-6 See Response to Comment R3-7.
- R4-7 See the discussion on drainage and flooding under Response to Comment R1-1.
- R4-8 Per CEQA Guidelines Section 15131, the scope of CEQA does not cover economic and social effects of a project unless they directly result in a physical impact.
- R4-9 See Response to Comment R3-12.
- R4-10 Comment noted.

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2. Response to Comments

LETTER R5 – Kerry Cranford (1 page)

Terri Rahhal

From: kerry cranford <kcranford54@yahoo.com>
Sent: Friday, September 09, 2011 5:25 PM
To: Terri Rahhal; Kelly-Ch@ci.san-bernardino.ca.us; Larry.Heasley@verizon.net
Subject: Spring Trails Development

This statement is in regards to the Spring Trails Housing Development. Being a new resident of San Bernardino, I am completely in "utter disbelief" that the City of San Bernardino is even considering giving it's approval on allowing a development of this size to move forward. Our home values have "dropped" approximately 35% or more, in the short time we have lived here. I know that the "whole country" is experiencing the same. When I read what I call the "State of San Bernardino County", the numbers of unemployment, foreclosures, and short sales ranks right up with the nations highest!

R5-1

Our intentions when we moved from Covina, CA was to purchase a "large" home that we "assumed" would be for future investment purposes. That dream has faded. If we could sell our home right now and make 1/2 of our current loss back...we would. Many of my neighbors feel the same way.

Now, the City of San Bernardino is contemplating allowing a housing development to be built, in lieu, of all the "unfavorable" facts that have arose from issues that pertain to and not limited to; public services, geological impacts, road conditions, fire threats, mudslides, wind patterns, schools, and the list goes on. Our area, at the moment, can not accommodate the children who live here when it comes the schools. As I understand they are being bused to other schools? There are no grocery stores, pharmacies, one freeway off ramp and yet this development will bring a 1,000+ new residents...if those 306+ home sell! My question, "Do any of you live near where this development is being planned?" Like the old saying, "Walk a day in my shoes to experience the truth!"

R5-2

R5-3

Am I opposed to this development...YES! I and many of my neighbors feel that it will place many "burdens" on ALL the present homeowners in the immediate vicinity of this planned development. Just because someone "owns a piece of property" does not given them the right(s) to "build at will" there has to be "limitations". There has to be considerations given to present homeowners. Afterall, they (we) are the ones who have been paying taxes, electing and depending on individuals such as yourself to "protect" their/our interests within the community where we reside.

R5-4

I urge you to hear us...be aware that we...ARE NOT IN FAVOR...of this development. The "significant impact" that this proposed development will place on existing homeowners is tremendous. It will change our lives...it will change our day to day existence...and NOT FOR THE GOOD!

We, the homewoners have entrusted you and all of the names that appear on this email to make decisions...on our behalf. Decisions that...should..."benefit" those who have chosen to call this area of San Bernardino..."HOME".

With Respect,

Kerry L. Cranford
3260 Greystone Road
San Bernardino, California 92407
909-804-8218

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2. Response to Comments

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2. Response to Comments

R5. Response to Comments from Kerry Cranford (Letter 1), dated September 9, 2011.

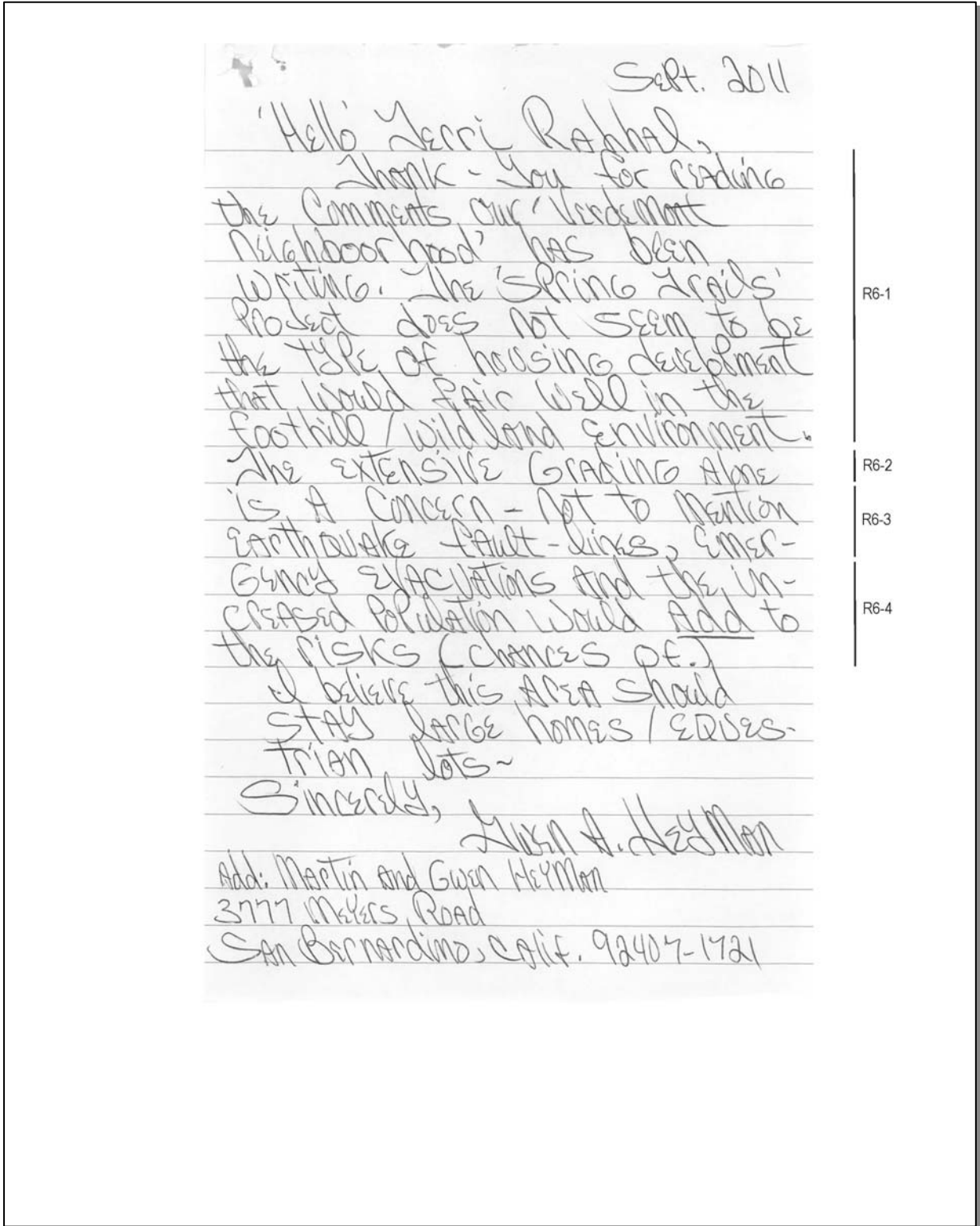
- R5-1 Per CEQA Guidelines Section 15131, the scope of CEQA does not cover economic and social effects of a project unless they directly result in a physical impact.
- R5-2 The purpose of the CEQA is to provide objective analysis of potential environmental impacts and a process for public disclosure and public involvement in the decision process. This comment is acknowledged.
- R5-3 See the discussion of school services under Public Services in the Response to Letter R1. The comment about the provision of social services (grocery stores, pharmacies, etc.) is noted. The commenter is incorrect that the project only has one freeway access point. There are two points of access to I-215: Glen Helen Parkway and Palm Avenue.
- R5-4 The commenter's strong opposition to the proposed project is acknowledged and this comment will be forwarded to decision-makers for consideration.

2. Response to Comments

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2. Response to Comments

LETTER R6- Martin and Gwen Heyman (1 page)



R6-1

R6-2

R6-3

R6-4

2. Response to Comments

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2. Response to Comments

R6. Response to Comments from Martin and Gwen Heyman, dated September, 2011.

- R6-1 The commenter's opinion that the proposed housing development is not suited for the project site is acknowledged.
- R6-2 The operational-related environmental impacts of grading are discussed in Section 5.2, *Air Quality*, and Section 5.10, *Noise*. The physical impacts associated with aesthetics and geotechnical/soil impacts are addressed in Sections 5.1 and 5.5, respectively.
- R6-3 Please refer to specific Responses R1-1 and A11-11 for additional information related to emergency evacuation and risks.

2. Response to Comments

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2. Response to Comments

LETTER 7 – Lynette McLean and Richard Kaplan (7 pages)

<p>3793 W. Meyers Road San Bernardino, Ca 92407 September 11, 2011</p>	
<p>Terri Rahhal, City Planner Cit of San Bernardino Community Development Department 300 North "D" Street, 3rd Floor San Bernardino, CA 92418-0001</p>	
<p>RE: Spring Trails Specific Plan SP 10-01 and Tentative Tract Map (TTM) No. 15576</p>	
<p>Dear Ms. Rahhal:</p>	
<p><u>Zoning</u> The fact that this project even takes up the time and resources of the Planning Department, when it doesn't even own all of the land utilized in the access roads and has not been able to secure the right-of-way through key properties for the secondary access, is beyond comprehension. The county parcel is zoned for 5 acres per parcel. The county turned down this project and the city should follow suit. All surrounding homes are zoned at the county minimum of one house per 5 acres or residential estate lots at 1 acre. This rezoning and annexation of county parcels is not in the best interests of the current residents, fire safety, and utilization of current city resources. It does not serve the best interests of the future residents, the Verdemon community, or the city.</p>	<p>R7-1 R7-2</p>
<p>One-acre lots were not easily defended in the 2003 and 2007 fires and greater density in 10,800 square foot lots will only increase the dangers and increase the likelihood of fires (as quoted in this EIR).</p>	<p>R7-3</p>
<p><u>Air Quality</u> This project will greatly diminish the quality of air creating, ". . .levels of (pollutants) . . . above CA Air Resource Board thresholds. . ." . This will continue for the 3 year projected build out period and will present hazardous levels to the sensitive receptors in the adjacent areas of : North Verdemon Elementary School, Palm Elementary School, Caesar Chavez Middle School, Western Regional Little League, Blast Soccer and the Verdemon Community Center and Library. I'm sure if you polled the parents of the children at these facilities, you would find that they are in opposition to any project that puts their child's respiratory health at risk for the high levels of particulates that will be present in the air. In addition the project is quoted as generating, ". . .significant and unavoidable increase(s) in greenhouse gasses. . ."</p>	<p>R7-4</p>
<p><u>Geology</u> The geological study for the project is troubling. This project is built on three active faults (central portion and northern). Though no homes will be built on the fault line, they will be within 50 feet of the faults and many of the roads cross fault lines. What happens when the access roads are destroyed during a possible earthquake? How will the</p>	<p>R7-5</p>

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city evacuate the residents? The true evaluation of earthquake vulnerability cannot be assessed without extensive trenching (per a Northern CA geologist). This study is speculation and wishful thinking at best. The secondary access road has soils that could be subject to liquefaction in the event of an earthquake.

R7-5
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Hazards

Existing natural hazards play a large role in determining the unfeasibility of this development. Winds in the area blow from 60-125 miles per hour, not 60-100 as the study states. The tract is in a State identified High Fire, High Wind Zone. Combine the two and you have a perfect combination for uncontrollable wild fires as has been the case during the Panorama Fire, the Old Fire, the Grande Prix Fire and the Martin Ranch Fire. The 125.1 acres of slope slated for this project will make fire suppression difficult and dangerous to defend. The fact that the project is surrounded by National Forest on three sides increases the dangers of fire and also increases the difficulty of defending this tract. The pollutants that will be carried into the ground water and streams from pesticides, household chemicals, building materials, automobile products, animal waste, and trash will degrade the current water table and pollute nearby wells and wildlife habitats. The proposed two access roads all feed into Little League Drive and the Palm/215 Freeway entrances, thus creating traffic gridlock and density beyond the design of current traffic flow. The bulk of the project is designed as cul-de-sacs which inhibit the flow of traffic in emergencies and make fire fighting not only more difficult, but will slow response times and result in more loss of property and lives.

R7-6

R7-7

R7-8

Hydrology

The addition of three detention basins that double as parks is negligent and misleading. With the regular large amounts of rain that accumulate in many single storms during the rainy season in the foothills it is criminal to designate basins as parks. It will also be necessary to have trees planted on the southern edge of each of these basins to mitigate failure of the basins sides, erosion, and as a deterrent to dust and debris blowing during the windy seasons. The project creates far too much impervious surface over the 216.7 acres to deal with the large amounts of rainfall and will possibly result in the flooding of homes located down by the creeks and storm drains, which are only designed to meet the run off of current homes

R7-9

Noise

Noise levels during construction will be above the acceptable levels for sensitive receptors for up to three years, and possibly with the current economy more. This has a strong negative impact on the children at the local schools, athletic organizations, parks and playgrounds. There is no mitigation for this. The only noise mitigation is for the one house located in the tract. The project needs to construct sound walls on the site near all homes that abut the project or are located across the street from the project. This will not only aid in the reduction of sound, but also cut down on the pollution from dust, dirt and construction activities. In addition, with the increase in traffic, the project will need to put in permanent sound walls near existing homes to mitigate the noise from the influx of 3500 cars per day.

R7-10

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Population

The population projections for the project are skewed and faulty. Regional figures show that each family has 2.3 children. Normally young families move into new subdivisions. Hence, the population estimates should stand at 1320 for households and 700 children for school analysis. The increase in population numbers makes the traffic projections within the report faulty and the increase in school age children puts the school enrollments above the current capacity. At present all local schools are capped on enrollment. The school studies (2007-2009) are dated and no longer valid. The addition of this project will necessitate the import of portable school modules or bussing outside the neighborhood.

R7-11

Public Services

The Public Service section of the study is based on fantasy. Two years ago the city cut 25% of the Fire Department lowering each firehouse to 3 vs. the National Standard of 4 fire fighters per station. This year the city cut 52 policemen. The city budget is in dismal shape. The study cites that average police response time is 4.3 minutes on crime and 46.1 on residential theft/non-violent calls. If you speak with local residents you will find that these numbers do not reflect the reality of responses. The study states that the response time for fire/emergency calls will be 12-15 minutes. 8 minutes is the time of "Flashover" when a house is totally engulfed in flames. How will this increased response time "factor in" to an area identified as High Wind/High Fire? If one house goes up, what keeps it from spreading to the next home based on the proximity of 10,800 foot lots? What will those extra four minutes mean to a heart attack or stroke victim? The funding given to the city for law enforcement will only fund 1.3 policeman for only 1 year.

R7-12

Recreation

If the basins are to serve as parks, who will come out and fence the area during storms and high run off? What about periods when we get three to five days of consecutive rain? What about vector control when the basins have reached saturation and there is standing water? What pesticides will be safe to use in an area where children will be playing? The trails portion of the plan does not show the split equestrian/pedestrian trail. The trail connectors that the project cites are not in place. Who will be around to make sure that off road vehicles and ATVs are not ridden on surrounding properties and the National Forest? The 52 laid off officers? The HOA? Currently, San Bernardino police are unable to stop and enforce the riding of ATVs and off road vehicles in the creek beds and washes: how will the addition of more responsibility improve the situation?

R7-13

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R7-15

R7-16

R7-17

Transportation and Traffic

The transportation and traffic section of the EIR demonstrates the total lack of concern for the current residents and the negligence of the builder and the city if they approve this tract. The intersection of Palm and 215 for the northbound ramp is already rated as "F". The study states that the project will put the southbound ramp also at an "F" rating. Again, the developers do not own all the land shown for access roads. The routing of all traffic onto Little League and Palm will put Palm and Little League in gridlock. The numerous cul-de sacs in the project do not make for traffic flow and looking at current trends, will be greatly hampered by the parking of vehicles and motor homes. With the

R7-18

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shortage of police, parking violations are not cited. The project must cul-de-sac West Meyers Road either at the Martin Ranch intersection or at 3793 W. Meyers. The “pork chop” option will only create hundreds of u-turns as parents transport their children to school and activities. The u-turns, in turn, will create accidents. Meyers must not become the third access road for this project. The proposed access roads cross fault lines and will fail in an earthquake. With the volume of traffic on the primary access road, the development needs to put a sound wall on the Meyers face to mitigate sound, light, and green house exhaust. The Traffic Study does not take into account the developments north of Meyers between Palm and Little League that have already received approval, the Univ. Hills Project (that is approved-900 units), and the Cal State Traffic peak hours that are MWF every hour on the hour and TTH on the half hour every hour and a half.

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Utilities

The water for this project must not be put in “in phases” and must be complete prior to bringing any building materials on site due to the high fire danger. When there is no power there is no water in this area. Fall’s Santa Ana’s often disrupt power in the area for up to four days. The statement that the HOA and LLMD will pay to water greenbelts is wildly optimistic. Once residents see what “zone water charges” are they will agree to cut back or cease watering green belts. The LLMD maintenance of greenbelts is a faulty claim. LLMD has been unable to maintain current greenbelts on a much smaller scale. With the cutbacks of city parks and maintenance staffs to below bare bones this maintenance claim is pure fantasy. When the water line is run up W. Meyers Road the city needs to insure that there are two lanes accessible at all times, due to fire danger and emergency access. The city also needs to insure that during this phase that full water pressure will be available at all times to the Meyers residents, again fire danger. Trash with respects to wind and wild land creatures will be unmanageable. Local residents in the lower portions of Verdemonst have not been able to solve the wind and trash problems. They will not be able to mitigate the wind. Trash days will become creature days (from the National Forest). Creature incursions call for more police calls.

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R7-28

Forestry and Environment

A high-density project of this scope should not abut the National Forest. The proposed wild life corridors are over roads! The animals will become road kill. The city should strictly enforce the “no grading during nesting season.” On previous projects this has not been enforced. This project is removing over 2000 trees. There will be hawk’s nests, owl’s nests, and we do have an endangered Swainson’s hawk in the area. The enforcement of the dog-leash law will be impossible and dogs will venture into the National Forest and creatures will come out of the forest and kill and eat the cats and dogs and then everyone will be up in arms. The secondary access road runs through identified S.B. K rat territory. The water used in landscaping will draw animals out of the forest and into the development during the dry season. The project will be eliminating 2000 non-native trees without replacement. Between the grading and the elimination of vegetation the study states that it will create, “. . . long term irreversible change to the environment. . .” Perhaps unknown to the city and planning, almost all the current residents in Verdemonst moved up here for the proximity to the forest and the existence of native vegetation and open spaces. The report states that all trucks,

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including tires, will be washed down of all non-native dirt and debris prior to entering the site. Who will be inspecting and monitoring this mediation?

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Fire Mitigation Plan

Probably the most reckless portion of the study is the Fire Mitigation Plan. The entire plan is based on the premise of regulated and enforced modification zones. In a city that is not able to enforce standard, every day major code violations this premise is ludicrous and criminal in its implications. The HOA and LLMD will not be able to make residents comply with the "Approved Plant List;" inspect all front, side and back yards; mediate all violations; trim; weed; and abate violations. The HOA and LLMD will not be able to maintain or fund watering of the three zones. Contrary to the "Plan" modification zones must be in place for the first phase of the project. The development must have fire resistant building materials on all homes, not just the outer edge homes. Fires have come from all directions. The Plan states that fires have only come from the east. The best fire-break for the project would be an exterior road on the outer perimeter of the project. More than half of this project is slopes. Slopes burn more rapidly. Fire response time exceeds the National Standard and permits "Flashover." Cul-de-sacs will slow fire suppression in that engines will have to circulate around the tract to reach some houses as the fire spreads. Illegal parking on the cul-de-sacs will prevent fire engines from entering. The plan will permit wood out buildings. The plan will permit wood fencing. Plan states that a structure fire, i.e. one house will require 15 fire fighters. In San Bernardino this means 5 stations. Will that many stations even be available in fire season or a wild land fire event? Santa Ana winds come from all directions and are not limited to the north and east as the plan states. The plan predicts that flames will reach 100 feet. What mitigation is there for this? The plan states that green belts will be inspected and mitigated May 1 and Sept. 1. Since 2003, I have had to contact the city and county regarding fire abatement and it has taken anywhere from 5 weeks to 6 months to have fire hazards abated. In fact, the developer of this tract has had to be cited every year since 2003. So much for abatement and responsibility. The plan states that there will be no roof vents on wild land or foothill sides. In this development that is three sides of every house. The plan states that there will be no turbine vents. Who will inspect and enforce this? What about all house fans? The EIR states that they will be using cellulose, shredded newspaper or recycled cotton for insulation. These are highly flammable options. On meeting with Fire Marshall Dupree last week, he found these options unacceptable. There is no mention of requiring residents to clean out gutters. With the high winds and factoring in the fact that the homes abut the National Forest, perhaps this would be a wise requirement, though, how would one enforce it? The plan calls for only two hose bibs on each house. Might I suggest from experience after my rebuild from the 2003 Old Fire, that each house should have bibs on all four sides. Lastly, I know from experience (I personally approached sales offices of new developers) that prospective buyers are not informed about the High Wind High Fire Zone rating. I would suggest that all sales people be required to tell prospective buyers, prior to escrow, the dangers of living in this area.

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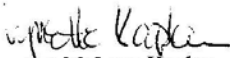
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Conclusion

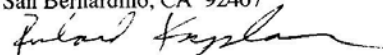
In summary, this project is not safe in terms of fire, traffic and evacuation during a catastrophic event. The city will be unable to provide adequate basic public services to support this community. Geology and hydrology make this proposal a danger to current and future residents. The negative environmental effects of the grading and building process will endanger the lives and health of current residents and local children. The traffic created by this project will put the entire area in gridlock and serve to discourage people from moving to the area and cause current residents to relocate. The destruction of habitat land and the conversion from 5-acre parcels to 10,800 sq ft lots will detrimentally impact the wildlife and the life style of local residents.

R7-36

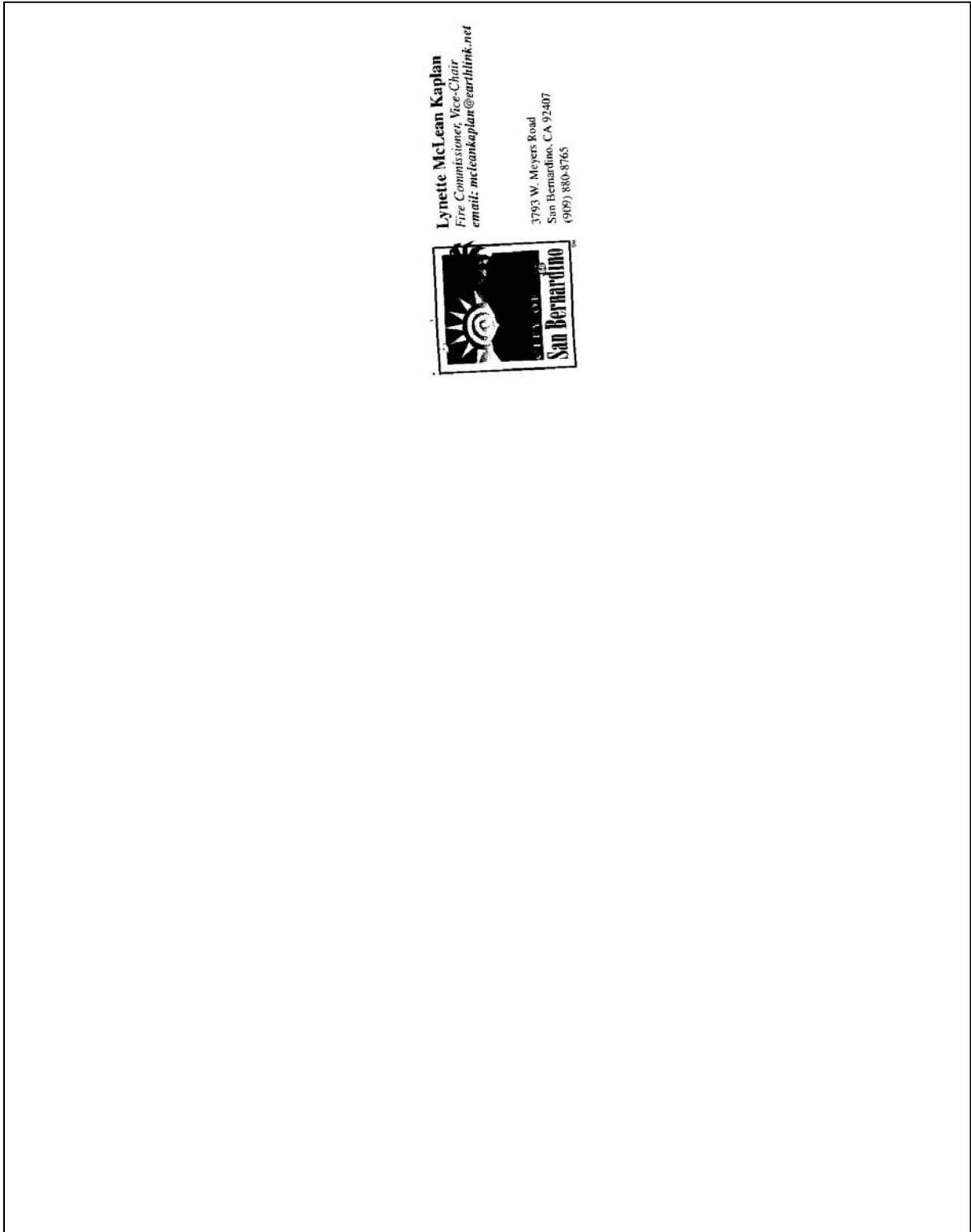
Sincerely


Lynette McLean Kaplan
3793 W. Meyers Road
San Bernardino, CA 92407

Richard Kaplan
3793 W. Meyers Road
San Bernardino, CA 92407



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Lynette McLean Kaplan
Fire Commissioner, Vice-Chair
email: mcleankaplan@earlink.net

3793 W. Meyers Road
San Bernardino, CA 92407
(909) 880-8765



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R7. Response to Comments from Lynette McLean and Richard Kaplan, dated September 11, 2011.

- R7-1 See Response to Comment A11-17.
- R7-2 As discussed under Response to Comment R1-1 (land use and zoning heading), the project site is currently subject to the development regulations of the County's land use designation (Rural Living – 5 acre parcels [RL-5]). However, it is also part of the City's SOI and rezoned under the City's zoning code for Residential Estate (RE), which allows 1 unit per acre. The inclusion of the project site into the City's SOI was approved by the Local Agency Formation Commission (LAFCO) in 1996. The SOI expansion and rezoning of the project site as RE land use are reflected in the City's General Plan, which provides guidelines for appropriate development of the City into the future. The proposed land use is consistent with the City's General Plan visions for the site.
- R7-3 See Responses to Comment A7-2 and A7-3, as well as the discussion of Fire and Wind Hazards in Response to Comment Letter R1.
- R7-4 The commenter's concerns regarding the significant unavoidable air quality and GHG emissions impacts identified by the project are noted. Localized air pollutant impacts to sensitive receptors, including schools, in the vicinity of the proposed project were analyzed. As identified in the dispersion modeling for the proposed project, receptors outside the boundaries of the proposed project site would not be exposed to elevated concentrations of air pollutants. Onsite receptors and regional criteria air pollutants and GHG emissions generated by the proposed project that affect the nonattainment designations of the South Coast Air Basin were considered significant unavoidable impacts of the proposed project. Mitigation measures are incorporated in the EIR to reduce potentially significant impacts of the project; however these impacts would remain a significant and unavoidable.
- R7-5 See the discussion of earthquakes and related hazards under Response to Comment R1-1 and Response to Comment A11-11.
- R7-6 See Responses to Comment A7-2 and A7-3, as well as the discussion of fire and wind hazards in Response to Comment Letter R1.
- R7-7 See the discussion of groundwater contamination under Response to Comment R1-1. The proposed project's impact to the water quality of adjacent habitats is discussed in Responses to Comments A5-9 and A5-10.
- R7-8 As noted by the commenter, project-generated traffic would use Little League Drive and Palm Avenue to travel to and from the project site. As discussed in Response to Comment R1-1, the local roadways would experience an increase in traffic but impacts would be reduced to less than significant impacts with the implementation of mitigation measures. In response to the concern about emergency access, see the discussion of earthquakes and related hazards and fire and wind hazards under Response to Comment R1-1.
- R7-9 See the discussion of drainage and flooding under Response to Comment R1-1.

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R7-10 Due to distance, noise impacts from project construction to the North Verdmont Elementary School, a sensitive receptor, would be below 55 dBA L_{eq} and would not cause adverse noise impacts to children, or disrupt activities at the school. Construction-generated noise would increase the ambient noise environment to homes in the vicinity of the project site. Overall project-related construction activities would take approximately three years to complete, however, noise impacts at a given receptor would be intermittent as construction moves around the project site, and as the center of activity moves according to the construction phase. Because of the overall duration of construction activities and intensity of noise produced from heavy construction equipment running continuously, project-related construction activities would result in significant noise impacts at nearby existing residential uses. Due to the site size and topography that slopes down towards the nearby homes, sound walls would not be very effective, resulting in temporary noise barriers with lengths of several hundred feet and heights above 12 feet. Mitigation Measures 10-1 through 10-6 were included to reduce noise generated by construction activities to the extent feasible:

- 10-1 The construction contractor shall properly maintain and tune all construction equipment to minimize noise emissions.
- 10-2 The construction contractor shall fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.
- 10-3 The construction contractor shall locate all stationary noise sources (e.g., generators, compressors, staging areas) as far from offsite residential receptor locations as is feasible.
- 10-4 Construction activities, including haul trucks and deliveries, shall be limited to between 7:00 AM to 7:00 PM Monday through Saturdays, except on federal holidays.
- 10-5 The project applicant shall post a sign, clearly visible onsite, with a contact name and telephone number of the project applicant's authorized representative to respond in the event of a noise complaint.
- 10-6 The construction contractor shall install temporary sound blankets at least six feet in height along the boundaries of the onsite residence.

Due to the number of soil haul trips that would be required, amount of heavy construction equipment needed, and duration of construction activities, construction noise impacts to homes adjacent to the project site would remain significant and unavoidable.

As for long-term operational noise impacts, the proposed project would generate 3,149 average daily trips. The noise analysis demonstrated that when the project is fully operational in 2013, project-related traffic would cause noise levels to increase by more than 3 dBA on existing homes along Little League Drive, and Belmont Avenue between Little League Drive and Magnolia Avenue. However, while noise increases would be greater than 3 dBA, resulting in perceptible noise increases, the

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future ambient noise levels would not exceed 65 dBA CNEL to receptors along these roadways. Implementation of the proposed project would not exceed thresholds, and therefore noise impacts would be less than significant.

- R7-11 See the discussion of school services under Response to Comment R1-1.
- R7-12 See the discussion of police and fire services in Response to Comment R1-1. As stated here and in the Draft EIR, the information on response times was obtained from the San Bernardino Police and Fire Departments. Based on the correspondence with the departments at the time the Draft EIR was prepared, the project's impact to services was found to be less than significant with the implementation of mitigation measures and payment of impact fees. The mitigation for the proposed project includes participation of the project applicant in the fair-share funding for the continued operation and maintenance of the Verdemon Fire Station. A one-time fair-share contribution equivalent to the Community Facilities District Number 1033 "in-lieu fee" established by Resolution Number 2004-107 of the Mayor and Common Council would mitigate the long-term impact of the project on emergency services of the Fire Department. In addition, as discussed in Response to Comment R1-1, the implementation of the Fire Protection Plan and the fuel modification plan is meant to slow the rate fire spreads on the project and lessen the fire intensity. The houses are also designed to deter fire through the use of non-flammable building materials and insulation.
- It should be noted that per CEQA, significant public service impacts occur when the proposed project would require the construction of new or expanded facilities to maintain service, which would cause environmental impacts. The proposed project would not require the construction of new facilities but would contribute funding to assist in funding long-term operations at the existing fire and police stations.
- R7-13 As mentioned in the drainage and flooding discussion in Response to Comment R1-1, detention basins are commonly used as recreational spaces. The maintenance and operation of these would be the responsibility of the LLMD and HOA. The HOA will be responsible for closing access to the detention basins during peak storm periods. Future residents will be notified of the hazards related to the detention basin and their restricted uses in the individual property title reports and in the proposed project's CC&Rs. During periods of heavy storms, the detention basins would not be used as parks. The hydrology study describes the design of the proposed detention basins as being modeled off the anticipated flow rates that would occur during a 100-year flood. Each detention basin also includes an emergency spillway that would convey 1,000-year flood flows for their respective drainage area.
- R7-14 The purpose of detention basins is to slow and filter runoff water before it enters the offsite drainages and creeks. Contrary to retention basins, they would not hold standing water for long periods of time and attract vectors to the area.
- R7-15 The pesticides used at residences on the project site would be typical pesticides used in residential areas. If pesticides are used on the detention basins to control weeds or insects, they would be the same as those used on residential lots due to their proximity to residential homes and their use as public space.

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- R7-16 See the parks and recreation discussion under Response to Comment R1-1.
- R7-17 See Response to Comment A4-22 regarding the project's impacts of US Forest Service lands.
- R7-18 See Response to Comment A7-1. The commenter is correct in stating that the proposed project would bring the LOS at the Palm Avenue/I-215 north- and southbound ramps to unacceptable levels. However, the intersection improvements incorporated into the project as mitigation measures would improve LOS to acceptable levels.
- R7-19 As discussed in Response to Comment R2-2, the City's local roadways, including Little League Drive and Palm Avenue, would experience an increase in traffic but impacts would be reduced to less than significant impacts with the implementation of intersection and roadway improvements. See Table 5.17-7 in Section 5.14, *Transportation and Traffic*, in the Draft EIR, for the projected levels of service at local intersections with the proposed project and improvements.

The greatest number of units on a cul-de-sac in the Specific Plan is eleven units. This would not cause a substantial amount of traffic on a single cul-de-sac. There are also four primary local roads on the project site that would have sufficient space for onsite traffic to reach one of two access roads during rush hour periods. In addition, per the Specific Plan development code, parking would not be allowed on the bulbs of cul-de-sac streets and all cul-de-sac streets have been designed to accommodate fire engines.

As described in the access to the project site discussion in Response to Comment R1-1, making Meyers Road a cul-de-sac would be one of two options to prevent access to Meyers Road from the project site.

- R7-20 See Response to Comment A11-11.
- R7-21 In response to the request to place a sound wall along the project site's southern boundary to eliminate noise impacts, see Response to Comment R16-10. It is assumed that this request is to control operational, long-term noise impacts. The majority of the noise created by the residential development would be from vehicles, which would not exceed the 65 dBA level. Residential land uses do not typically generate high levels of noise. The proposed project would also not generate excessive amounts of light. The nearest lots are approximately 250 to 300 feet away from the closest existing residences along Meyers Road. As discussed in Section 5.1, *Aesthetics*, of the Draft EIR, the proposed project would incorporate the guidelines of the International Dark Sky Program and the City's development code. The design guidelines of the Specific Plan also contain lighting requirements. All exterior light would be shielded and directed inwards to reduce light spillage onto adjacent properties. Greenhouse gas exhaust would not be reduced by a sound wall. Greenhouse gases do not affect humans directly but cumulative build up in the atmosphere and cause global warming. If the commenter was referring to other air pollutants, please see Section 5.2, *Air Quality*, of the Draft EIR, which describes how operational concentrations of criteria air pollutants do not exceed the ambient air quality standards and operational air quality impacts are less than significant.

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- R7-22 See Response to Comment R3-4.
- R7-23 See the traffic discussion under Response to Comment R1-1.
- R7-24 See the discussion on utilities under Response to Comment R1-1.
- R7-25 Comment noted.
- R7-26 See Responses to Comment A7-2 and A7-3.
- R7-27 See the discussion on utilities under Response to Comment R1-1.
- R7-28 The Specific Plan Development Standards outline requirements for Trash Collection. As described in the Specific Plan, the outdoor trash receptacles are entirely enclosed with a solid fence. This would reduce the amount of trash that could be blown around by the wind.
- Also stipulated in the Specific Plan is the following:
- The CC&Rs shall include detailed responsibilities of each homeowner for trash container drop-off and pick-up, container spacing, as well as penalties for noncompliance.
 - All individual containers must be returned within 24 hours of collection.
- To assure that trash and debris is also controlled in common areas (i.e., parks and trails) the following development standard has been added to the Specific Plan:
- The Landscaping and Lighting Maintenance District (LLMD) shall be responsible for trash collection and maintenance within common areas. Procedures shall detail responsibilities and timing for trash collection (daily, weekly, etc.) and shall include provisions for forecasted high wind events.
- No additional mitigation measures are needed to control wind-blown debris.
- R7-29 The commenter raises concerns of biological impacts. Wildlife corridors and onsite tree removal are discussed in Responses to Comments A4-14 and A2-11, respectively. Impacts to nesting birds would be reduced to less than significant levels with mitigation measure 3-10.
- R7-30 Section 5.3, *Biological Resources*, discusses the urban-wildlife interface between the project site and the San Bernardino National Forest. The requirement to keep dogs on leashes and cats indoors is a feasible mitigation measure to reduce the risk of house pets attracting wildlife. Enforcement of this rule would be monitored strictly by the HOA.
- R7-31 Tree removal and replacement is discussed in Response to Comment A1-11. Although grading would cause significant and unavoidable air quality impacts, the removal of vegetation is not a significant and unavoidable impact identified in the

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- Draft EIR. The construction contractor is responsible for monitoring the washing down of trucks prior to entering the project site.
- R7-32 See Response to Comment R7-2 and R7-3 and the discussion of fire and wind hazards under Response to Comment R1-1.
- R7-33 The Fire Protection Plan uses historic data to determine the worst-case scenario. Fires would come from all directions but those originating in the undeveloped areas to the north and east would pose the greatest risk, based on the data in the Fire Protection Plan. The entire site would be protected from fires equally, no matter the direction from which they are coming. The fuel modification zones are designed the same on all sides of the project site. As discussed in Responses to Comments A7-2, A7-3, and R2-1, the fuel modification zones are designed to retard the advance fire, helping to reduce the intensity of fires and allowing more time for firefighters to reach the site. The cul-de-sac design is also discussed under Response to Comment R1-1. In addition, per the Specific Plan zoning, parking on cul-de-sac bulbs and wooden fencing would not be allowed. In addition, the Specific Plan encourages nonflammable materials such as natural stone, approved manufactured or cultured stone, painted or natural brick, precast concrete, ceramic tile, slump block, and fire-resistant horizontal or vertical wood siding or approved manufactured siding (e.g., cementitious board) on all buildings on the project site. Per the Fire Protection Plan, wooden exterior structures would not be allowed: “Excluding openings, all exterior elements, including walls, garage doors, fences, etc., shall be free of exposed wood (as defined in Chapter 15.10 of the City’s Municipal Code, *Foothill Fire Zone Building Standards*) (Construction and Development Design provision H).”
- R7-34 It is not clear where the Draft EIR states that 15 firefighters would be required to fight structure fires. In the event of an intense wildfire, the City’s fire department would be assisted by the county and state’s fire departments through the Mutual Aid Agreement, as discussed in Section 5.6, *Hazards and Hazardous Materials*.
- R7-35 See Response to Comment R7-2 and R7-3 and the discussion of fire and wind hazards under Response to Comment R1-1.
- R7-36 Comment noted.

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LETTER R8 – Troy and Patricia Kirtley, Gloria Evans, and James V. Quiroz (3 pages)

Ms. Terri Rahhal, City Planner
Development Services Department
300 North "E" Street
San Bernardino, CA 92418

September 11, 2011

In reference to the EIR and Draft Specific Plan that have been released for the Spring Trails Development, following are some concerns that we have that would dramatically affect the area and we feel should be addressed prior to the approval of either.

EXISTING WELLS

We all would like the assurance that our current wells would not be contaminated by the addition of this development and that the City upon approval of the development would make a guarantee that the quality of our wells would not be affected and perform periodic testing at the city's expense to assure the continuance of healthy drinking water. We would also like a guarantee from the city that if at any time in the future our wells become contaminated we will be provided with a continued source of safe drinking water in the form of a city provided 2" water meter connection and continued water service at no cost, as this could potentially become a huge financial burden on the existing property owners that had not been otherwise anticipated prior to the development.

R8-1

MAINTENANCE OF LANDSCAPING AND OPEN SPACE AREAS

We would like the assurance from the City that they will govern the Home Owners Association (HOA) and Landscaping and Lighting District (LLMD) that are responsible for maintaining the landscaping and open space areas throughout the development and assure that these organizations will always be properly governed and will be performing their duties properly. If at any time either or both of these organizations should become dissolvent the City will assume the role of these organizations and continue the maintenance accordingly so as to provide adequate fire protection and the desired aesthetics of the planned community.

R8-2

LOT SIZE REQUIREMENTS

The Specific Plan indicates a minimum lot size of 1 acre, however, it will be averaged throughout the entire project thus allowing for a minimum lot size of 10,801 square feet or approximately ¼ acre. It appears that the lots adjacent to our property are the minimum lot size thus allowing for fifteen residences being built directly around our property. When we purchased the property in this area the main appeal was the lot size and ratio of residences allowing for privacy. Under the current zoning the maximum number of houses that would be built adjacent to our property would be three to four as opposed to the proposed fifteen in the Spring Trails Development. We ask that the lot sizes be kept to a minimum of 1 acre throughout the development, thus allowing for the continuance of the rural community we have become accustomed to.

R8-3

2. Response to Comments

TRAILS

According to Figure 3-8 showing the Trails, Parks and Open Spaces, there will be a 4-foot hiking trail which begins with a trail head directly across the street from our front yard and only travels the perimeter of our properties directing the public to meander the edges of our properties, thus allowing no privacy for our residences. We ask that this trail be removed from the trail system.

R8-4

FENCES AND WALLS

We ask that a 6 to 8 foot block wall be constructed along the North and East sides of our properties to try and minimize the lack of privacy being brought on by this development. Along with providing privacy, the addition of the block wall would help ensure that trash and debris from houses to the North would not blow into our yards during the high Santa Ana winds that continually blow in this area.

R8-5

TWO STORY HOMES

We ask that the addition of two story homes not be allowed on the properties directly surrounding our properties in order to minimize the invasion of privacy and try to allow for a somewhat continuance of the privacy we have become accustomed to.

R8-6

SECONDARY ACCESS ROAD

We would like to let you know that we have not nor will not allow access across our properties or privately owned Martin Ranch Rd. for the secondary access road as depicted in Figure 3-6 Circulation Plan.

R8-7

MARTIN RANCH RD. ACCESS

We would like the assurance that our access from the North end of our privately owned, Martin Ranch Rd., to the South end of Martin Ranch Rd. at Meyers Rd. not be altered in any way. We would like to be assured that we will not be denied this access and our easement of this road not be affected in any way by the addition of the Spring Trails Development. We also ask that the developer provide electric gates maintained by the City in order to allow our access and keep the public off of our private road.

R8-8

TRAFFIC ON LITTLE LEAGUE DR.

Currently the traffic on Little League Dr. between Meyers and Belmont is extremely excessive during the hours of the school beginning and ending with the busses and parents all arriving at the same time along with the current residents trying to access this road. It seems that with the addition of a population in excess of 1,000 or an addition of 3,149 daily trips all using this primary access road, this narrow two lane road would be a disaster waiting to happen, especially in the event of a fire during these hours. The Draft Specific Plan states there will be improvements to Little League Dr. north of Meyers Rd., however, there is no mention of improvements to Little League Dr. between Belmont and Meyers. The school property should be modified so as not to allow any cars or busses on this section of the road and the existing road should be widened to allow for two lanes of traffic in both directions. Currently cars park on

R8-9

2. Response to Comments

both sides of the road and parents and children are crossing this road in all areas, stopping traffic in both directions. It is extremely dangerous at this time and would become even more so with the addition of this many vehicles.

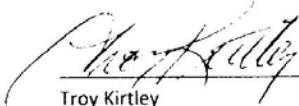
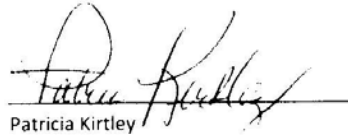
R8-9
cont'd

We strongly urge you to consider all of the above concerns we currently have with the development of the Spring Trails community. We would like to see that this project be completed in a way that will preserve our privacy and current way of life as much as possible, will not infringe in any way on our privately owned roads and property and will not become in any way a future financial burden on any of the existing home owners.

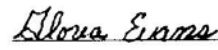
R8-10

Sincerely,

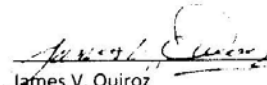
Troy and Patricia Kirtley
APN 0348-111-41-0000
1661 Martin Ranch Rd.


Troy Kirtley
Patricia Kirtley

Gloria Evans
APN 0348-111-28-0000
3403 Martin Ranch Rd.


Gloria Evans

James V. Quiroz
APN 0348-111-40-0000
1681 Martin Ranch Rd.


James V. Quiroz

2. Response to Comments

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2. Response to Comments

R8. Response to Comments from Troy and Patricia Kirtley, Gloria Evans, and James V. Quiroz, dated September 10, 2011.

R8-1 The potential for project runoff to contaminate surrounding groundwater wells is discussed in DEIR, Section 5.7, *Hydrology and Water Quality*. As described, the residences surrounding the project site are reliant upon well water for their potable water usage and in some cases, these wells are relatively shallow, with a water table of approximately 50 feet or more. Historical farming uses and the related fertilizers and other amendments, however, have not had an impact on the water table. Based on proposed Best Management Practices (BMPs) for both construction activities and long-term operations, as well as stringent regulatory requirements, the DEIR concludes that project-related impacts to water quality would be less than significant. As described, onsite runoff would be collected and treated onsite before discharged to receiving waters.

Since the environmental analysis does not indicate a potentially significant impact to groundwater quality, CEQA does not require mitigation such as the measures requested by this commenter (City monitoring of well water quality and guarantee of water service at no cost if wells are determined to be contaminated). In the event of water contamination, a determination of the contamination source would be necessary, and the resident would have legal recourse to remedy the situation. The commenter's concern will be forwarded to decision-makers for consideration.

R8-2 The HOA and LLMD must be created as specified in the Specific Plan. As a private development, the City does not have the authority to assume the responsibilities of the HOA and LLMD. The Spring Trails Specific Plan requires the formation of a master and neighborhood HOAs as well as a LLMD.

R8-3 The commenter is correct in noting that although the overall site density would be one dwelling per acre as averaged over the entire site, individual lots could be substantially smaller. As described in Response to Comment R1-1, lots would range in size from 10,801 square feet to 18.3 acres, and the average lot size would be 29,000 square feet. Adoption of the Specific Plan would allow clustering development within the most developable areas of the project site from both a topographic and resource protection standpoint. For comparison, DEIR Section 7, *Alternatives*, evaluates optional development alternatives, including development in accordance with the existing General Plan and Zoning designations.

The proposed Specific Plan requires a discretionary approval by City decision-makers (the City Council) to amend the project site's land use designation. CEQA and the preparation of an EIR is an objective process to analyze the potential environmental impacts of the proposed change. The privacy concerns expressed in the comment, however, are not under the purview of CEQA. The commenter's concerns and preference to maintain larger sites on the Spring Trails property are noted and will be forwarded to decision-makers for consideration.

R8-4 The proposed four-foot hiking trail would travel along the northern boundary of the property at 1661 Martin Ranch Road. The commenter's concern is that this would affect the privacy of residents along this trail. It should be noted that this trail would be used solely for hiking and would not be used by bicycles or horses, which limits

2. Response to Comments

the noise and traffic on the trail. Generally, CEQA does not address the social impacts of a project unless they result in physical environmental impact (CEQA Guidelines Section 15131). For this reason, privacy issues have not been addressed in the Draft EIR. It should be noted, however, that there will be approximately 265 feet between the existing residence and the proposed housing (approximately 175 feet between existing residence and property line + 75 feet of proposed undeveloped open space on the project site + 15-foot setback on the proposed residential lot). This distance would be adequate to maintain privacy. It should also be noted that the Specific Plan includes design practices that would improve privacy between on- and offsite residents, including fencing, landscaping screens, and avoiding the direct alignment of windows. If it is determined by the City and project applicant that the trail should be moved, the final trail location and use would be noted in the final tract map for the proposed project.

- R8-5 The Specific Plan includes both Development Standards (regulations) and Design Guidelines for walls and fences. As stated in the Spring Trail Specific Plan, “[w]alls and fences will predominantly be located around the perimeter boundaries of individual residences where they interface with open spaces, streets, parks, or off-site land uses.” Fences would be used along the perimeter of the project site to maintain privacy of the off- and on-site residents. The design specifications of individual walls and fences are not within the purview of CEQA and would be determined as development plans go through the design review and building permits process. The commenter’s requests will be forwarded to decision-makers.
- R8-6 The Specific Plan Design Guidelines indicate that houses would have a variety of one- and two-story profiles and have recessed second stories in some places to provide privacy. Additional measures to improve privacy would be taken, such as requiring windows on second stories to not directly align with windows on adjacent lots, including offsite lots. This detailed review, along with the determination of one-story and two-story homes will occur in subsequent development and design review stages of the project. The commenter’s requests will be forwarded to decision-makers.
- R8-7 Comment noted.
- R8-8 As proposed, residents would maintain their private access roads along the entire length of Martin Ranch Road. The residents who currently live along Martin Ranch Road would be able to access Martin Ranch Road from Meyers Road and residents living in the Spring Trails development would not be able to access Meyers Road (due to the blockades where the secondary access road crosses Meyers Road). The secondary access road would split Martin Ranch Road where the secondary access road enters the project site. However, there is no connection between the secondary access road and the southern half of Martin Ranch Road. The residents that live along Martin Ranch Road to the north of the secondary access road would access their private drive from the secondary access road. There would be no reason for Spring Trails residents to travel on this northern portion of Martin Ranch Road since it would only lead to an offsite residence. Since the southern half of Martin Ranch Road does not connect to the secondary access road, there is no need to install electric gates. It should be noted that the City would not be responsible for maintaining electric gates on private access roads.

2. Response to Comments

R8-9 See Response to Comment R16-9.

R8-10 Comment noted.

2. Response to Comments

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2. Response to Comments

LETTER R9 – Hank Mitchell (7 pages)

**SPRING TRAILS SPECIFIC PLAN
SP 10-01
TENTAIVE TRACT MAP TTM
#15576**

RECEIVED
SEP 12 2011
CITY OF SAN BERNARDINO
DEVELOPMENT SERVICES
DEPARTMENT

ATTENTION:

**TERRI RAHAL
CITY PLANNER FOR:
CITY OF SANBERNARDINO, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
300 N. D ST.
SANBERNARDINO, CALIFORNIA 92418**

CONTENTS:

**RESPONSE BY : HANK MITCHELL
TO: EIR OF JULY, 2011 FOR TTM #15576**

MAILED: 9-8-2011 USPO CERT/ RR

2. Response to Comments

Spring Trails EIR , 2011
Responding to EIR of July 29, 2011
Hank Mitchell
p/o 9837
SanBernardino, California 92427
909-885-8770

9-1-2011

**Meyer's Grave Site:
CULTURAL RESOURCES**

FOREMOST ON THIS PROJECT, is the care and proper handling of the Meyer Family grave site, known to the Meyer Families, and to the local historians, and also the local residents; that all due respect and closure be afforded to the families of the Julius Meyer Clan, established in the late 1880s, that proper and all legal care is given.

As a resident, highly involved in the Meyer Family grave site issue, I am very pleased that this issue has been mentioned, located in the initial EIR. I would ask that the developer meet and maintain an ongoing relationship with the Meyer Family (they have written to the developer) and their counsel, to assure proper and legal requirements are met. This issue is not to hold up the project what so ever , but to give closure to a great family with deep roots in Verdemon, dating back over 130 yrs.

R9-1

Of course any monument to this family (naming of streets, parks, trails etc.) and it's early developing and planting of crops in the "Spring Trails Sphere of Influence" and or the history of the Meyer family influences; would be voluntary by the developer, but very much appreciated by those who are proud of, and relish the history of Verdemon, with the Meyer Family being one of the more famous and colorful contributors to Verdemon's growth.

I thank the developer and their staffs , and Cogstone, and Terri Rahal, senior planner for City of SanBernardino, for their concerns, efforts and findings in the EIR and working with myself and Nick Cataldo and the Meyer Family .

Very Sincerely
Hank Mitchell

Infrastructure:

Safety, Streets, Flood controls, Fire and Emergency Evacuation routes, future build outs styles and street designs and layouts.

This project does not help with any upgrades to the current, aging, less than quality, Verdemon Infrastructure in place at this time ; but will severely impact that same current infrastructure .

R9-2

Re:

Streets:

Verdemon road ways and their current conditions and currently in use, will not support any heavy traffic necessary in the initial start up of this project, nor will it be able to handle increased flows from not just the 300+ homes on this project, but the future build out of over 750+ more probable homes that will follow when neighboring acreages are split as this project wants to do and densities increase exponentially.

R9-3

<p>ONCE THE CITY AGREES TO ALLOW SUCH DENSITY IN AN RE-1 AREA, THE WHOLE HILL SIDE WILL BE THUS ALLOWED TO REZONE AND OVER DENSIFY THE HILLS OF VERDEMONT, IMPACTING BEYOND REASON, THE CURRENT INFRASTRUCTURE.</p>	<p>R9-3 cont'd</p>
<p><i>Spring Trails</i> NEW ROADWAYS OF: VERDEMONT AVE. ABOVE, AND THE SECONDARY OUTLET: (UN NAMED) TO THE WEST AND BELOW: MUST BE PLANNED FOR 25 YR BUILD OUT.</p>	<p>R9-4</p>
<p>#1 – CAN NOT LOOP BACK TO LITTLE LEAGUE DR. ONLY; REASONS BEING: FOR EMERGENCY PURPOSES DURING FIRE EVACUATIONS</p>	<p>R9-5</p>
<p>#2 – MUST BE 4 LANES DUE TO THE FUTURE PROBABLE BUILD OUT OF 700 MORE RESIDENCES / OR / MUST BE 2 LANES WITH PARKING ON BOTH SIDES WITH A CENTER TURN LANE.</p>	<p>R9-6</p>
<p>#3 SECONDARY ROUTE MUST BE INCREASED FROM THE EIR STATED SIZE TO AT LEAST 4 LANES SINCE THIS WILL BE THE FASTEST ROUTE FOR FREEWAY ACCESS UNDER NORMAL CONDITIONS CONSIDERING THE FUTURE BUILD OUT OF 25 YEARS, AND FOR EMERGENCY EVACUATIONS AND FIRE ASSAULT TEAMS AND EQUIPMENT, ARRIVING FROM OPPOSITE DIRECTIONS; OR, FOR ANY MAJOR EVENT, AND THERE HAVE BEEN 3 EVENTS IN 10 YEARS, 4 IN 20 YEARS AND IT IS A WELL KNOWN FACT THAT FIRES OCCUR IN THIS AREA WITH DEVASTATING RESULTS.</p>	<p>R9-7</p>
<p>MOST FIRES ARE PUSHED BY WINDS BETWEEN 50 AND 100 MPH. THE ROADWAYS STATED IN THIS EIR ARE NOT SUFFICIENT FOR FUTURE BUILD OUT OR SAFE STREETS DESIGNS FOR HIGH DENSITY TRAFFIC FLOWS OF THE NEXT 25 YEARS.</p>	<p>R9-8</p>
<p>#4- MEYERS ROAD WAY MUST BE CUL-DE SAC IN SUCH A WAY TO USE ONLY IN EMERGENCY EVACUATIONS, AND KEEP OPEN TO THE CURRENT HOME OWNERS UP TO AND INCLUDING MARTIN RANCH ROAD.</p>	<p>R9-9</p>
<p>FIRE EVACUATIONS IN THE PAST HAVE BEEN CAOTIC “IN THE LEAST”, WITH FIRE ASSAULT TEAMS AND EQUIPMENT ARRIVING AND RESIDENTS TRYING TO LEAVE (CHOKE POINT BEING LITTLE LEAGUE DR., AT THE I-215).... THE</p>	<p>R9-10</p>

2. Response to Comments

ENORMOUS INCREASE IN RESIDENTS AND VEHICLES WILL OVERLOAD THE CURRENT EIR DESIGNED ROADS IN THIS PROJECT AT THE SAME CHOKE POINT.

THIS PROJECT OVER INDULGES WITH TOO MANY CUL DE SACS AND CREATES AN ENORMOUS SAFETY HAZARD IN AN EMERGENCY EVACUATION EVENT WITH CONFLICTING TRAFFIC FLOWS (EXITING RESIDENTS WITH BELONGINGS VS EMERGENCY VEHICLES ENTERING).

R9-10
cont'd

DRAINAGE AND FLOOD CONTROLS

Lower Canyon flows from this project and other planned projects that will most assuredly develop, impacts **NEGATIVELY** on streams and culverts (Meyer Canyons) due to increased run offs from all new "non-Pervious" (non absorbing) soils with in this project and any other projects, being channeled from this or other projects to Meyer Canyons (East and West) thence flowing to smaller channels , culverts, and unprotected roadways from over flows in 100 yr and 50 yr flood conditions.

Ie: Meyer Canyon flows at:

1: Meyers Road Culvert (In sudden storms, develops debris blockages in heavy flows of 7 inches or more [a known quantity in the past]), hence, flooding across Meyer's roadway.

2: Belmont ave (Sits below Meyers road and is only 10 % of Meyer's road culvert in size, and roadway is only less than 2 feet above restricted flows), and will overflow it's culvert and lower levees in a 4 or more inch sudden storm event.

Meyers Creek, from above Meyers Road, is sand and rock and not wide or deep enough to handle 50 and or 100 year flood conditions. See : '49, '57, '69, '83, '04 flooding records of less than 50 and 100 year flows.

Meyers Creek , prior to Belmont ave. and below Belmont ave., is not improved , nor will it handle the heavy increase of flows from this project or any other projects, due to the almost 100% change from pervious to non-pervious soils on this project. There are no city plans to improve this channel infrastructure, all the way to Cable Creek, THUS:

The developer of this project and city of SanBernardino would therefore be subject to possible legal action when flooding occurs, causing property damage and possible injury to lives and or live stocks, since it is on record to the city, of the distinct probability of this flooding occurrence and legal ramifications there -in.

UNTIL THIS ISSUE IS ADDRESSED:

THE PROPER CHANNELING OF MEYERS CANYONS TO CABLE CREEK, FOR A 500 / 100 YEAR FLOOD THREAT, OF THE COMPLETE MEYER CANYON(S) EAST AND WEST, FLOOD AND DEBRIS FLOW ALL THE WAY TO CABLE CREEK AND THE COUNTY OF SANBERNARDINO FLOOD CONTROL CHANNEL;

NO PROJECT FROM MAGNOLIA TO MARTIN RANCH MESA CAN BE APPROVED. There is already on record, residents addressing the possibility of legal action against the city of SanBernardino and city approved developers and / or

R9-11

R9-12

<p>contractors there in(also in sealed postal envelope and dated), due to city of SanBernardino not addressing this issue for the safety of the residents below this alluvial fan flow (that includes slopes near MacAfee canyon over to Martin Ranch Mesa) down to Cable Creek channel.</p>	<p>R9-12 cont'd</p>
<p>Any impacts to the Cable Canyon Creek to the West is unknown to my self, but must have some of the same considerations for adding extra heavy flows from the new, non absorbent (non-0pervious) landscape of this project to a canyon that already has it's own problems with flooding with out this project adding to the issue.</p>	
<p>ALL UPGRADES MUST BE IN PLACE BEFORE ANY NEW DEVELOPMENT BEGINS.</p>	
<p>Density of Housing</p>	
<p>The proposed housing density of this project on the ridges or slopes will definitely impact the natural outlines of serene views from below that have been appreciated for over 250 years by non native and 1500 years of residents native to this area.</p>	<p>R9-13</p>
<p>This area is designated by county in 2 ½ to 5 acre parcels I believe, and the rest of the area with in the limits of the City of SanBernardino are designated as One (1) Residential Estate per acre (RE-1), and was insisted upon by a gentleman named; Joe Bonadiman in 1986 , who as a Verdemont citizen advisory committee member, signed off on the Verdemont Area Plan of 1986, that: areas designated “RES 1”, is to preserve rural lifestyle by allowing single family detached homes on one acre sized lots having large areas of open space between dwellings and allowing the raising of domestic animals”.</p>	
<p>This concept was not meant to average 306 homes over 300+ acres, and then build them on 10,800 foot lots in a high density confined , restricted area; such as this project suggest.</p>	<p>R9-14</p>
<p>THAT IS FUNNY / FUZZY MATH AND NOT WITH IN THE ORIGINAL CONCEPT OF THE VERDEMONT AREA PLAN OR THE CURRENT GENERAL PLAN.</p>	
<p>Averaging is not what the current residents planned on when they built their custom homes up in Verdemont on the mesas or alluvial fans , especially on the Meyers Mesa and the Martin Ranch Mesa , or they would have built else where. This concept being proposed, is contrary and is very disrespectful to the current residents who came here based on the current concepts.</p>	
<p>Rezoning this area cannot go forward until a master plan is developed for Verdemont, utilizing a full Utility Study, Public Works study, Engineering study, Traffic study and street designs for safety, continuity, and a full Hydrology study to upgrade all drainages for the 500 year flood plan for future build out for next 25 years and in place both on paper and physically in place in Verdemont .</p>	<p>R9-15</p>
<p>All rezoning issues must be approved by the current residents in a non partisan regional public vote with public input and representation.</p>	
<p>WILD LIFE</p>	
<p>Finally, I would like to up date you on the wild life recently re –established in the area.</p>	<p>R9-16</p>
<p>Mountain lion attacks on live stock are rising in 2010 and 2011, (photographic proof is available), as are their presence in the Martin Ranch mesa , Cable Canyon down to the</p>	

2. Response to Comments

convergence to Meyers Creek, for which there are at least three known to live in the canyon(photographic proof available).

Bear tracks as low as the old KOA camp, up into the Cable Canyon (photographic proof available), and Bobcats laying up in the upper Meyers Canyons (west and east), while hunting all the way to the I-215 freeway and across the foothills alluvial. (photographic proof available).

R9-16
cont'd

!IN GENERAL.....!

NO MORE PROJECTS FOR VERDEMONT UNTIL THERE IS A MASTER PLAN FOR ALL INFRASTRUTURES and THEY ARE DEVELOPED AND IN PLACE.

1 There is no general , thoroughly designed, refined and approved upgraded infrastructure design for the foothills “in-toto” of Verdemont. There is no general plan that ties one project to another with smooth flow of traffic, flood control, trails, parks, streets, pedestrians, fire , public works , utilities, etc.

R9-17

2 Thus, there should be no more development, until the current residents are safe from any new development impacts to their aging infrastructure.

3 There is no way that the city can agree to or approve funny math project, that has a “NEGATIVE IMPACT” on a known ailing infrastructure.

R9-18

4 The city should not use flat land general concepts in an area this large with extreme slopes and not being able to upgrade it's own infrastructure to accept a “known threat” to that same infrastructure.

5 The city can not in it's current financial condition, nor in the near future, see the funding to support such a project in the area of fire safety, public works, animal control, or infrastructural growth.

6 This project will in short terms, bring large development fees to the city;

R9-19

But for the long run will create a burden on the city's services, infrastructure and tax the current residents of their life styles already built in and for their longevity of living in the foothills of Verdemont.

7 This project like all the others, does not build for the smooth growth of the future of 25 years, but only for the immediate moment in time. The city of SanBernardino, must plan for the future, not have the developers tell the city what to do.

R9-20

8 There is no good reason for the city to accept this area into the city limits if they cannot support the increase of demands on the city services since the taxes collected over the following years will not support the service demands other than to deny the current citizens of maintaining their current lifestyles and collecting large initial impact fees that are only for immediate banking for the city's ailing coffers.

R9-21

Hank Mitchell
dnhmitchell@verizon.net
P/O 9837
SanBernardino, 92427-0837



2. Response to Comments

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2. Response to Comments

R9. Response to Comments from Hank Mitchell, dated September 1, 2011.

- R9-1 See Response to Comment R1-5.
- R9-2 The design of roadways in regards to safety is discussed in Response to Comment R1-1, under the discussion of fire and wind hazards. As described in Section 5.14, *Transportation and Traffic*, and Section 5.15, *Utilities and Service Systems*, in the Draft EIR, improvements to the water, wastewater, and traffic infrastructure would be completed in the Verdemont area prior to the development of the propose project.
- R9-3 See Response to Comment R2-1 for a discussion of the project's traffic impacts. The proposed project would only place 306 new residences on the project site. Since there are no plans to develop adjacent lots, the Draft EIR only assesses the impacts of the 304 (plus one existing) residences. If additional development projects are to occur, the environmental impacts of these would be addressed in a separate environmental document.
- R9-4 The primary and secondary access roads are designed to accommodate the buildout of the project.
- R9-5 At this time, the City does not have funding in place to extent the frontage road between Little League Drive and Glen Helen Parkway. For this reason, the Draft EIR cannot assume that this road would be built at the time the project is operational. Therefore, traffic from the secondary access road must be routed back to Little League Drive. The traffic from the primary access road would be able to access either Little League Drive or Magnolia Drive so traffic would not all be directed onto Little League Drive.
- R9-6 See Response to Comment R9-3.
- R9-7 The secondary access road has been designed to accommodate normal and emergency project traffic exiting the site. As discussed in both the Draft EIR (Section 5.6, *Hazards and Hazardous Materials*) and in the Draft Specific Plan, the project complies with the design requirements of the Foothill Fire Zones Overlay District for emergency access and evacuation.
- R9-8 See Response to Comment R9-7.
- R9-9 See the discussion on the cul-de-sac roads under the project site access discussion under Response to Comment R1-1.
- R9-10 As mentioned in Response to Comment R9-7 and in the cul-de-sac discussion under Response to Comment R1-1 (project site access), the project site has been designed to meet the safety design standards of the Foothill Fire Zones Overlay District. Offsite roadways would be improved to accommodate project-generated traffic, which would help reduce the congestion during an emergency situation.
- R9-11 See Response to Comment A11-15.
- R9-12 Comment noted.

2. Response to Comments

- R9-13 See Response to Comment A11-2.
- R9-14 See the discussion of land use and zoning under Response to Comment R1-1 and Response to Comment R17-3.
- R9-15 The Draft EIR for the Spring Trails Specific Plan is meant to address the environmental impacts of the proposed project. This comment is made in reference to larger planning concerns for the area and does not concern the environmental analysis of the Draft EIR. As part of the Draft EIR analysis, project-related impact analysis addresses the proposed project's individual and cumulative impacts to the surrounding infrastructure. These impacts are based on and supported by technical studies, including a traffic, geological, and hydrological study, and engineering plans for water and wastewater conveyance. These studies have determined the proposed project's potential impacts to the infrastructure in the area and provide mitigation to lessen these impacts.
- R9-16 The wildlife comments are noted. Impacts to wildlife and biological resources are fully discussed in Section 5.3, *Biological Resources*, of this Draft EIR.
- R9-17 See Response to Comment R9-15.
- R9-18 Comment noted.
- R9-19 The fees that must be paid by the developer are identified in the Draft EIR. The payment of these fees would allow improvements to be made that would reduce impacts to less than significant levels.
- R9-20 Comment noted.
- R9-21 Comment noted.

2. Response to Comments

LETTER R10 – Kevin Mitchell (1 page)

Terri Rahhal	
From:	kevin@tektimesystems.com
Sent:	Monday, September 12, 2011 3:19 PM
To:	Terri Rahhal
Subject:	Spring Trails EIR 2011
 Dear Staff,	
To be brief, my previous written comments over the years regarding the EIR's on spring trails (aka Martin Ranch Project) have not yet been satisfactorily addressed. My brother, Hank Mitchell, submitted his response in greater detail on 9-01-11, of which I agree with what he has written.	R10-1
 To highlight our concerns:	
Density: The area is zones RE (one house per acre) for good reasons; ie: rural lifestyle, horse property, natural habitat, and more. This zoning was agreed upon in the 1980's by City Council and the applicant and the residents of Verdemon, during the General Plan Adoption.	R10-2
Flooding: There will be additional storm run off due to more impervious ground (streets, driveways, house pads, etc). Myers Creek MUST be improved at Belmont and Myers streets before development.	R10-3
Fire Prevention: I do not see any safeguards in place to maintain a long term (10 years or more) fire buffer.	R10-4
Sidewalks: Will sidewalks be installed within this project and down to Little League Dr. for children walking to and from North Verdemon Elementary and Ceaser Chavez Middle Schools.	R10-5
Infrastructure: We see no major improvement to the Verdemon infrastructure to handle this size of development. Will the city require the developer to return our streets to the same or better condition after the development is given a conditional use permit or certificate of occupancy. this is to cover the 20,000 plus truck trips due to exporting soils, cement and other heavy laden vehicles transporting materials to the job site.	R10-6
 Thank you, Kevin Mitchell 6794 Little League Dr. San Bernardino, CA 92407	

2. Response to Comments

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2. Response to Comments

R10. Response to Comments from Kevin Mitchell, dated September 12, 2011.

- R10-1 Comment noted.
- R10-2 See the discussion of land use and zoning under Response to Comment R1-1 and Response to Comment R17-3.
- R10-3 See Response to A11-15.
- R10-4 See Responses to Comments A7-2 and A7-3 and the discussion of fire and wind hazards under Response to Comment R1-1.
- R10-5 Sidewalks would be provided on the project site and along the primary access road, as described in the Draft Specific Plan. The primary access road connects to Little League Drive, which already has sidewalks. As part of the proposed project, the portion of Little League Drive north of Meyers Road would be improved to match the portion south of Meyers Road, with sidewalks. Pedestrians, including students attending Cesar Chavez Middle School and North Verdemont Elementary School would be able to use the sidewalks.
- R10-6 See Response to Comment R1-9.

2. Response to Comments

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2. Response to Comments

LETTER R11 – Stephen, Judy, and Jennifer O’Neill (3 pages)

Ms. Terri Rahhal, City Planner
Development Services Dept.
300 North “E” Street\San Bernardino, CA 92418

Ms. Rahhal,

We are writing to you as concerned citizens regarding the Martin Ranch Master Planned Development, which seems to have as many lives as a cat.

The latest Environmental Impact Study (EIS) shows numerous “Potentially Significant Impact” indicators. Will the city ignore these, as they have done before? Who speaks for the present residents in this area? This project has no obvious benefits for the area...only to city coffers and developers.

Many of these issues precede the disastrous fire four years ago and are consequently in need of additional review, particularly with regards to fire danger. We might add that planting and maintaining a green belt around the development as the developers propose is fine on paper but prohibitive in terms of water usage alone. Having the “Homeowners Association” police the planting and maintenance is ludicrous. The city, itself, can’t even inspect and police the developments already in place in the area!

R11-1

Parks and open land? Hardly! How does this plan out on those steep slopes? By the way, we’re very interested and concerned about the National Forest boundaries.

R11-2

The proposed secondary access road appears to cut off residents on the west side of Verdemon.

R11-3

Traffic impact alone should preclude this development as indicated in the EIS. We have totally inadequate road infrastructure...the city can’t even maintain what we have in the western Verdemon area. We have to fix our own pot-holes and clear the roads ourselves after storms.

R11-4

Traffic studies done by the developers are suspiciously low. Residents of the area will suffer traffic delays, congestion and degradation of rural quality of life issues for seven (!) years of project development because the present infrastructure is inadequate already.

R11-5

The city has already called into question the developers assumptions regarding water usage and availability. Who pays for the additional pumping facilities required to bring water to the development? Putting reservoirs in the hills next to active fault lines is not a reasonable solution. Rupture of these reservoirs would endanger all the residents in the area. Contamination of the existing water table is inevitable with the scale of construction and the number of the homes. Many of us are on wells with no access to city water. What happens to us in this case? I don’t think that the city is prepared to deal with lawsuit issues over who was/is responsible for ruining the water table. It’s one negative scenario after another.

R11-6

R11-7

R11-8

2. Response to Comments

With regards to code enforcement, we can only say that we believe that the city should treat the developer the same way that they treat the other residents in the area. Four years ago the issue of the Rodriguez home on Meyers Road came before the City Council. At that time it was stated by the city that it didn't matter whether your acreage was 1 acre or twenty: code said ONE HOUSE PER PARCEL. To allow this development means changing the law, not just for the developer, but for all the other people in the area who want to put more than one home on their land. The report is claiming 78 acres of higher density. What does the Audubon Society and the current residents have to say about this?

R11-9

If this monstrosity happens, the plan shows limited parking per residence. These folks are going to be parking extra cars and off-road vehicles in the cul-de-sacs. How are the fire trucks going to get in when the fires start blazing? There have been five fires in the last 9 years in that area.

R11-10

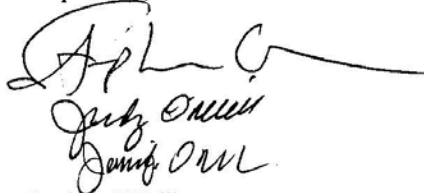
Is money and influence going to prevail once again? Someone in the city needs to stand up for the rural homeowner who, increasingly, is being ignored. If the city approves this project we think it entirely likely that a class-action lawsuit will follow. Those of us in the Verdemon area of San Bernardino are concerned that we will be marginalized by large developers who have access to city officials. It is already happening with developments approved for this area. If this project is approved, how long will it take them to petition the city to allow a density increase just like the one the city approved for the project west of the Pet Cemetery?

R11-11

We think people buying in that area would have to know the truth about the hazards and dangers awaiting them. If we knew, we'd never buy there.

We hope that the Planning Department and the City Council will act to deny this project approval. The citizens of Verdemon, Devore and northwest San Bernardino will be watching with interest.

Respectfully,



Stephen O'Neill
Judy O'Neill
Jennifer O'Neill

7465 Martin Ranch Rd
Verdemon, CA
92407

2. Response to Comments

909-880-3475

2. Response to Comments

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2. Response to Comments

R11. Response to Comments from Stephen, Judy, and Jennifer O'Neill (no date).

- R11-1 See Response to Comment A7-2 and A7-3 and the discussion of wind and fire hazards under Response to Comment R1-1.
- R11-2 It is not apparent what the concern of the commenter is in regards to parks and open space. The parks identified on Figure 3-8, *Trails, Parks, and Open Space Plan*, of the Draft EIR, shows the locations of the three parks that would be available to residents. As described in Section 5.13, *Recreation*, of the Draft EIR, at total of 7 acres are dedicated as public park space and 2 acres are private park space. The public and private parks would not be on sloped terrain. In regards to the urban-wildlife interface with the San Bernardino National Forest, See Response to Comment A4-22.
- R11-3 It is not clear which residents the commenter is mentioning in this comment. Without more information, an adequate response cannot be provided.
- R11-4 See Response to Comment R2-1.
- R11-5 The projected number of vehicle trips (3,149) is an accurate estimate. The generation factor used is the standard generation factor used by traffic engineers for single-family residential land uses (as found in the Institute of Transportation Engineers' *Trip Generation*, 8th edition, handbook). Roadway intersections would be improved to reduce traffic impacts to less than significant levels and improvements would be made to Little League Drive during the construction of the primary and secondary access roads.
- R11-6 As described on Table 5.15-12 in Section 5.15, *Utilities and Service Systems*, the infrastructure improvements to the water supply system in the Verdmont area would be funded through the San Bernardino Municipal Water Department's Capital Improvements Plan. The first phase is already funded and the second phase would be added to the CIP or funded with fair share contribution from the developer through a separately negotiated funding plan (per mitigation measure 15-1). All onsite improvements would be funded and built by the developer.
- R11-7 As described in Section 5.7, *Hydrology and Water Quality*, of the Draft EIR, the onsite reservoirs would be designed and constructed per seismic safety regulations. More specifically, steel and reinforced concrete tank design is governed by regulations and standards authored by the American Water Works Association (AWWA) and California Department of Public Health (CDPH). Compliance with these regulations would reduce the flooding hazard of these tanks.
- R11-8 See the discussion of drainage under Response to Comment R1-1 for a response to the groundwater contamination concern. This issue is also discussed in Section 5.7, *Hydrology and Water Quality*.
- R11-9 The land use and zoning of the project site would change with the adoption of the proposed project. The new zoning and land use designations would be Specific Plan under the City's Zoning Code and the City's General Plan. When the City approves the specific plan, it will approve the new zoning and land use

2. Response to Comments

designations. See the zoning and land use discussion under Response to Comment R1-1.

R11-10 Each residential unit would have a two-car garage and driveway for parking cars. Cars would not be allowed to park in the bulbs of cul-de-sac roadways to allow for emergency access (per the Foothill Fire Zones Overlay District restrictions). See the discussion of fire and wind hazards under Response to Comment R1-1.

R11-11 Comment noted.

2. Response to Comments

LETTER R12 – Arlean C. Potter (4 pages)

Arlean C Potter
3783 W. Meyus Rd
SB 92407 (909) 8803326

City Planner
SB 92418

Jeri Rakkal

Addressing the Spring Trails (SP) 7609-01

The concerns addressed in the San
December 31, 2002 are still unaddressed.

Meyus Road is a "HAZARD" from
its narrow ingress/egress to its
paved end. The intersection of W. Meyus
and Little League is a disaster.

Yes the developers have proposed other access
However in the past (20) twenty years they have
not secured land for any of these proposals.

Oh! I forgot to mention

North Verdemon School
located SE corner of Meyus Road / Little League
If this project is allowed to go
forward without completing the proposed
primary and secondary access,
Meyus Road will carry the burden.

R12-1

R12-2

R12-3

2. Response to Comments

The school will also be in grave danger.

R12-3
cont'd

Fire Hazard: It was difficult to get my horse trail past the fire truck in 07 at Meyer Little League

R12-4

Water: The above fire truck was pumping to increase the PSI to save water in the hydrant above my home. With only 19 PSI a Berkeley pump and two pressure tanks make it possible to live here.

R12-5

Electricity: With 60-120 MPH winds up there our power goes off frequently. I was informed by an Edison operator that I should install a generator.

R12-6

Flood: Meyer Cajon, east side of the proposed project, has a bridge that requires maintenance after each heavy rain. It has to be removed from the street surface of Meyer Road. I have used my 4x4s across this area safely.

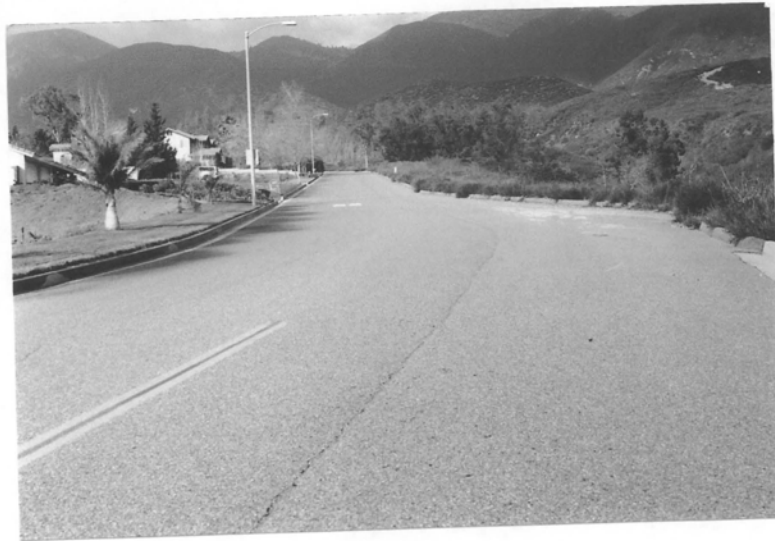
R12-7

Lot Size: One Acre west of Little League this is what we were informed at several meetings. What happened?

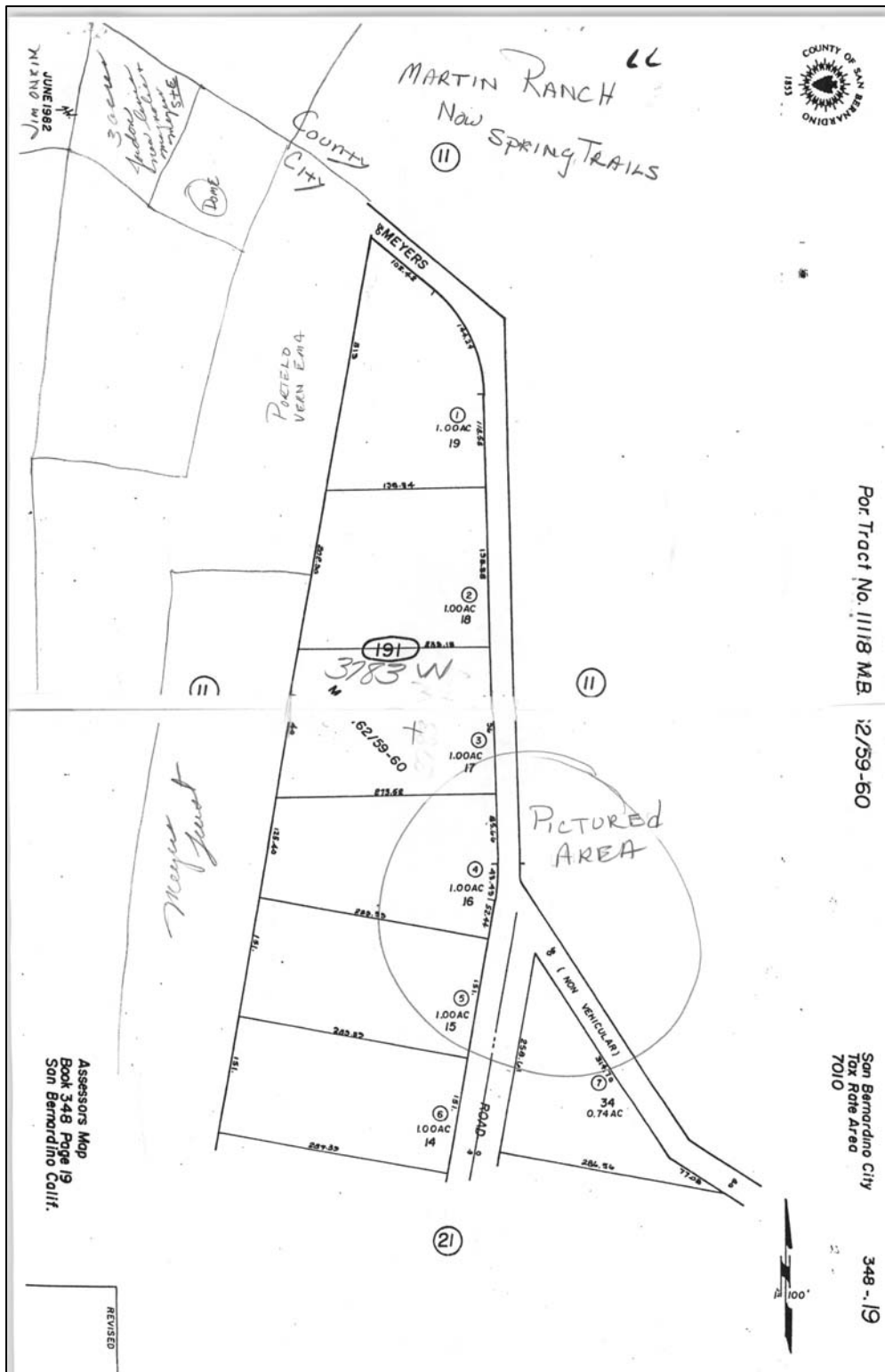
R12-8

Thank you sincerely
[Signature]

2. Response to Comments



2. Response to Comments



2. Response to Comments

R12. Response to Comments from Arlean C. Potter (Letter 1) (no date).

- R12-1 The residents of the proposed project do not have access to Meyers Road. Only emergency vehicles would be able to access this roadway. As such, the proposed project would not affect the current conditions of Meyers Road or its intersection with Little League Drive.
- R12-2 See Response to Comment A11-17.
- R12-3 Per mitigation measures 14-2 and 14-3, the project access roads must meet the Fire Department's minimum standards prior to the placement of combustible material on the project site. They must be completed to the Public Works Department's engineering standards prior to issuance of occupancy permits. The proposed project would not go through until these requirements are met.
- R12-4 The project site and access roads are designed to meet the Foothill Fire Zone Overlay District's development standards (see Table 5.14-6 of the Draft EIR). This would improve access to and from the project site during an emergency evacuation. Meyers Road would only be used for emergency access if the primary and secondary access roads are not accessible. The public would not be allowed to access this road.
- R12-5 As part of the proposed project, new water reservoir tanks, pumping stations, and transmission lines would be installed on and offsite. As described in Section 5.15, *Utilities and Service Systems*, of the Draft EIR, the water infrastructure must provide a fire flow of 1,500 gallons per minute. As designed, the water infrastructure would be able to meet this requirement once all infrastructure has been developed.
- R12-6 Comment noted.
- R12-7 See Response to Comment A11-15.
- R12-8 See Response to Comment R29-9.

2. Response to Comments

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2. Response to Comments

LETTER R13 – Corilyn Rodrick (2 pages)

Sept. 9, 2011

Terri Rahhal
City Planner
City of San Bernardino
Community Development Dept.
300 N. D Street, 3rd Floor
San Bernardino CA 92418

RECEIVED
SEP 12 2011
CITY OF SAN BERNARDINO
DEVELOPMENT SERVICES
DEPARTMENT

Dear Miss Rahhal,

Recently I attended a presentation regarding the Spring Trails Specific Plan SP 10-01 and Tentative Tract Map (TTM) No. 15576.

R13-1

The thought of new homes and people working was very encouraging. When it became known that the lot sizes had been reduced, I was very disappointed.

I feel very strongly that all infrastructures must be in place before the first home is built. I do believe if homes are built before more access roads and water expansion is done, the occupants would be living in a death trap. .

R13-2

I hope you will not approve the plan as it currently is proposed.

R13-3

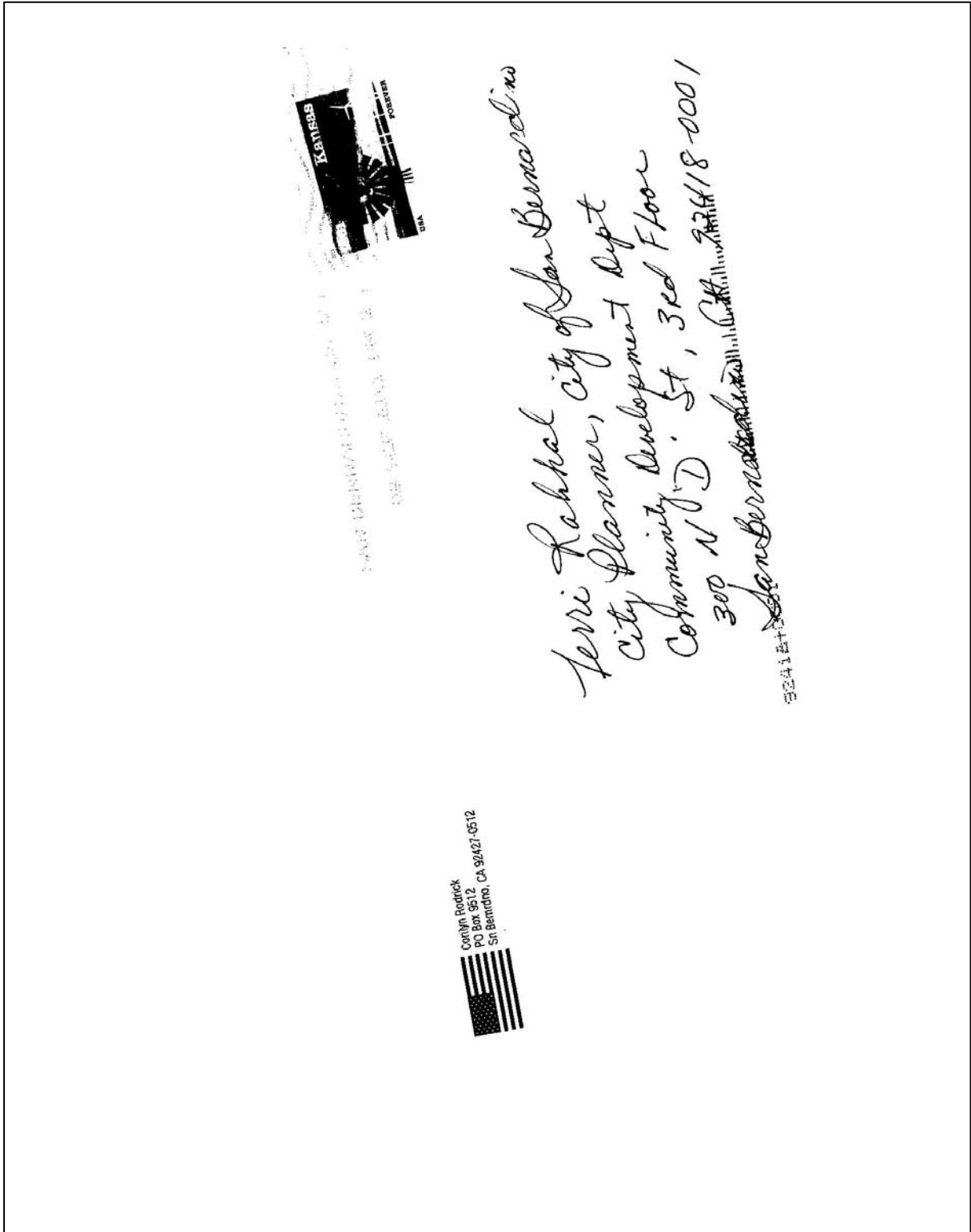
Thank you for your time and consideration.

Sincerely,



Corilyn Rodrick
2754 Irvington Ave.
San Bernardino, CA 92407

2. Response to Comments



Corbyn Rodrick
PO Box 9512
San Bernardino, CA 92427-0512

2. Response to Comments

R13. Response to Comments from Corilyn Rodrick, dated September 9, 2011.

R13-1 Comment noted.

R13-2 In regards to the construction phasing of project access roads, see Response to Comment R33-3. In regards to the phasing of water infrastructure, see the discussion of water utilities under Response to Comment R1-1.

R13-3 Comment noted.

2. Response to Comments

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2. Response to Comments

LETTER R14 – Carol S. Smith (2 pages)

September 9, 2011

Terri Rahhal, City Planner
City of San Bernardino
Community Development Department
300 North D Street, 3rd Floor
San Bernardino, CA 92418

Re: Spring Trails Project

Dear Ms. Rahhal:

I am extremely concerned about the proposed Spring Trails Project. There are so many negative aspects of this project it is completely beyond my comprehension how anyone would even consider going forward with it before the issues are dealt with and resolved. Indeed, many of the issues simply cannot be resolved.

The existing infrastructure of this area is completely inadequate to handle hundreds of more houses and thousands more people. A small sample to be considered: R14-1

Construction problems: Years (?) of heavy truck traffic using Meyers Road - the only road - which is hazardous even for cars. By-the-way - a car lost control on a curve, ended in my front yard. My neighbor had the same problem. To say nothing about the noise, pollution, dirt. Please don't tell me these trucks will be cleaned and inspected every day. It's not going to happen. R14-2

The existing roads (or, that is, road) cannot possibly handle hundreds (thousands) more cars per day without seriously impacting all the residents. R14-3

We walk in the street now - no sidewalks. Any safety concerns for children walking to school? R14-4

Existing school enrollments are capped. Where are these new children supposed to go to school? More huge school buses on Meyers Road? To go where? I suggest a visit to the corner of Little League and Meyers Road around 3pm. Parents double parked picking up their children for blocks! Very dangerous. I creep by at 5mph in case a child dashes into the street. Add hundreds more children? R14-5

The Old Fire-2003. The 2007 fire. High density houses put more people in harms way. Any solutions to deal with an out of control fire whipped by 80-100mph winds? I've been through both, evacuated both times. Don't tell me it won't happen again. OF COURSE IT WILL! How will thousands of people get out of here with their lives? This one reality should stop this potential life-threatening situation. R14-6

Any solution to the earthquake fault? We are literally on the fault. It's not some far away thing. I know it's a threat all Californians live with, but some reality needs to be faced before houses are built directly on top of it. Will the potential owners be informed of this fact? R14-7

2. Response to Comments

Population fact: More people, more crime. There have been relatively few crimes since I moved here in 1997. What increase in police will be available? SB is stretched to the limit as it is. | R14-8

An article in the Sun today stated unemployment for SB County is over 14%. Thousands of homes in bankruptcy now. Who will buy these homes? Commuters from Los Angeles with gas at \$4/gal now and going who knows how high? | R14-9

There are many, many more issues. These are just a few of my major concerns. There are so few beautiful neighborhoods in San Bernardino. Please don't turn the area into another East Highland Ranch or Moreno Valley. | R14-10

Thank you for your attention.



Carol S. Smith
3705 West Meyers Road
San Bernardino, CA 92407

2. Response to Comments

R14. Response to Comments from Carol S. Smith, dated September 9, 2011.

- R14-1 Comment noted.
- R14-2 During construction, haul trucks would have to use Meyers Road to access the project site prior to the construction of the access roads. Once the access roads have been constructed, which would be completed during site grading, the haul trucks would use this access road and would not use Meyers Road. Construction-related air pollution and noise are discussed in Sections 5.2 and 5.8 of the Draft EIR, respectively. Construction-related air quality impacts would be mitigated (see Mitigation Measures 2-1 through 2-3) but are still considered significant and unavoidable. Construction-related noise impacts are also mitigated but would remain significant and unavoidable on a project level.
- R14-3 See Response to Comment R2-1.
- R14-4 See Response to Comment R10-5.
- R14-5 In regards to the school capacity comment, see the discussion on school services under Response to Comment R1-1. Little League Drive would be extended to connect to the proposed primary access road and improved with sidewalks and crosswalks. This would improve the safety of Little League Drive on the north side of Meyers Road, where students may be walking back home after school. Sidewalks already exist along the southern portion of Little League Drive. The streets surrounding North Verdemon Elementary School are marked as a school zone and the posted speed limit is 25 miles per hour. The school zone lets drivers know that they should exercise caution when traveling through the area. Additionally, as with all elementary schools in the San Bernardino City Unified School District, crossing guards are employed to help elementary students cross intersections (Board Policy 5142.2). These actions help prevent vehicle/pedestrian accidents mentioned by the commenter.
- R14-6 See Responses to Comments A7-2 and A7-3 and the fire and wind discussion under Response to Comment R1-1.
- R14-7 See the discussion of earthquakes and related hazards under Response to Comment R1-1.
- R14-8 See the discussion of police service under Response to Comment R1-1.
- R14-9 Per CEQA Guidelines Section 15131, the scope of CEQA does not cover economic and social effects of a project unless they directly result in a physical impact.
- R14-10 Comment noted.



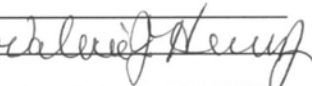
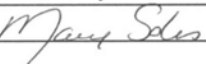

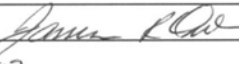
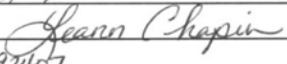
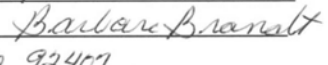
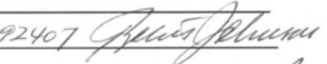
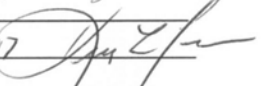
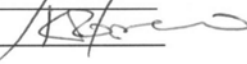
2. Response to Comments

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2. Response to Comments

LETTER R15 – Signature List of Opposing Persons (7 pages)

I am in opposition to the proposed Spring Trails Specific Plan SP 10-01 and find the EIR faulty, inaccurate and feel that this project will degrade: air quality, water quality, safety; add to traffic congestion and grid-lock, tax and overburden police, fire, schools, and the water supply. It is also incongruous with the character and needs of the rural atmosphere of the existing residents. The rezoning and approval should NOT be permitted.

<u>NAME / ADDRESS</u>	<u>SIGNATURE</u>
1. STEVE HEUT 18558 SANTA FE AVE., S.B., CA, 92407	
2. Darcee Klapp 18500 Arrowhead Dewae 92407	
3. VALERIE HENRY 967 KNOX ST, DEVORE, CA. 92407	
4. Mary Solis 3734 Cincinnati St. SB 92407	
5. CAROL J. SMITH 3705 W. MEYERS RD SB. 92407	
6. Doris J. Mitchell SB 92407	DORIS J. MITCHELL
7. JAMES ONKEN 3985 W. Meyers Rd. SB. 92407	
8. Leann Chapin 4113 W. Meyers Rd., San Bernardino CA 92407	
9. BARBARA BRANDT 4119 W. Meyers Rd SAN BERNARDINO 92407	
10. Robert Johnson 3777 W. Belmont Ave. San Bernardino 92407	
11. KERRY CLATFORS 3260 GREYSTONE Ln. San Bernardino 92407	
12. Karina Romero 3284 Greystone Rd. San Bernardino 92407	

R15-1

2. Response to Comments

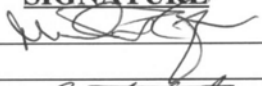

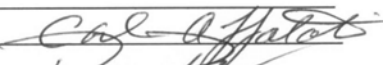
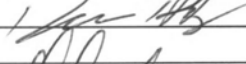
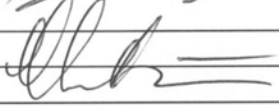

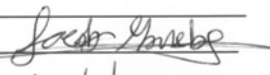
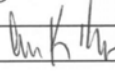


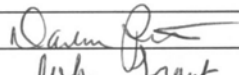
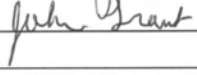
I am in opposition to the proposed Spring Trails Specific Plan SP 10-01 and find the EIR faulty, inaccurate and feel that this project will degrade: air quality, water quality, safety; add to traffic congestion and grid-lock, tax and overburden police, fire, schools, and the water supply. It is also incongruous with the character and needs of the rural atmosphere of the existing residents. The rezoning and approval should NOT be permitted.

<u>NAME / ADDRESS</u>	<u>SIGNATURE</u>
1. William Montgomery 3784 Greystone Rd San Bernardino CA 92407	William Montgomery
2. Pam Sampson 3395 Meyers Rd. SB.	Pam Sampson
3. A. J. CAWEL 3711 W. MEYERS R.D SB	A. J. Cawel
4. Gary Horvath 3955 W Meyer Rd S.B. CA 92407	Gary Horvath
5. GUYAN HEYMAN / MARTIN HEYMAN 3777 MEYERS ROAD, SAN BERNARDINO 92407	Guyan Heyman / Martin Heyman
6. Jorge Velasco 3201 W. Meyers Rd. 92407	J. Velasco
7. GLORIA VELASCO 3201 W. MEYERS RD, SAN BERNARDINO 92407	Gloria Velasco
8. RICHARD KAPLAN 3793 W MEYERS RD 92407	Richard Kaplan
9. Larry Heasley Planning Commissioner San Bernardino	Larry Heasley
10. Lisa Cleary 6906 Little League Dr. SB Ca 92407	Lisa Cleary
11. WILHELMINA J. JONES 2487 CHRISTINE ST	Wilhelmina Jones
12. David L. Baker 3243 W. Meyers Rd, 92407	David L. Baker

R15-1
cont'd

2. Response to Comments

I am in opposition to the proposed Spring Trails Specific Plan SP 10-01 and find the EIR faulty, inaccurate and feel that this project will degrade: air quality, water quality, safety; add to traffic congestion and grid-lock, tax and overburden police, fire, schools, and the water supply. It is also incongruous with the character and needs of the rural atmosphere of the existing residents. The rezoning and approval should NOT be permitted.

<u>NAME / ADDRESS</u>	<u>SIGNATURE</u>
1. MICHAEL CRAFT 6495 ESCROWA ST	
2. Ferrick Solis 2394 Sunflower Ave.	
3. CARL AFFATATI 6349 AZALEA AVE	
4. 6640 ESCROWA ST.	
5. EMMAUEL GILBERTINE 2676 CINCINNATI ST.	
6. G. PALOMERA 6704 W MEYERS	
7. Jacob Horschby 3755 W meyers Rd	
8. Aaron Maust 2550 Redwood Ct	
9. GLEN GIPSON 6495 PALM AV 92407	
10. Scott Peters 6694 Huntington DR	
11. Darlene Peters 6694 Huntington DR	
12. JOHN TRAUT 4349 W MEYERS 9P	



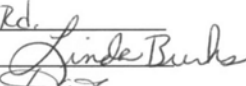
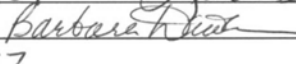
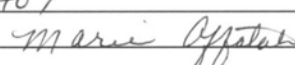
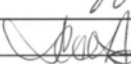

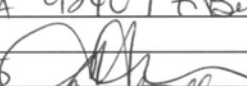

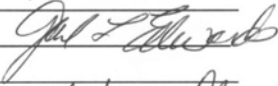
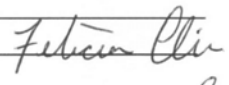
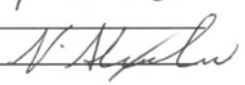
R15-1
cont'd

2. Response to Comments

I am in opposition to the proposed Spring Trails Specific Plan SP 10-01 and find the EIR faulty, inaccurate and feel that this project will degrade: air quality, water quality, safety; add to traffic congestion and grid-lock, tax and overburden police, fire, schools, and the water supply. It is also incongruous with the character and needs of the rural atmosphere of the existing residents. The rezoning and approval should NOT be permitted.

NAME / ADDRESS

SIGNATURE

1. STEVE COTROW 2705 Cincinnati 
2. Cornelius Braw 
6604 ESCROW ST SAN BRUNO CA 92407
3. Linda Burks 6235 Verdeman Ranch Rd. 
Verdeman 92407
4. Barbara Dawson 
2127 Sheridan Rd. S.B. 92407
5. MARIE AFFAIATU 
6349 AZALEA AVE.
6. Grey (aka) 205 Cincinnati 
Los Ramirez 6984 W. League Little DR
7. Ken Bush 
2714 Cincinnati St SB CA 92407 KBush
8. Tracy Hickerson 
1069 W. 25th St SB CA 92405
9. 3761 W. Meyers Rd SB CA 92407 
10. GAIL Edwards SB CA 92407 
11. Felicia Cline SB CA 92407 
12. Nick Alexander SB CA 92407 

R15-1
cont'd

2. Response to Comments

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NAME / ADDRESS

SIGNATURE

1. Raymond BORTINHOSE Ray Bortinho
2. Judy O'Neil 7465 Martin Ranch Rd
3. Steve O'Neil 7465 Martin Ranch
4. Michael Angelo Garbani 4184 Mountain DR SBCA 92407
5. DENNIS C BURTON 3825 CINCINNATI ST 92407
6. Hugo Quintanilla 5573 NF ST. SB 92407 Hugo Quintanilla
7. Mike Wark 3229 W. Meyers Rd. 92407
8. Jan Perez 1235 E 35th ST San B.
9. Brent Chapin 4113 W. Meyers Rd SB 92407 Brent B Chapin
10. Larry Robertson 5910 Laura Ln Larry Robertson
11. ALEJANDRO HERNANDEZ 2065 PERWINKLE DR. A.F. A.F.
12. Terry Rivers 6456 Youngstown Ln.

R15-1
cont'd

2. Response to Comments

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NAME / ADDRESS

SIGNATURE

- | | |
|---|--------------------------------|
| 1. Pat Boyd
1950 Wandy Ranch Rd | Pat Boyd |
| 2. Ed Boyd
1950 Wandy Ranch Rd | Ed Boyd |
| 3. Fred W MARTINEZ
2117 MEYERS RD | Fred W Martinez |
| 4. Dennis + Monica Soares
7575 W Meyers Rd. | Dennis Soares
Monica Soares |
| 5. Jutta Allison
7575 W Meyers Rd | Jutta M. Allison |
| 6. PATTIE ARLEAN
3783 W. MEYERS Rd ss | Pattie Arlean |
| 7. Anthony Devere
3783 W. MEYERS Rd ss | Anthony Devere |
| 8. Geraldine Pevinger
3785 Preststone Rd. | Geraldine Pevinger |
| 9. Richard Warmoth
Thurs Peter PETERSON | Richard Warmoth |
| 10. 6776 MALINDIA 92407 | |
| 11. JIM GERSTENSLAGER
6707 LITTLE LEAGUE DR. | Jim Gerstenslager |
| 12. Andy Lyman
1660 Cable Lane | Andy Lyman |

R15-1
cont'd

2. Response to Comments

I am in opposition to the proposed Spring Trails Specific Plan SP 10-01 and find the EIR faulty, inaccurate and feel that this project will degrade: air quality, water quality, safety; add to traffic congestion and grid-lock, tax and overburden police, fire, schools, and the water supply. It is also incongruous with the character and needs of the rural atmosphere of the existing residents. The rezoning and approval should NOT be permitted.

NAME / ADDRESS

SIGNATURE

1. Katelyn Tract
4349 West Meyers Rd
Katelyn Tract
2. AL HASCHKE
3207 W. MEYERS Rd.
Al Haschke
3. Vononien Haschke
3207 W. Meyers Rd
Vononien Haschke
4. BOB WILLIAMS
6358 PINE AVE
Bob Williams
5. J BARNIN 2746 RITO CT SB 92407
J Barnin
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

R15-1
cont'd

2. Response to Comments

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2. Response to Comments

R15. Response to Signature List of Opposing Persons (no date).

R15-1 The list of opposing persons has been noted and documented as part of the public record.

2. Response to Comments

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3. Revisions to the Draft EIR

3.1 INTRODUCTION

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

3.2 DRAFT EIR REVISIONS IN RESPONSE TO WRITTEN COMMENTS

The following text has been revised in response to comments received on the Draft EIR.

Page 1-4, Section 1.4, Project Summary. The following text change has been made in response to Comment A5-3, from San Bernardino County Department of Public Works.

Upon approval, the two-phased construction process of the proposed project would begin in 2012 ~~2010~~ and end in 2015 ~~2013~~, assuming no changes to future planning decisions and market forces occur. Page 4-24, Section 4.3.12, General Plan and Zoning. The following text change has been made in response to Comment A8-1, from the Local Agency Formation Commission.

As seen in Figure 4-6, the entire project site and the 26.4-acre area to be annexed with the project site are ~~is~~ currently rezoned in the General Plan by the City of San Bernardino and identified as Residential Estate (RE), allowing one dwelling unit per acre.

Page 4-24, Section 4.3.12, General Plan and Zoning. The following text change has been made in response to Comment A8-3, from the Local Agency Formation Commission.

The proposed project includes a request for annexation of the project site and adjoining parcels (a total of approximately 379.2377 ~~377~~ acres) into the City of San Bernardino. The annexation process would begin pending approval of the project application by the San Bernardino Mayor and Common Council.

Page 5.2-28 – 5.2-29, Section 5.2-7, Mitigation Measures. Mitigation measure 2-1 has been revised in response to Comment A12-2, from the South Coast Air Quality Management District.

- 2-1 Ongoing during grading and construction, the construction contractor shall implement the following measures in addition to the existing requirements for fugitive dust control under South Coast Air Quality Management District Rule 403 to further reduce PM₁₀ and PM_{2.5} emissions. The Applicant shall appoint a construction relations officer to act as a community liaison concerning on-site construction activity. To assure compliance, the

3. Revisions to the Draft EIR

City shall verify that these measures have been implemented during normal construction site inspections:

- During all grading activities, the construction contractor shall reestablish ground cover on the construction site through seeding and watering within two weeks of the end of the grading phase. Native, fire-resistant plants should be used in accordance with the Fuel Modification Plan. This would achieve a minimum control efficiency for PM₁₀ of 5 percent.
- During all construction activities, the construction contractor shall sweep streets with Rule 1186-compliant, PM₁₀-efficient vacuum units on a daily basis if silt is carried over to adjacent public thoroughfares or occurs as a result of hauling.
- During active debris removal and grading, the construction contractor shall suspend grading operations when wind speeds exceed 25 miles per hour. This would achieve an emissions control efficiency of 98 percent for PM₁₀ under worst-case wind conditions.
- During all construction activities, the construction contractor shall maintain a minimum 24-inch freeboard on trucks hauling dirt, sand, soil, or other loose materials and tarp materials with a fabric cover or other suitable means. This would achieve a control efficiency for PM₁₀ of 91 percent.
- During all construction activities, the construction contractor shall water exposed ground surfaces and disturbed areas a minimum of every three hours on the construction site and a minimum of three times per day. This would achieve an emissions reduction control efficiency for PM₁₀ of 61 percent.
- During active debris removal, the construction contractor shall apply water to disturbed soils at the end of each day. This would achieve an emissions control efficiency for PM₁₀ of 10 percent.
- During all construction activities, the construction contractor shall limit onsite vehicle speeds on unpaved roads to no more than 15 miles per hour. This would achieve a control efficiency for PM₁₀ of 57 percent.
- The construction contractor shall apply chemical soil stabilizers to reduce wind erosion. This would achieve a control efficiency of up to 80 percent.

Page 5.2-29 – 5.2-30, Section 5.2-7, Mitigation Measures. Mitigation measure 2-3 has been revised in response to Comment A12-2, from the South Coast Air Quality Management District.

2-3 Ongoing during grading and construction, the construction contractor shall implement the following measures to further reduce construction exhaust emissions of NO_x. To assure compliance, the City shall verify that these measures have been implemented during normal construction site inspections:

- The Project Applicant shall specify in the construction bid that construction contractors are required to use construction equipment ~~rated by~~ that meets the

3. Revisions to the Draft EIR

United States Environmental Protection Agency ~~as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower. A list of construction equipment by type and model year shall be maintained by the construction contractor onsite.~~ Certified Emissions Standards according to the following schedule:

- From the end of 2012 to December 31, 2014, all project-related off-road diesel-powered construction equipment greater than 50 horsepower shall meet Tier 3 off-road emissions standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - After January 1, 2015, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 4 diesel emissions control strategy for a similarly sized engine, as defined by CARB regulations.
 - A copy of the equipment engine's (unit) certified tier specification, Best Available Control Technology (BACT) documentation, and CAR or SCAQMD operating permit shall be provided to the City at the time of mobilization of each applicable unit of equipment.
- The construction contractor shall ensure that all construction equipment is properly serviced and maintained to the manufacturer's standards to reduce operational emissions.
 - The construction contractor shall limit nonessential idling of construction equipment to no more than five consecutive minutes.

Page 5.3-60, Section 5.3.7, Mitigation Measures. Mitigation measure 3-1 has been revised in response to Comment A1-8, from the California Department of Fish and Game.

- 3-1 ~~Prior to the issuance of grading permits, preconstruction clearance surveys will be conducted within the proposed project impact areas for potentially occurring sensitive plant and wildlife species including Plummer's mariposa lily, burrowing owl, least Bell's vireo, southwestern willow flycatcher, coastal California gnatcatcher, Los Angeles pocket mouse, and the San Bernardino kangaroo rat. Plant surveys will be conducted according to California Department of Fish and Game's November 2009 guidelines for special status native plant populations and natural communities. Avian and small mammal surveys will be conducted by a United States Fish and Wildlife Service (USFWS) authorized biologist following USFWS protocol survey guidelines. For mariposa lily, in the appropriate blooming period by a qualified biologist.~~ the appropriate blooming period is defined as occurring within the months of April, May, and June, or as indicated by positive verification of blooming at a documented reference location. Surveys must only be conducted during a year of at least average precipitation, as determined by official precipitation records. The surveys should positively identify and quantify all individuals on or in the immediate vicinity of the proposed impact areas. Any individuals confirmed within the project impact area shall be considered for possible

3. Revisions to the Draft EIR

salvage and relocation into suitable receptor sites located onsite within preserved areas, if feasible. Any individuals confirmed in the immediate vicinity of a proposed impact area shall be flagged and appropriately fenced off from construction zones to prevent inadvertent impacts. Individuals confirmed within areas proposed for preservation onsite shall be properly recorded and avoided during any revegetation or other efforts anticipated in the long term during project operation. All observations shall be accurately reported to the California Natural Diversity Database, the California Native Plant Survey, the Consortium of California Herbarium, and/or other herbarium or sensitive species databases as determined by the qualified biologist. If least Bell's vireo, southwestern flycatcher or coastal California gnatcatcher are found within or immediately adjacent to the project site, those areas identified as occupied by the species found onsite will be fenced off, including a 500-foot buffer, from the construction zones to prevent inadvertent impacts. Individuals found within the areas proposed for onsite conservation shall be properly recorded and the conservation area fenced off to avoid inadvertent impacts. Each of these three avian species is federally and/or state listed. Any potential impact to these species and/or their habitat will require an endangered species permit from the listing wildlife agency(s) prior to any ground disturbing activity. CDFG and USFWS will be notified within 24 hours of a positive sighting and the appropriate focused surveys reports will be submitted to the wildlife agencies, as required by each agency. This measure shall be implemented to the satisfaction of the Community Development Director. If L.A. pocket mouse or San Bernardino kangaroo rat are found within or immediately adjacent to the project site or access roads, those areas identified as occupied by the species found onsite will be fenced off, including a 500-foot buffer, from the construction zones to prevent inadvertent impacts. Individuals found within the areas proposed for onsite conservation shall be properly recorded and the conservation area fenced off to avoid inadvertent impacts. San Bernardino kangaroo rat is federally listed. Any potential impact to these species and/or its habitat will require an endangered species permit from USFWS prior to any ground disturbing activity. USFWS will be notified within 24 hours of a positive sighting and the focused survey report will be submitted to USFWS as required by each that agency. This measure shall be implemented to the satisfaction of the Community Development Director.

Page 5.3-60 – 5.3-61, Section 5.3.7, Mitigation Measures. Mitigation measure 3-2 has been revised in response to Comment A1-11, from the California Department of Fish and Game.

- 3-2 To mitigate for impacts to unoccupied critical habitat of the federally endangered San Bernardino kangaroo rat, the project applicant shall acquire offsite permanent mitigation lands of like habitat quality as determined by the US Fish and Wildlife Service (USFWS) during the Section 7 consultation process. Mitigation lands must be acquired prior to the issuance of grading permits, and shall incorporate appropriate long-term management provisions such as deed restrictions, endowments, and/or other management mechanisms to provide for the long-term conservation of the habitat. Potential properties include, but are not limited to, those in the Cajon Creek Conservation Bank managed by San Bernardino County Special Districts located in the Glen Helen, Rialto and San Bernardino, and Rancho Cucamonga areas. These mitigation lands are contiguous with Cable Creek and the project site and shall be acquired at a replacement ratio of 1:1 (one acre replaced for every one acre impacted). This measure does not preclude the imposition of additional mitigation requirements that may be initiated by the USFWS during the Section 7 consultation process. This measure shall be implemented to the satisfaction of the Community Development Director.

3. Revisions to the Draft EIR

Page 5.3-61, Section 5.3.7, Mitigation Measures. Mitigation measures 3-3 and 3-4 have been revised in response to Comment A1-13, from the California Department of Fish and Game, and Comment A4-14, from the Center for Biological Diversity.

- 3-3 To mitigate for potential impacts to hydrological processes and subsequent degradation of habitat for the federally endangered San Bernardino kangaroo rat and other sensitive species, all roadway crossings or other improvements proposed within critical habitat for the species shall be designed in such a manner as to not substantially alter the natural flow regimes through impacted sensitive habitat areas. These designs shall include, but shall not necessarily be limited to, the installation of appropriately sized culverts and stream crossings that allow for natural flow and uninhibited downstream hydrological processes. Design of these improvements shall be undertaken in consultation with the US Fish and Wildlife Service and other responsible agencies. This measure shall be implemented to the satisfaction of the Community Development Director prior to the issuance of grading permits.
- 3-4 Any hiking and equestrian trails or other facilities developed within Cable Creek or other riparian areas on the site shall be designed to avoid impacts to wildlife movement through the area and to minimize impacts to riparian and other wildlife habitats ~~comply with provisions in the General Plan~~. These requirements shall include, but not necessarily be limited to: 1) no ground disturbance may take place within 50 feet of the ordinary high-water mark of the associated stream channel; 2) erosion, sedimentation, and runoff from the proposed improvements must be minimized by the implementation of appropriate best management practices, the installation of appropriate runoff diversions, and/or the planting of native vegetation; 3) Vegetation removal will be minimized to the maximum extent possible; and 4) appropriate signage shall be installed in at least five locations alongside these facilities to educate users as to the importance of riparian ecosystems, the species that rely upon them, and the importance of avoiding unnecessary impacts and disturbance. In addition, a barrier will be installed at the outer limits of the California Walnut Woodland that surrounds Cable Creek at its interface with the RSS habitat on the hillsides above the canyon bottom. This will provide a buffer of approximately 300 feet inside the barrier fence that will be located on either side of Cable Creek. The distance of 300 feet is based on the average width of the flat bottom of the creek basin, where animals would be using corridor. The fence would likely be a wooden structure, eight feet in height, and would extend the length of the property along Cable Creek. The barrier design and placement shall be approved by the Community Development Department prior the issuance of building permits and it shall be constructed prior to the issuance of occupancy permits. This measure shall be implemented to the satisfaction of the Community Development Director. [This measure also provides mitigation for Impact 5.3-4 as related to impacts to wildlife corridors. See Mitigation Measure 3-9]

Page 5.3-62, Section 5.3.7, Mitigation Measures. Mitigation measures 3-6 has been added in response to Comment A4-17, from the Center for Biological Diversity.

- 3-6 The following provisions shall be included in the Habitat Mitigation Monitoring Plan, the Covenants, Codes, and Restrictions, and the noxious weed control plan:

3. Revisions to the Draft EIR

- Setbacks between developed area, including roads and fuel modification zones, and sensitive habitat areas shall be a minimum of 300 feet.
- Non-leased pets (e.g., cats and dogs) shall not be allowed outdoors.
- Walls and/or fences that will inhibit domestic animals from harassing and harming native species, including “cat-proof” fences to prevent feral and house cats from accessing sensitive habitat, shall be implemented on the project site.
- Programs to capture feral cats should be implemented.
- Non-native invasive plant species shall be controlled through weed control techniques.
- Pesticides and other toxic chemicals shall be prohibited around homes.
- Native vegetation shall be used in landscaping.
- Educational materials and programs shall be provided to inform residents of rare, threatened, and endangered species and how local communities can help protect them.
- Gates shall be used to restrict access to lands set aside for habitat protection.

Page 5.3-62, Section 5.3.7, Mitigation Measures. Mitigation measure 3-7 has been revised in response to Comment A1-11, California Department of Fish and Game and Comment A4-10, from the Center for Biological Diversity.

- 3-7~~6~~ To mitigate impacts to 168.4 acres of Riversidean sage scrub (RSS), ~~and 26.4 acres of riparian plant communities, 10.56 acres of US Army Corps of Engineers (USACE) jurisdictional waters, and 12.76 acres of California Department of Fish and Game (CDFG) jurisdictional wetland,~~ the project applicant shall purchase and permanently protect RSS, riparian, and jurisdictional habitat that is biologically equivalent to or superior than the affected onsite acreages do one of the following, or a combination thereof, prior to the issuance of grading permits: 1) acquire offsite permanent mitigation lands of like habitat as determined by the CDFG; and/or 2) pay appropriate in-lieu fees to an appropriate permanent mitigation land bank as determined by CDFG. Mitigation lands must be acquired prior to the issuance of grading permits, and shall incorporate appropriate long-term management provisions such as deed restrictions, endowments, and/or other management mechanisms to provide for the long term conservation of the habitat. Potential properties include, but are not limited to, those managed by San Bernardino County Special Districts located in the Glen Helen, Rialto, and Rancho Cucamonga areas. ~~Mitigation lands for riparian habitat shall be acquired at a replacement ratio of 1:1 (one acre replaced for every one acre impacted). Mitigation lands for RSS shall be acquired at a replacement ratio of 1:3 (one acre replaced for every three acres impacted).~~ This measure shall be implemented to the satisfaction of the Community Development Director.

3. Revisions to the Draft EIR

Page 5.3-63 – 5.3-64, Section 5.3.7, Mitigation Measures. Mitigation measure 3-11 has been revised in response to Comments A11-7 from the San Bernardino Audubon Society.

- 3-11~~0~~ With regard to the protection of nesting birds, one of the following must occur:
- 1) Construction should occur outside of the avian nesting season (approximately February 15 through August 31); or
 - 2) If construction must occur during the nesting season, then a preconstruction nesting bird survey of the site shall be conducted by a qualified biologist no more than 104 days prior to construction activities and then at 3 days prior to the start of construction. If active nests are found onsite, then they must be avoided by an appropriate buffer until any young birds have fledged and the nest has completed its cycle, as determined by a qualified biologist. If construction occurs outside of the avian nesting period, then construction may commence without further impediment, commensurate with other regulatory and mitigation requirements. This measure shall be implemented to the satisfaction of the Community Development Director.

Page 5.3-64, Section 5.3.7, Mitigation Measures. Mitigation measure 3-12 has been revised in response to Comments A1-11, A1-16, and A1-18, from the California Department of Fish and Game, A4-5, A4-13, and A4-18 from the Center for Biological Diversity, and A11-8 from the Audubon Society.

- 3-12~~1~~ Two known wildlife corridors are present on the project site and may be impacted by the proposed project unless mitigation is incorporated: 1) the unnamed tributary of Cable Creek that flows in an east-to-west direction in the northern third of the project site (referred to here as the Northern Corridor); and 2) the outwash of Cable Creek adjacent to the Interstate 215 freeway that is proposed to be crossed by the secondary access road (referred to here as the Southern Corridor). For these corridors, the following must occur:

Northern Corridor: A vegetation restoration and maintenance plan shall be prepared by the applicant and submitted to the Community Development Director and the Fire Marshall for review and approval prior to issuance of any grading permits. The Plan shall include detailed measures to:

- 1) Restore, enhance, and maintain native vegetation to the maximum extent allowed by the Fire Protection Plan. Native vegetation within this corridor must be restored, enhanced and maintained to the maximum extent allowed by the Fire Protection Plan;
- 2) Provide riparian vegetation that provides high-quality foraging opportunities, cover, and other habitat values shall be as the preferred vegetation type in this area, unless specifically prohibited by the Fire Protection Plan;
- 3) Use this area shall be as the preferred location for the planting of replacement native trees as outlined in the tree replacement requirements of Mitigation Measure 3-14~~1~~, unless specifically prohibited by the Fire Protection Plan;
- 4) Maintain the corridor shall be maintained free of fences, walls, or other obstructions that prevent passage of animals through the corridor;

3. Revisions to the Draft EIR

5) Redirect and reduce any lighting associated with the project in this area, including street lights and residential lights, ~~so it is shall be~~ of the minimum output required and ~~shall be~~ down-shielded to prevent excessive light bleed into adjacent areas;

6) Construct any road crossings, bridges, culverts, etc., ~~shall be constructed~~ with soft bottoms with an openness ratio of at least 0.9 (openness ratio=height x width/length), and;

7) Incorporate additional recommendations as outlined in the report entitled “A Linkage Design for the San Gabriel-San Bernardino Connection” (South Coast Missing Linkages Project 2004) ~~may be incorporated~~ as feasible and appropriate.

Southern Corridor: 1) Any bridge, culvert, or other road crossing structure shall be designed in such a manner as to allow for the maintenance of natural flow through the structure and downstream of the structure, as conditioned by the US Fish and Wildlife Service during the Section 7 permitting and by the California Department of Fish and Game during 1602 and 2081 permitting processes process; 2) any road crossings, bridges, culverts, etc., shall be constructed with soft bottoms with an openness ratio of at least 0.9 (openness ratio=height x width/length); and 3) additional recommendations as outlined in the report entitled “A Linkage Design for the San Gabriel-San Bernardino Connection” (South Coast Missing Linkages Project 2004) may be incorporated as feasible and appropriate.

These measures shall be incorporated into site development plans and must be reviewed and approved prior to the issuance of grading permits. This measure does not preclude the requirement of additional mitigation that may be initiated by the US Fish and Wildlife Service, the US Army Corps of Engineers, the Regional Water Quality Control Board, or the California Department of Fish and Game during the regulatory permitting process. This measure shall be implemented to the satisfaction of the Community Development Director.

Page 5.6-27, Section 5.6.7, Mitigation Measures. The following mitigation measure has been revised in response to Comment A7-3, from the Devore Rural Protection Association.

6-8 The development of Spring Trails shall follow development guidelines outlined in the San Bernardino General Plan for high wind areas (Policies 10.10.1 through 10.10.8, listed below). The building plans must be approved by the building official. If the normally-scheduled trash and recycling pick-up day falls on a day with high wind, which would cause debris to blow around, residents shall call the City’s Integrated Waste Management District to reschedule trash pick-up and all trash and recycling canisters shall be kept in their enclosures or inside to prevent them from blowing over. This provision shall also be included in the Covenants, Codes, and Restrictions for the proposed project.

Policy 10.10.1: Ensure that buildings are constructed and sited to withstand wind hazards.

Policy 10.10.2: Require that development in the High Wind Hazard Area, as designated in Figure S-8 [of the San Bernardino General Plan], be designed and constructed to withstand extreme wind velocities.

3. Revisions to the Draft EIR

Policy 10.10.3: Periodically review the structural design requirements for wind in the Building Code to reflect wind conditions and property damage experienced as well as advances to current construction technology.

Policy 10.10.4: Require that structures be sited to prevent adverse funneling of wind onsite and on adjacent properties.

Policy 10.10.5: Require that multi-story residential, commercial, and industrial buildings be designed to prevent wind tunnel effects around their base and in passageways.

Policy 10.10.6: Construct public infrastructure (lighting poles, street lights, bridges, etc.) to withstand extreme wind velocities in High Wind Hazard areas.

Policy 10.10.7: Maintain police, fire, medical, and other pertinent programs to respond to wind-caused emergencies.

Policy 10.10.8: Initiate a review of the wind hazard potential as it applies to various parts of the City and, if merited, tailor the design standards accordingly.

Page 5.7-12, Section 5.7.1, Environmental Setting. The following text change has been made in response to Comment A5-7, from the County of San Bernardino Department of Public Works.

Flood Hazards

Designated Flood Zones

The project site is in FEMA Zone ~~DX~~, which is given to areas of undetermined flood zone risk because of a lack of flood risk analysis for the area. Flood insurance rates for these areas are commensurate with the uncertainty of the flood risk. ~~meaning that it is outside of the 100-year and 500-year floodplains.~~ The flood zones for the Spring Trails site has been determined from ~~according to~~ Flood Insurance Rate Maps Map Nos. 06071C7910H and 06071C7930H.

Page 5.7-19, Section 5.7.3, Environmental Impacts. The following text change has been made in response to Comment A5-7, from the County of San Bernardino Department of Public Works.

Impact Analysis: The entire project site is in FEMA flood hazard zone ~~DX~~, meaning that ~~there is insufficient analysis in the area to determine the extent of flood risk.~~ For areas of undetermined flood risk, insurance rates are commensurate with the uncertainty of the flood risk. Chapter 19.16 of City of San Bernardino's Development Code (Flood Plain Overlay District) restricts development in areas of special flood hazards, areas of flood-related erosion hazards, and areas of mud slide, as identified by the FEMA FIRMs. Development restrictions do not apply to Zone D as it is not in one of these zones. ~~it is outside of both 100-year and 500-year flood plains.~~ Compliance with the City's development codes would ensure that ~~p~~Project development would not result in flood hazards to people or structures or redirect flood flows within a 100-year flood hazard area. This analysis is applicable to both the preferred development plan and the alternative (~~underground~~overhead electric lines) development plan.

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Pages 5.8-3 through 5.8-4, Section 5.8.1, Environmental Setting. The following text change has been made in response to Comment A8-4, from the Local Agency Formation Commission.

The project site and the adjacent 26.4-acre annexation area are in San Bernardino County and in the City of San Bernardino's unincorporated sphere of influence. The site is currently subject to County of San Bernardino's General Plan and Zoning Code. As shown in Figure 4.6, *Land Use Designations*, under the County's General Plan, the northern portion of the site, approximately 160 acres, is designated as Resource Conservation in the County's General Plan. ~~Although the project site is # private unincorporated land within the San Bernardino National Forest, the surrounding areas are publicly owned. All public national forest land surrounding the northern portion of the site is designated as Resource Conservation (RC) in the County's General Plan. Since the site is privately owned, it is not designated RC.~~The southern portion of the site, approximately 190.6 acres, is designated Rural Living (RL-5), which allows up to one dwelling unit per five acres. The northern portion of the adjacent 26.4-acre annexation area is designated Rural Living (RL-5) and the southern portion of the annexation area is designated Single Residential (RS-1), which allows up to one dwelling unit per acre.

Page 5.8-8, Section 5.8.1, Environmental Setting. The following text change has been made in response to Comment A8-5, from the Local Agency Formation Commission.

The Spring Trails site was placed in the City of San Bernardino's Sphere of Influence in September 1996, when the Local Agency Formation Commission approved a sphere of influence expansion for the City of San Bernardino. A sphere of influence, as defined by California Government Code, is a "plan for the probable physical boundaries and service area of a local agency as determined by the Commission." While the land is in the sphere of influence, the county retains land use authority. Under the County of San Bernardino's authority, the County General Plan designated approximately 160 acres in the northern portion of the site as Resource Conservation (RC) ~~private unincorporated land~~ and approximately 190.6 acres in the southern portion of the site Rural Living (RL-5), which allowed up to one dwelling unit per five acres.

Page 5.8-31, Section 5.8.3, Environmental Impacts. The following revision to Table 5.8-2 has been made in response to Comment A10-7, from Omnitrans.

Policy OSC-8: Local governments should encourage patterns of urban development and land use that reduce costs on infrastructure and make better use of existing facilities.

Generally Consistent: As outlined in Chapter 3, Project Description, of the Specific Plan, the proposed project would consist of up to 307 single-family residential dwelling units that would require the construction of new roads and water, sewer, and other utility and infrastructure systems.

~~As discussed in~~ ~~Please refer to~~ Sections 5.12, *Public Services*, and 5.15, *Utilities and Service Systems*, ~~for a further discussion of how~~ the public services and facilities system would need to be expanded to be able to accommodate the proposed project. However, many of the provisions outlined in Chapter 5, Sustainability, of the Specific Plan would help reduce the need of and impacts on infrastructure costs and existing facilities. For example, to help minimize the impacts on costs and use of existing water and drain facilities, measures in the Specific Plan include the diversion of runoff into detention basins to reduce drainage runoff; the use of pervious paving materials to reduce stormwater runoff; the installation of moisture sensors and other

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	<p>similar irrigation technology to reduce water needs; and the use of water-saving landscaping techniques, such as drip irrigation systems and drought-tolerant plant species. To help minimize the use of electricity facilities, measures in the Specific Plan include the installation of insulation with at least 75 percent recycled content; the use of low-voltage fixtures and energy-efficient bulbs; the use of natural ventilation techniques, such as operable windows, to take advantage of airflow for cooling interiors, reducing the amount of energy needed for cooling; the use of “cool roofs” to cool building interiors and increase stormwater retention; the installation of water- and energy-saving fixtures and appliances, such as showerheads, toilets, washing machines, clothes dryers, refrigerators, and dishwashers certified as EnergyStar®-compliant; and the incorporation of building materials that take advantage of heat storage or thermal mass to reduce energy needed for heating and cooling interiors.</p> <p><u>In addition, the proposed project would make much-needed improvements to the existing utility infrastructure by improving roadways, water and wastewater conveyance systems, and stormwater drains. These improvements need to be made in the area to improve traffic flow, help defend the area from wildfires, and reduce effects of flooding and stormwater overflow. Some of the improvements that would serve the project site, the Verdemont Area Phase I water infrastructure improvements, have already been started because they are needed to improve the water service in the area whether or not the proposed project is approved and developed. The Verdemont Area Phase II improvements would also be built with or without the proposed project.</u></p> <p>Please refer to Sections 5.12, <i>Public Services</i>, and 5.15, <i>Utilities and Service Systems</i>, for a further discussion of how the public services and facilities system would be able to accommodate the proposed project.</p>
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Page 5.8-32, Section 5.8.3, Environmental Impacts. The following revision to Table 5.8-2 has been made in response to Comment A10-7, from Omnitrans.

<p>Policy OSC-10: Developers and local governments should promote infill development and redevelopment to revitalize existing communities.</p>	<p><u>Inconsistent Not Applicable:</u> The project site is not an infill or redevelopment site; <u>the proposed project does not support this policy;</u> therefore, this policy is not applicable.</p>
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Page 5.8-33, Section 5.8.3, Environmental Impacts. The following revision to Table 5.8-2 has been made in response to Comment A10-7, from Omnitrans.

<p>Policy OSC-13: Developers and local governments should encourage multiple use spaces and encourage redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core.</p>	<p><u>Generally Consistent:</u> The project site is not near the urban core but it does encourage recreational uses and provides <u>access to natural areas.</u> The provision of recreational needs is addressed in Section 5.13, <i>Recreation</i>. The parks and open</p>
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space design standards of the Specific Plan outline the necessary provisions to provide for usable and accessible recreational and people-gathering areas within the project site. Open space requirements and streetscape design elements would work in concert to create a pedestrian-friendly environment for residents and visitors. As shown in Figure 3-8, *Trails, Parks, and Open Space Plan*, recreational amenities would include two neighborhood parks, a dog park, and a comprehensive system of pedestrian and multiuse trails. As shown on Figure 3-8, the trail system would also include trailheads and observation points at key locations, and would connect to a planned regional trail system. See also response to RCP Policy OSC-9.

Page 5.8-36, Section 5.8.3, Environmental Impacts. The following revision to Table 5.8-2 has been made in response to Comment A10-7, from Omnitrans.

Policy EN-8: Developers should incorporate and local governments should include the following land use principles that use resources efficiently, eliminate pollution and significantly reduce waste into their projects, zoning codes and other implementation mechanisms:

- Mixed-use residential and commercial development that is connected with public transportation and utilizes existing infrastructure.
- Land use and planning strategies to increase biking and walking trips.

Partially Generally Consistent: The proposed project would consist of a master-planned residential development, and would not consist of mixed-use development or have access to public transportation. However, as shown on Figure 3-8, *Trails, Parks, and Open Space Plan*, the proposed project would include a comprehensive system of pedestrian and multiuse trails incorporated into the circulation plan. As shown in Figure 3-8, the proposed system of trails would connect internally and to the planned offsite regional trails. The proposed trails would not only provide a form of recreation and exercise for residents of the proposed project and surrounding communities, but would also provide an alternative mode of transportation for them and link them to the existing and planned City's biking circulation system.

Page 5.8-43, Section 5.8.3, Environmental Impacts. The following revision to Table 5.8-3 has been made in response to Comment A10-7, from Omnitrans.

RTP G6: Encourage land use and growth patterns that complement our transportation investments and improves the cost-effectiveness of expenditures.

Consistent: The project's proposed land uses would complement the existing and proposed circulation and transportation facilities in and around the project area. For example, the residential land uses would ~~be located and designed in a manner that would ensure use of existing and future vehicular and nonvehicular transportation systems and would not require the construction of new roadway systems (with the exception of the project access roads).~~ The residents would use the existing local City-owned roadways and the state freeway system. Where necessary, improvements to existing roadways would be made to maintain the appropriate level of service. These improvements are required through mitigation measures in the Draft EIR. Some of these improvements would be funded by the developer and others would be funded in part by the developer through a fair share fee.

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<p>The project would also allow access to the regional trail system and the City's public bus route indirectly. Omnitrans Route 7 travels to the Ohio Avenue/Palm Avenue intersection. Residents of the proposed project may travel by bike along the onsite trails to City streets to access this bus stop. Onsite trails are As shown in Figure 3-8, <i>Trails, Parks, and Open Space</i>. Although there are no direct bus route connections to the proposed project, the design of the project does not prevent residents from accessing the bus route. the proposed system of trails would connect internally and to the planned offsite regional trails. The proposed trails would not only provide a form of recreation and exercise for residents of the proposed project and surrounding communities, but would also provide an alternative mode of transportation. Additionally, as a part of individual project developments, all necessary traffic and circulation improvements would be installed and/or funded to ensure that the City's roadways function as intended.</p>

Page 5.14-9, Section 5.14.1, Environmental Setting. The following text change has been made in response to Comment A10-3, from Omnitrans.

Impact Analysis: The City of San Bernardino supports public and alternative transportation options in addition to vehicle travel. There are two main forms of public transportation, the Omnitrans bus service and a Metrolink station that connects the City with regional train stations. The nearest bus stop to the project site is an Omnitrans stop at Palm Avenue and Ohio Street, over two miles walking distance from the project site. Bus service from this stop connects passengers to the main Metrolink Station near the intersection of West Third Street and North K Street in San Bernardino.

Omnitrans also provides paratransit service, which complies with the Americans with Disabilities Act (ADA) requirements. ADA does not require this service to be provided when residences are more than 0.75 miles from the nearest bus stop. However, Omnitrans provides this service to residences outside its service boundary for a surcharge fee.

Page 5.14-10, Section 5.14.1, Environmental Setting (Table 5.14-2). The following revision to Table 5.14-2 has been made in response to Comment A2-1, from the California Department of Transportation.

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**Table 5.14-2
Existing Intersection Delay and Level of Service¹**

Intersection	Traffic Control	Peak Hour Delay in Seconds (LOS)	
		Morning	Evening
Little League Drive (NS) at:			
Meyers Road (EW)	CSS	12.0-B	9.3-A
Belmont Avenue (EW)	AWS	8.9-A	7.4-A
Frontage Road (EW)	CSS	12.2-B	8.9-A
Kendall Drive (EW)	CSS	9.7-A	9.6-A
Magnolia Avenue (NS) at:			
Belmont Avenue (EW)	AWS	7.6-A	7.1-A
Palm Avenue (NS) at:			
Belmont Avenue (EW)	AWS	9.8-A	9.2-A
Irvington Avenue (EW)	TS	14.5-B	15.4-B
Kendall Drive (EW)	TS	31.3-C	31.2-C
I-215 Freeway NB Ramps (EW)	CSS	29.2-D	29.9-D
I-215 Freeway SB Ramps (EW)	AWS	34.8-D	14.2-B

Source: Kunzman Associates 2009.

CSS = cross-street stop; AWS = all-way stop; TS = traffic signal; NS = north-south; EW = east-west; NB = northbound; SB = southbound

Notes:

¹ Based on discussions with City of San Bernardino staff and information from a previous traffic study, it is projected that a nominal increase in traffic volumes has occurred in the study area from Year 2008 to Year 2011.

Page 5.14-45, Section 5.14.7, Mitigation Measures. Mitigation measure 14-4 has been revised in response to Comment A12-2, from the South Coast Air Quality Management District.

14-4 Prior to the issuance of grading permits, the project applicant shall prepare a construction traffic plan that shall be approved by the City of San Bernardino Public Works/Engineering Division. The construction traffic plan shall:

- Prohibit project construction traffic from using the Kendall Drive/Palm Avenue intersection during the morning peak hour (7:00 AM and 9:00 AM) and the evening peak hour (4:00 PM and 6:00 PM)
- Establish truck haul routes on the appropriate transportation facilities.
- Provide Traffic Control Plans (for detours and temporary road closures) that meet the minimum Caltrans, City, and County criteria.
- Minimize offsite road closures during the peak hours.
- Keep all construction-related traffic onsite at all times.
- Provide temporary traffic controls, such as a flag person, during all phases of construction to maintain smooth traffic flow.

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Page 5.16-23, Section 5.16-7, Mitigation Measures. Mitigation measure 16-4 has been added in response to Comment R1-1, Group Letter.

16-4 Applicants for new developments in Spring Trails shall submit evidence to the satisfaction of the Fire Chief Development Services Director that the project uses insulation with at least 75 percent recycled content, such as cellulose, newspaper, or recycled cotton.

Page 5.16-23, Section 5.16-7, Mitigation Measures. Mitigation measure 16-10 has been added in response to Comment A12-2, from the South Coast Air Quality Management District.

16-10 Garages shall be electrically wired to accommodate electric vehicle charging. The location of the electrical outlets shall be specified on building plans.

3.3 CORRECTIONS TO THE DRAFT EIR

3.3.1 Revisions due to the Change in Preferred Development Plan (Electrical Power Lines)

The project site is traversed by 112 kilovolt (kV) electrical lines owned by Southern California Edison (SCE). Initially, at the time of the release of the Draft EIR, the applicant had selected a preferred development plan that would assume the power lines would be underground. Now the preferred development plan is to have the SCE power lines remain aboveground.

Universal changes have been made in each environmental topical section of the Draft EIR to correct the preferred and alternative overhead power line development plans. Since the revisions are reciprocated in each section, they are not all included below. The revisions below are from sections that discuss or analyze the electrical powerlines in more detail.

Page 1-5, Section 1-4, Project Summary. The following text has been revised.

The Spring Trails plan assumes that the Southern California Edison (SCE) overhead electric lines that traverse the western portion of the site will remain aboveground ~~be located underground~~. In the event that SCE prefers that the overhead electric lines to cannot be located underground, an alternative plan accommodating the lines ~~below~~^{above} ground is included for analysis in this EIR. The alternative plan is identical to the preferred plan except that it contains 3064 single-family detached units (3053 new units and 1 existing residence) and the SCE electric lines are located underground ~~above ground~~ (see Chapter 3, *Project Description*).

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**Table 1-1
Land Use Summary**

<i>Land Use</i>	<i>Acres</i> ^{1, 2}	<i>Maximum Density</i>	<i>Units</i> ³
Developed Area			
Residential	70.9	1 unit per lot	303 6
Private Lot (existing)	2.2	1 unit	1
Parks (public and private)	9.0		
Open Space – Controlled	125.1		
Utilities	1.2		
Roads (onsite)	33.1		
Subtotal	241.5		3047
Undeveloped Area			
Open Space – Natural	111.3		
Subtotal Onsite	352.8		3047
Offsite Acres			
Roads/Grading (offsite)	23.7		
Total (On- and Off-site)	376.5		3047

Source: Spring Trails Specific Plan.

¹ Variations to account for final roadway alignments and grading may result in a minor shifting of acres.

² Statistics are based upon buildable area depicted on Figure 2.2 of the Specific Plan instead of the legal lot area to give a true picture of the use of the land. See Figure 3-4, *Zoning Map*, for the zoning designations.

³ Lots 30 and 233, as numbered on Tract Map 15576, are undevelopable unless the building pads are reconfigured in a manner that is acceptable to the Fire Chief. If they are not reconfigured accordingly, the total units developed would be 301~~5~~.

Page 1-6, Section 1-4, Project Summary. The following text has been revised.

Spring Trails is 29,000 square feet (0.67 acres). The largest lots (up to 18.3 acres) are on the northern portion and upper elevations of the site, and the smallest lots (10,801 square feet or 0.25 acre) are on the lower elevations and southern portion of the project. The buildable and nonbuildable areas of each lot are depicted on Figure 3-3, *Development Plan*, and also on Figure 3-4, *Zoning Map*, in Chapter 3, *Project Description*. The buildable and nonbuildable areas of each lot for the alternative plan with underground ~~overhead~~ electric lines are depicted in Chapter 3 in Figure 3-3A, *Alternative (Underground~~Overhead~~ Electric Lines) Development Plan*.

Page 3-1, Section 3, Project Description. The following text has been revised.

As described in detail in this section, the Spring Trails Specific Plan proposes development of 304~~7~~ single-family lots within a 352.8-acre site situated within an unincorporated area of the foothills of the San Bernardino Mountains. The proposed development footprint would encompass approximately 68 percent of the project site, including 9 acres of parks and 126~~5.4~~ acres of internal slopes and fuel modification zones. The remaining 32 percent of Spring Trails (111.3 acres) would remain in natural open space.

3. Revisions to the Draft EIR

Page 3-7 through 3-8, Section 3.4.1, Development Plan. The following text has been revised.

Figure 3-3, *Development Plan*, depicts the proposed development for the project site. This is the preferred development plan and it assumes that the Southern California Edison (SCE) overhead electric lines that traverse the western portion of the site would remain aboveground ~~be relocated underground~~. Figure 3-3A, *Alternative (Underground Overhead-Electric Lines) Development Plan*, depicts an alternative plan with the electric lines accommodated below ~~above~~ ground, in the event that they are not left aboveground ~~placed underground~~. Both plans are described in more detail below.

Preferred Development Plan

The development footprint focuses on the gently sloping alluvial benches between canyons, steep hillsides, and the major drainages (Cable Canyon and Meyer Canyon) that characterize the property.

The project site (352.8 acres) is within the City of San Bernardino's unincorporated sphere of influence (SOI) and will be annexed into the City. The proposal also includes the annexation of an adjacent 26.4-acre area consisting of six parcels owned by various property owners (outlined on Figure 3-2). The area is adjacent to the west of the project site along Meyers Road and currently has four occupied, multiple-acre lots. It is being included in the annexation element of the proposed project to prevent the creation of a county island within the City of San Bernardino. The creation of an island is not allowed under regulations governing the Local Agency Formation Commission of San Bernardino County. A land use proposal has not been submitted for this 26.4-acre area and it is not owned or otherwise under the control of the applicant. For these reasons, no development would occur on these parcels as part of this project.

The Spring Trails plan accommodates 3047 single-family detached units (3036 new units and 1 existing residence), which are set among neighborhoods separated by open space corridors, drainage ways, roadways, and sloped areas. Underneath the central portion of the electric line easement, the land use is designated as Open Space-Controlled. The northern portion of the electric line easement is designated as residential in Figure 3-3; however, development is not permitted within the electric line easement. A system of pathways connects the residences with neighborhood parks and natural open spaces. Development is focused onto approximately 241.5 acres, or about 68 percent of the total site, and includes 9 acres of parks and 125.1 acres of internal slopes and fuel modification zones. The remaining 32 percent of Spring Trails (111.3 acres) is preserved as natural open space. A statistical analysis of the site plan is provided in Table 3-1, *Land Use Summary*.

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**Table 3-1
Land Use Summary**

<i>Land Use</i>	<i>Acres</i> ^{1,2}	<i>Maximum Density</i>	<i>Units</i> ³
Developed Area			
Residential	70.9	1 unit per lot	3036
Private Lot (existing)	2.2	1 unit	1
Parks (public and private)	9.0		
Open Space – Controlled	126.054		
Utilities	1.2		
Roads (onsite)	33.1		
Subtotal	241.5		3047
Undeveloped Area			
Open Space – Natural	111.3		
Subtotal Onsite	352.8		3047
Offsite Acres			
Roads/Grading (offsite)	23.7		
Total	376.5		3047

Source: Spring Trails Specific Plan.

¹ Variations to account for final roadway alignments and grading may result in a minor shifting of acres.

² Statistics are based upon buildable area depicted on Figure 2.2 of the Specific Plan instead of the legal lot area to give a true picture of the use of the land. See Figure 3-4, Zoning Map, for the zoning designations.

³ Lots 30 and 233, as numbered on Tract Map 15576, are undevelopable unless the building pads are reconfigured in a manner that is acceptable to the Fire Chief. If they are not reconfigured accordingly, the total units developed would be 3035.

Page 3-8 through 3-9, Section 3.4.1, Development Plan. The following text has been revised.

Alternative (~~Undergrounded~~ ~~Overhead~~-Electric Lines) Development Plan

As shown in Figure 3-3A, the alternative plan for Spring Trails is the same as the preferred plan in every respect except for the treatment of the land ~~above~~ ~~beneath~~ the ~~undergrounded~~ ~~above-ground~~ electric lines and the number of residential lots. The alternative plan contains 3074 single-family detached units (3063 new units and 1 existing residence). Underneath the central portion of the electric line easement, the land use is designated as Open Space-Controlled. The northern portion of the electric line easement is designated as residential in Figure 3.3A; however, development is not permitted within the electric line easement. A statistical analysis of the alternative plan is provided in Table 3-1A, Alternative Land Use Summary.

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**Table 3-1A
Alternative Land Use Summary**

<i>Land Use</i>	<i>Acres</i> ^{1, 2}	<i>Maximum Density</i>	<i>Units</i> ³
Developed Area			
Residential	70.90	1 unit per lot	3053
Private Lot (existing)	2.2	1 unit	1
Parks (public and private)	9.0		
Open Space – Controlled	125.16.0		
Utilities	1.2		
Roads (onsite)	33.1		
Subtotal	241.5		3064
Undeveloped Area			
Open Space – Natural	111.3		
Subtotal Onsite	352.8		3064
Offsite Acres			
Roads/Grading (offsite)	23.7		
Total	376.5		3064

Source: Spring Trails Specific Plan.

¹ Variations to account for final roadway alignments and grading may result in a minor shifting of acres.

² Statistics are based upon buildable area depicted on Figure 2.2 of the Specific Plan instead of the legal lot area to give a true picture of the use of the land. See Figure 3-4, Zoning Map, for the zoning designations.

³ Lots 30 and 233, as numbered on Tract Map 15576, are undevelopable unless the building pads are reconfigured in a manner that is acceptable to the Fire Chief. If they are not reconfigured accordingly, the total units developed would be 3042.

The buildable and nonbuildable areas of each lot for the alternative plan with underground overhead electric lines ~~is~~ are depicted in Figure 3-3A and also in Figure 3-4A, *Alternative (UndergroundOverhead Electric Lines) Zoning Map*.

Page 3-10, Section 3.4.3, Trails and Open Space. The following text has been revised.

Figure 3-8, *Trails, Parks, and Open Space Plan*, illustrates the recreational improvements proposed for Spring Trails. As detailed in Table 3-1, 245.4 acres of the 352.8-acre site are planned as open space, including natural open space, controlled open space, and parks. Two neighborhood parks would be public, serve the dual function as detention basins, and include shade structures and tot lots. One private park is proposed to include a thematic garden, observation point, a tot lot, and other amenities such as an outdoor fireplace, water feature, picnic benches, and gazebo. A private, enclosed dog park is also proposed. If permitted by SCE, a park and/or trail may be located under the electric lines as a permitted use; however, they are not assumed in the buildout of the preferred plan.

In the alternative plan with underground overhead electric lines, the area planned as open space in Spring Trails totals 125.16 acres. ~~The additional .9 fewer acres of open space than above what is shown in the preferred development plan accommodates an SCE easement for the overhead electric lines.~~ As shown in Figure 3-8A, *Alternative (UndergroundOverhead Electric Lines) Trails, Parks, and Open Space Plan*, the land ~~above~~underneath the central portion of the SCE easement is designated as residential Open Space Controlled. ~~If permitted by SCE, a park and/or trail may be located under this portion of the electric lines as a permitted use; however, they are not assumed in the buildout of the alternative plan.~~

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Page 5.6-7, Section 5.6.1, Environmental Setting. The following text has been revised.

Applicable Plans, Policies, and Regulations for Public Infrastructure

Southern California Edison

The Spring Trails project assumes that the overhead electric lines would remain aboveground on the project site. In the event that the overhead electric lines on the Spring Trails project site are moved underground or relocated within the project site, Southern California Edison requires the following information to proceed with the relocation of their electric transmission facilities.

Page 5.6-9, Section 5.6.3, Environmental Impacts. The following text has been revised.

Alternative (~~Underground~~ Overhead Electric Lines) Development Plan

The Spring Trails project assumes that the SCE overhead electric lines that traverse the western portion of the site will ~~remain aboveground~~, ~~be located underground~~, In the event that the overhead electric lines ~~cannot be located~~ must be undergrounded, an alternative plan accommodating the lines ~~above~~ underground is proposed for the project site. The alternative plan for Spring Trails is the same as the preferred plan in every respect except for the treatment of the land ~~above~~ beneath the ~~under~~ aboveground electric lines and the number of residential lots. Both scenarios are analyzed in this section.

Page 5.6-21 through 5.6-22, Section 5.6.3, Environmental Impacts. The following text has been revised.

Impact 5.6-5: ~~If the project is built with the Southern California Edison 115 kV transmission lines remaining above ground the lines would potentially expose construction workers and residents to hazards of electric shock and/or electric and magnetic fields.~~
[Threshold H-3 in part]

Impact Analysis: As shown in Figure 3-3, *Development Plan*, in Section 3 the plan assumes that the SCE overhead electric lines that traverse the western portion of the site would be located aboveground ~~underground~~. In the event that SCE prefers that the overhead electric lines ~~to cannot~~ be undergrounded, an alternative plan accommodating the lines underground ~~above ground~~ is proposed for the site (see Figure 3-3A, *Alternative (Underground Overhead Electric Lines) Development Plan*). The alternative plan for Spring Trails is the same as the preferred plan in every respect except for the treatment of the land ~~above~~ beneath the ~~above~~ underground electric lines and the number of residential lots. In ~~the preferred plan this alternative~~, underneath the central portion of the electric line easement, the land use is designated as Open Space-Controlled. The northern portion of the electric line easement is designated as residential in Figure 3-3; however, development is not permitted within the electric line easement. The SCE easement would be landscaped in accordance with the approved Fire Protection Plan for Spring Trails. If permitted by SCE, a park and/or equestrian/pedestrian trail may be located under the electric lines as a permitted use; however, they are not assumed in the design of the alternative plan.

The preferred development plan and the alternative development plan with underground ~~overhead~~ electric lines presents potential hazards related to proximity to future residential uses:

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- Although SCE makes provision for earthquakes in the design and construction of overhead transmission lines, extreme seismic shaking and earth rupture on the San Andreas fault may snap lines or topple towers, resulting in live power to the ground.
- During construction, accidental contact with the towers or wires is possible.
- Resident youths may be tempted to play on or climb the towers.
- Residents may be exposed to electric and magnetic fields (EMF).

These lines would pose both construction and operational risks to workers or residents on the site. Contact with the wires by an elevated excavator arm, raised bucket, or other equipment designed for overhead work would have potentially fatal consequences. There is also the risk that residents may be tempted to climb on or vandalize the supporting towers. Though slight, the risk of electrical shock because of such activity does exist. Worker and residents would also be susceptible to electromagnetic fields (EMFs) because of the location of the lines on the project site. The SCE easement does not cross into the adjacent 26.4-acre annexation area.

The project proposes to ~~allow relocate~~ the 115 kV lines ~~to be aboveground underground prior to site development; therefore, the risks associated with electrical shock and physical contact with the lines would be eliminated.~~ If SCE prefers the 115kV lines ~~cannot to~~ be relocated underground, then the project would ~~underground these lines prior to site development~~~~be built to accommodate the overhead electric lines.~~ This alternative plan is described in Chapter 3, *Project Description*, and is illustrated in Figure 3-3A, *Alternative (Underground/Overhead-Electric Lines) Development Plan*. Figure 3-3A shows the relationship between the easement and residential lots. ~~Instead of Open Space-Controlled, the area above the electric lines would be used for three additional residential lots. Underneath the electric line easement, the land use is designated Open Space-Controlled.~~ As proposed, the northern portion of the electric line easement is designated residential in Figure 3.3A; however, development is not permitted within the electric line easement.

Page 5.6-23 through 5.6-24, Section 5.6.6, Level of Significance Before Mitigation. The following text has been revised.

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.6-1 and 5.6-2.

Without mitigation, the following impacts would be **potentially significant**:

- Impact 5.6-3 The topography and physical conditions of the proposed project site puts it at high risk for fires, potentially causing damage, injury, or death to property and people on the site. In addition, two lots (Lot 30 and 233) would be undevelopable due to deficient space for fuel modification.
- Impact 5.6-4 Development of Spring Trails in a designated high wind area would place residents, construction workers, and on- and offsite property at risk of injury, death, and/or damage caused by high wind conditions.
- Impact 5.6-5 ~~If the project is built with~~ the Southern California Edison 115 kV transmission lines ~~remaining aboveground~~ the lines would potentially expose construction workers and residents to hazards of electric shock.

3. Revisions to the Draft EIR

Page 5.6-26, Section 5.6-7, Mitigation Measures. Mitigation measure 6-6 has been revised.

- 6-6 If the project is built with the Southern California Edison 115 kV transmission lines remaining aboveground, All flammable vegetation within the SCE Southern California Edison 115 kV overhead transmission lines easement shall be removed, by the Homeowners Association, on an ongoing basis, except for that needed for erosion control and soil stability.
-

Pages 5.11-8 through 5.11-9, Section 5.11.3, Environmental Impacts. The following text has been revised.

Impact 5.11-1: Based on an average household size of 3.34, 3047 units located on the project site would introduce approximately 1,0125 new residents to the City of San Bernardino. [Threshold P-1]

Impact Analysis: The proposed project would result in population growth in the project area by directly introducing 3047 new single-family residential units into the City of San Bernardino. Using an average household size of 3.34 persons,¹ the proposed project would add up to 1,0125 new residents to the City of San Bernardino. The alternative (underground~~overhead~~ electric lines) development plan would introduce 3064 new single-family residential units into the City of San Bernardino. Based on an average household size of 3.34 persons, the alternative plan would add up to 1,0215 new residents to the City. The impacts related to population and housing would be similar for both scenarios; therefore, the preferred development plan is used for the analysis below.

Pages 5.11-9 through 5.11-10, Section 5.11.3, Environmental Impacts. The following text has been revised.

Jobs/Housing Balance

SCAG applies the jobs/housing ratio at the regional and subregional level as a tool for analyzing the fit between jobs, housing, and infrastructure. Although no ideal jobs/housing ratio is adopted in state, regional, or city policies, SCAG considers an area balanced when the jobs/housing ratio is 1.35; communities with more than 1.5 jobs per dwelling unit are considered jobs-rich. The proposed project would consist of 3049 residential units and would not provide any jobs. Table 5.11-5 shows the projected growth from 2005 to 2035 for the City and the County with and without the proposed project. By 2035, the City is projected to grow by 36.6 percent in housing, 32.1 percent in population, and 65.5 percent in employment. SCAG's forecast predicts a strong growth in employment, as the City's jobs/housing ratio was 1.65 in 2005 and is expected to increase to 2.00 by 2035. The projected 2035 jobs/housing ratio at buildout with the project would be 1.99, 0.01 less than the jobs/housing ratio at buildout without the project. The proposed project would create a jobs/housing ratio that is slightly more balanced compared to the projected buildout in the area, improving the jobs/housing ratio within the City.

¹ Population generation factor is based on the Department of Finance's 2009 City/County Population and Housing Estimates.

3. Revisions to the Draft EIR

**Table 5.11-5
Projected Growth and Jobs/Housing Ratio According to SCAG**

	2005	Projected Buildout (2035)	Projected Growth (2005-2035)	Proposed Increase	Adjusted Buildout with Project (2035)	Adjusted Growth (2005-2035)	Difference
City of San Bernardino							
Population	201,049	265,515	32.1%	1,0125	266,5340	32.6%	0.5%
Employment	94,917	157,088	65.5%	0	157,088	65.5%	0%
Households	57,698	78,619	36.3%	3047	78,9236	36.8%	0.5%
Jobs/Housing Ratio	1.65	2.00	--	--	1.99		
County of San Bernardino							
Population	1,971,318	3,133,801	59.0%	1,0125	3,134,8126	59.0%	0.5%
Employment	704,239	1,254,749	78.2%	0	1,254,749	78.2%	0%
Households	567,277	972,561	71.4%	3047	972,8658	71.5%	0.1%
Jobs/Housing Ratio	1.24	1.29	--	--	1.29		

Sources: SCAG's 2008 Regional Transportation Plan Growth Forecast.

Page 5.11-10, Section 5.11.3, Environmental Impacts. The following text has been revised.

**Table 5.11-6
Projected Growth and Jobs/Housing Ratio According to the City's General Plan**

	General Plan Buildout	Proposed Increase	General Plan Buildout with project
Population	319,241	1,0125	320,2566
Employment	355,629	0	355,629
Households	95,664	3047	95,96871
Jobs/Housing Ratio	3.7	--	3.7

Sources: City of San Bernardino 2005a.

Page 5.12-3, Section 5.12.2.3, Environmental Impacts. The following text has been revised.

Impact 5.12-1: The proposed project would introduce 3047 residences and about 1,0125 Residents into a very high fire hazard severity zone in the San Bernardino city Fire Department service Area, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]

Impact Analysis: The project would include 3047 homes, four parks, and roadways for site and internal access to the roughly 353-acre project site. The project is expected to add about 1,0125 residents to the site. Therefore, project development is expected to result in an increase in calls for SBFD fire and emergency medical services. At project completion, SBFD response time to emergency calls to the farthest part of the site from the Verdernont Fire Station is expected to be 12 to 13 minutes. This is seven to eight minutes more than the standard SBFD response time of five minutes. After a reduction in staff from four to three firefighters, staffing at the station was recently restored to four firefighters (Moon 2009). The addition of the Spring Trails development to the area served by the Verdernont Fire Station may result in increased demand on emergency fire services. To offset the additional demand caused by new development projects, the City requires a fair-share contribution from new developments to help fund ongoing operation and maintenance of the Verdernont Fire Station.

3. Revisions to the Draft EIR

Page 5.12-9, Section 5.12.3.3, Environmental Impacts. The following text has been revised.

Impact 5.12-2: The proposed project would introduce new structures and Residents into the San Bernardino police department's service boundaries, thereby increasing the requirement for police protection and personnel. [Threshold PP-1]

Impact Analysis: Upon annexation of the project site and county island, the SBPD would be providing police services to the project site. This would expand SBPD's service area and would likely result in an increase in calls for SBPD services. Such an increase in calls would be expected to create a need for additional police staff. The City of San Bernardino's development impact fee for law enforcement is \$597.74 per unit for detached single-family residential units. With a total of 3047 units, \$181,712.963,506.18 would be charged to the project developer as law enforcement development impact fees. These fees may be spent on facilities, equipment, or vehicles.

Pages 5.12-1 through 5.12-12, Section 5.12.4.3, Environmental Impacts. The following text has been revised.

**Table 5.12-3
Estimated Student Generation for the Proposed Project**

School Level	Student Generation Rate¹	Households	Total Student Generation
Elementary	0.3310	3047	1012
Middle	0.1695	3047	52
High	0.1933	3047	5960

¹ Dolinka Group 2008.

As shown in Tables 5.12-2 and 5.12-3 the project is estimated to generate roughly 1012 additional students in the attendance area of North Verdemon Elementary School, 52 students in the attendance area of Cesar Chavez Middle School, and 5960 students in the attendance area of Cajon High School. There is existing unused capacity at Cesar Chavez Middle School and Cajon High School to accommodate project-generated students. However, the unused capacity at North Verdemon Elementary School is 82 students, less than project-generated elementary school students. The project would create a potential need for teachers and support staff at the elementary, middle, and high school levels. In addition, the project may create a need for additional elementary school classroom space, depending on population trends in the area.

Page 5.12-13, Section 5.12.5.3, Environmental Impacts. The following text has been revised.

Impact 5.12-4: The proposed project would add roughly 1,0125 residents to the project site, increasing the service needs for the Dorothy Inghram Branch Library. [Threshold LS-1]

Impact Analysis: The project would include 3047 single-family homes and would also involve the annexation of the project site into the City of San Bernardino. Upon annexation, the project would be in the service area of the San Bernardino Public Library, and the Dorothy Inghram Branch Library would be the closest SBPL facility. The average household size in the City of San Bernardino is roughly 3.34 persons. Therefore, the project at completion would be expected to add roughly 1,0125 persons to the

3. Revisions to the Draft EIR

City. The 26.4-acre annexation area includes 13 current residents. The project along with the annexation area would thus result in an increase in demands for library service in the City. At a ratio of two volumes per resident, the project would create a need for roughly 2,0350 additional library items. The annexation area would create a need for roughly 26 additional library items. The project-generated increase in population would also create increased need for technology such as computers at the Inghram Branch Library, and would contribute to a need for additional staffing. The library facilities fee that the City would charge to the project, \$596.63 per residential unit, would help the SBPL to meet the project-related increase in demands for library services.

Page 5.13-5, Section 5.13.3., Environmental Impacts. The following text has been revised.

Proposed Trails, Parks, and Open Space Plan

As shown on Figure 3-8, *Trails, Parks, and Open Space Plan*, Spring Trails accommodates 3047 single-family detached units (3036 new units and 1 existing residence) and a system of pathways that would connect the residences with neighborhood parks and natural open spaces. Development is focused within approximately 241.5 acres, or 68 percent of the total site, and includes 9 acres of parks and 1265.4 acres of internal slopes and fuel modification zones. The remaining 32 percent of Spring Trails (111.3 acres) is preserved as natural open space.

Spring Trails would provide approximately 246.35.4 acres of public and private parkland, open space, and trails, as summarized in Table 5.13-1 and described in detail below. Also, Table 5.13-2, *Maintenance Plan*, describes the maintenance responsibilities for the neighborhood parks and trails in the project area.

Table 5.13-1
Open Space, Parks, and Recreation Facilities

Parks/Recreation Facilities	Acres
Public Parks	9.0
Open Space-Natural	111.3
Open Space-Controlled	1265.4
Total	246.35.4

Page 5.13-8, Section 5.13.3., Environmental Impacts. The following text has been revised.

Impact 5.13-1: The proposed project would include up to 3047 residential dwelling units to the San Bernardino area, resulting in a subsequent increase in use of existing recreational facilities and a possible demand for additional facility development. [Thresholds R-1 & R-2]

Impact Analysis: According to the Parks, Recreation, and Trails Element of the San Bernardino General Plan, five acres of parkland and/or recreations facilities per 1,000 population is required for residential development projects. The maximum buildout of the Spring Trails Specific Plan would accommodate 3047 units. Based on the City of San Bernardino's General Land Use Element, the 2008 average household size is 3.34 persons, and the project would therefore generate a population of approximately 1,0125 residents (3047 units x 3.34 = 1,0125).

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Based on the Quimby Act legislation allowing a maximum parkland dedication standard of 3 acres per 1,000 population, approximately 3.054 acres of parkland or equivalent fees or improvements would be required to serve the residents of the proposed project. Based on the City's General Plan performance standard for parks and recreation facilities (5 acres per 1,000 population), the project would generate the need for 5.013 acres of parkland.

The Spring Trails Specific Plan would provide 246.354 acres of public and private parkland, open space, trails, and recreational amenities on the project site. More specifically, 9.0 of the 245.4 acres would be designated public and private parks: 2.0 acres of private parks and 7.0 acres of public parks. Therefore, the project would exceed the City requirements by 3.9987 acres of parkland. Additionally, the project responds to the City's Parks, Recreation, and Trails Element Goals 8.1 and 8.3 by providing parks and creating a trail system that would connect to future and existing regional and City trails. The parks and open space components would provide passive and active recreational opportunities. The exact number, precise location, configuration, type, and amount of amenities and facilities, and the size of the parks and open space areas would be established at the time of development of the tentative tract map(s) of the proposed project.

The proposed parks and open space acreage of the Spring Trials Specific Plan would meet and exceed the amount of parkland and/or recreation facilities defined by the Quimby Act and the more conservative performance standard outlined in the City's General Plan. Therefore, the proposed project's parks and open space components would ensure that recreational facilities would be available to new residents of the proposed project. Since park needs would be met and exceeded onsite, it is not expected that the residents of the proposed project would, in any appreciable manner, need to use City or regionwide parks that are located offsite. Additionally, the proposed public parks, trails, and open space components would also serve residents of the existing and future surrounding communities. Impacts from construction of the parks and trail system are included in the discussion of impacts for the overall development in this EIR.

The above analysis is applicable to both the preferred development plan and the alternative (~~underground~~^{overhead} electric lines) development plan.

Cumulative Impacts

Buildout of the Spring Trails Specific Plan would accommodate 3047 residential units, generating a total of 1,0125 residents. According to the Parks, Recreation, and Trails Element, the City is currently deficient in park space and needs 787.6 acres of public parkland to provide for the projected population. The project itself would generate a need for a total of 5.013 acres of parkland. However, the project would provide 9 acres of public and private parkland and an additional 246.354 acres of open space, providing additional acreage beyond the park requirements and lessening the City's overall parkland needs.

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3.3.2 Other Revisions to the Draft EIR

The following revisions have been made to correct text, tables, and/or figures in the Draft EIR.

Page 5.3-49, Section 5.3.3, Environmental Impacts. The following text revision has been made to Impact 5.3-2.

IMPACT 5.3-2: DEVELOPMENT OF THE PROPOSED PROJECT WOULD RESULT IN IMPACTS TO SIX RIPARIAN PLANT COMMUNITIES TOTALING ~~26.7~~ 26.4 ACRES. Also, 168.4 ACRES OF RIVERSIDEAN SAGE SCRUB, A SENSITIVE NON-RIPARIAN PLANT COMMUNITY, WOULD BE IMPACTED. PORTIONS OF THE SITE WITHIN USFWS-DESIGNATED CRITICAL HABITAT FOR SAN BERNARDINO KANGAROO RAT WOULD BE IMPACTED. [THRESHOLD B-2]

Page 5.3-50, Section 5.3.3, Environmental Impacts. The following text revision has been made to Impact 5.3-2.

The mitigation provided in Section 5.3.7 of this EIR provides for the purchase and permanent preservation of offsite mitigation lands and/or the payment of in lieu fees to appropriately offset the project's impact to RSS. For the reasons cited above, the prescribed mitigation for RSS for this project is set at a ratio 1:3 (one acre replaced for every three acres impacted). The mitigation also requires that the applicant demonstrate that suitable mitigation lands have been identified and are available for acquisition, either through direct purchase or the payment of fees. The project applicant has identified several hundred acres of potential mitigation lands containing suitable RSS habitat along the alluvial fans of the San Bernardino ~~and San Gabriel~~ Mountains. These lands are available for purchase and dedication to an appropriate conservation management organization. This dedication and management would ensure the long-term conservation status of this sensitive habitat type in the San Bernardino Valley. It can therefore be concluded that the prescribed mitigation is feasible and would thus mitigate the project's impacts in this regard to less than significant levels.

Page 5.3-50, Section 5.3.3, Environmental Impacts. The following text revision has been made to Impact 5.3-2.

Invasive Plant Impacts

As discussed previously, the project site represents good quality habitat and a diverse mosaic of plant communities and is unusual for its relative lack of invasive plant species. Unlike other areas along the front range of the San Bernardino Mountains, the project site has not converted to large areas of nonnative grassland. Only ~~11.4~~ 12.5 acres of the project site, or about 3 percent, has converted to this community type. The areas immediately surrounding the site, particularly in the SBNF, are also relatively unaffected by type conversion.

3. Revisions to the Draft EIR

Page 5.5-26, Section 5.5.3, Environmental Impacts. The following text revision has been made.

IMPACT 5.5-9 PART OF THE PROJECT WOULD BE DEVELOPED WITHIN A HILLSIDE MANAGEMENT OVERLAY ZONING DISTRICT (HMOD); THE SPECIFIC PLAN DEVELOPMENT STANDARDS REPLACE THE HMOD DEVELOPMENT STANDARDS. [THRESHOLD G-9]

Roughly 67 percent (133 acres) of the project site is within the Hillside Management Overlay District (HMOD), which covers all areas with slopes of 15 percent or greater. The HMOD contains development performance standards, including standards regarding soils and grading, geotechnical standards, and standards requiring that vegetation on slopes, including graded slopes, be preserved or reestablished; such standards are listed above in Section 5.5.1. The Spring Trails hillside design and development standards have been prepared to be site-specific for the proposed project and are consistent with the General Plan, replacing the HMOD development standards. Since the alternative and preferred development plans would require development of similar magnitude, this analysis is applicable to both the preferred development plan and the alternative (overhead electric lines) development plan. Under either the preferred or alternative development plan, the project would be built and operated in compliance with the requirements of the HMOD that are described in Section 5.5.1.

Page 5.6-26, Section 5.6-7, Mitigation Measures. Mitigation measure 6-7 has been revised.

Lots 30 and 233

6-7 Development of Lots 30 and 233 shall only occur when the following conditions are met. No development shall occur without the review and approval of the San Bernardino Fire Chief.

- The onsite fuel modification shall consist of irrigated “Zone A” and “Zone B” that will remain within the Spring Trails property. An irrigated “Zone A” shall be a non-combustible setback zone within the pad area between the residential structure and the wildland urban interface area, traditionally the furthest portion of the pad. “Zone B” shall be a landscaped irrigated zone beyond “Zone A” and terminating at the project boundary, with non-combustible construction which will act as a “heat-sink” from an impending wild fire. “Zone C” shall extend offsite as fuel modification. “Zone C” will be a temporary off-site fuel modification until the adjoining property is, or will be, developed. If this is the scenario an easement will be required for maintenance of the “Zone C”. If the adjoining property is developed prior to the development of the Spring Trails project, then the off-site fuel modification will not be required for Lots 30 and 233. The total fuel modification distance for lots 30 and 233 will be a minimum of 170 feet.
- For Lot 30, Zone A shall have a minimum/maximum distance of 20 feet, Zone B shall have a minimum distance of ~~8850~~ feet and a maximum distance of ~~11111~~ feet, and Zone C shall have a minimum distance of ~~3740~~ feet and a maximum distance of ~~62100~~ feet (a total of 15,469 square feet off-site Zone C).
- For lot 233, Zone A shall have a minimum/maximum distance of 20 feet, Zone B shall have a minimum distance of 68 feet and a maximum distance of ~~129139~~ feet in width, and Zone C shall have a minimum distance of 43 feet and a

3. Revisions to the Draft EIR

maximum distance of 80 feet (a total of approximately 20,706 square feet off-site Zone C).

Page 5.8-13, Section 5.8-3, Environmental Impacts. The following text revision has been made.

General Plan and Zoning

The project would be consistent with the City of San Bernardino General Plan. Under the existing General Plan designation of RE, the maximum density is 1 dwelling unit per acre. The project would require a General Plan Amendment to change the existing land use designation to Specific Plan, Residential Low (RL), allowing ~~3.1~~ 2.1 dwelling units per acre, an increase of ~~2.1~~ 1.1 dwelling units per acre. The project would be annexed into the City of San Bernardino and zoned Specific Plan RE (~~consistent with existing rezoning~~). The project's overall density over the 352.8-acre site would be 0.87 dwelling units per acre.

Page 13-2, Chapter 13, Bibliography. The following text revision has been made.

McGill, Tom. 2012. Memorandum: Availability of Conservation Properties for the Spring Trails Specific Plan.

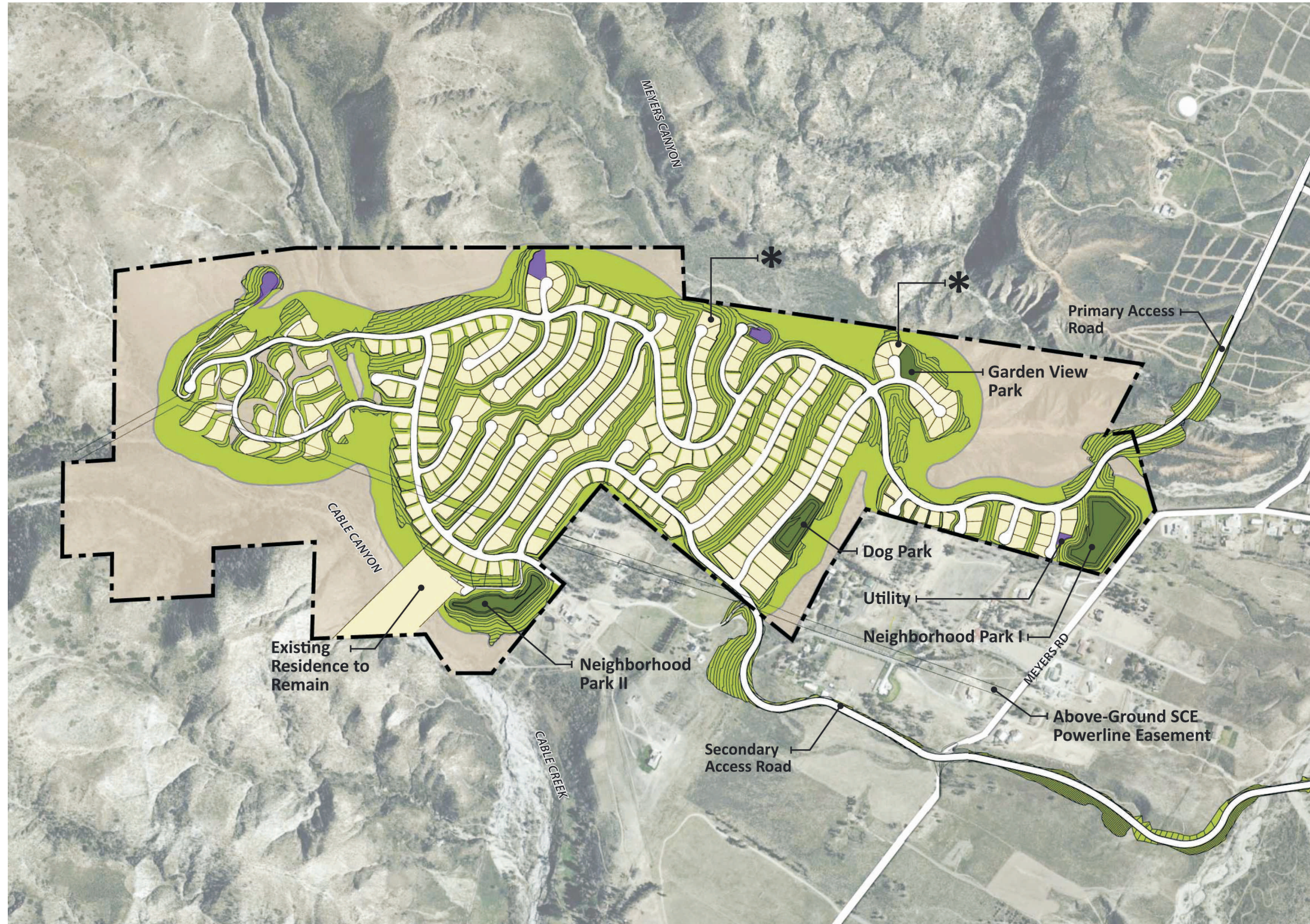
3.4 REVISED AND NEW FIGURES

The following figures have been revised.







3. Revisions to the Draft EIR

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Development Plan



Legend

	Residential
	Open Space - Natural
	Open Space - Controlled
	Parks
	Utility
	Road

Notes:

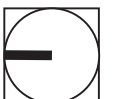
1. The Development Plan is a true representation of the use of land irrespective of legal lot lines and shows the areas where buildings may be located, graded slope areas, parks, roadways, and open space areas. The development potential shown in Table 2.1 is keyed to this figure.

2. When determining the use, development standards, and buildable area of each lot within Spring Trails, this Figure and its associated land use categories shall govern.

3. This Figure represents the intended development pattern of Spring Trails and minor adjustments to roadway alignments and widths, grading areas, buildable pad configurations, and land use boundaries may be made per the provisions of Chapter 6, Administration and Implementation.

4. The preferred development plan assumes that the SCE powerlines will remain above ground. The plan contained in Appendix F and Figure 2.2A shall be used if the powerlines are to be located underground.

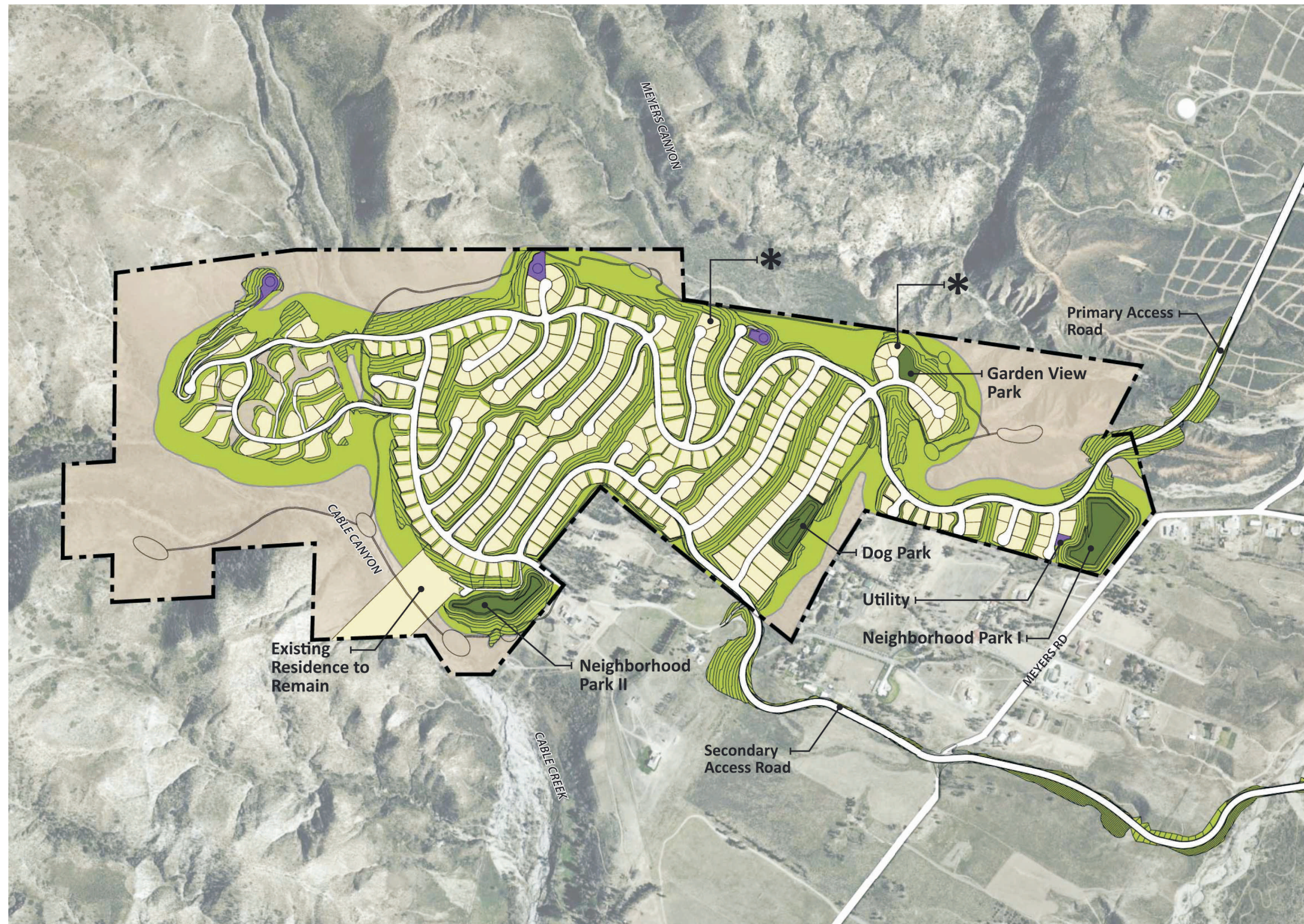
* Lots 30 and 233 are unbuildable unless the building pads are reconfigured in a manner acceptable to the fire chief.



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Alternative (Underground Electric Lines) Development Plan

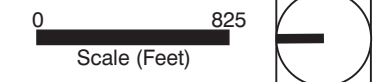


Legend

- Residential Developable Areas
- Open Space - Natural
- Open Space - Controlled
- Parks
- Utility
- Road

Notes:

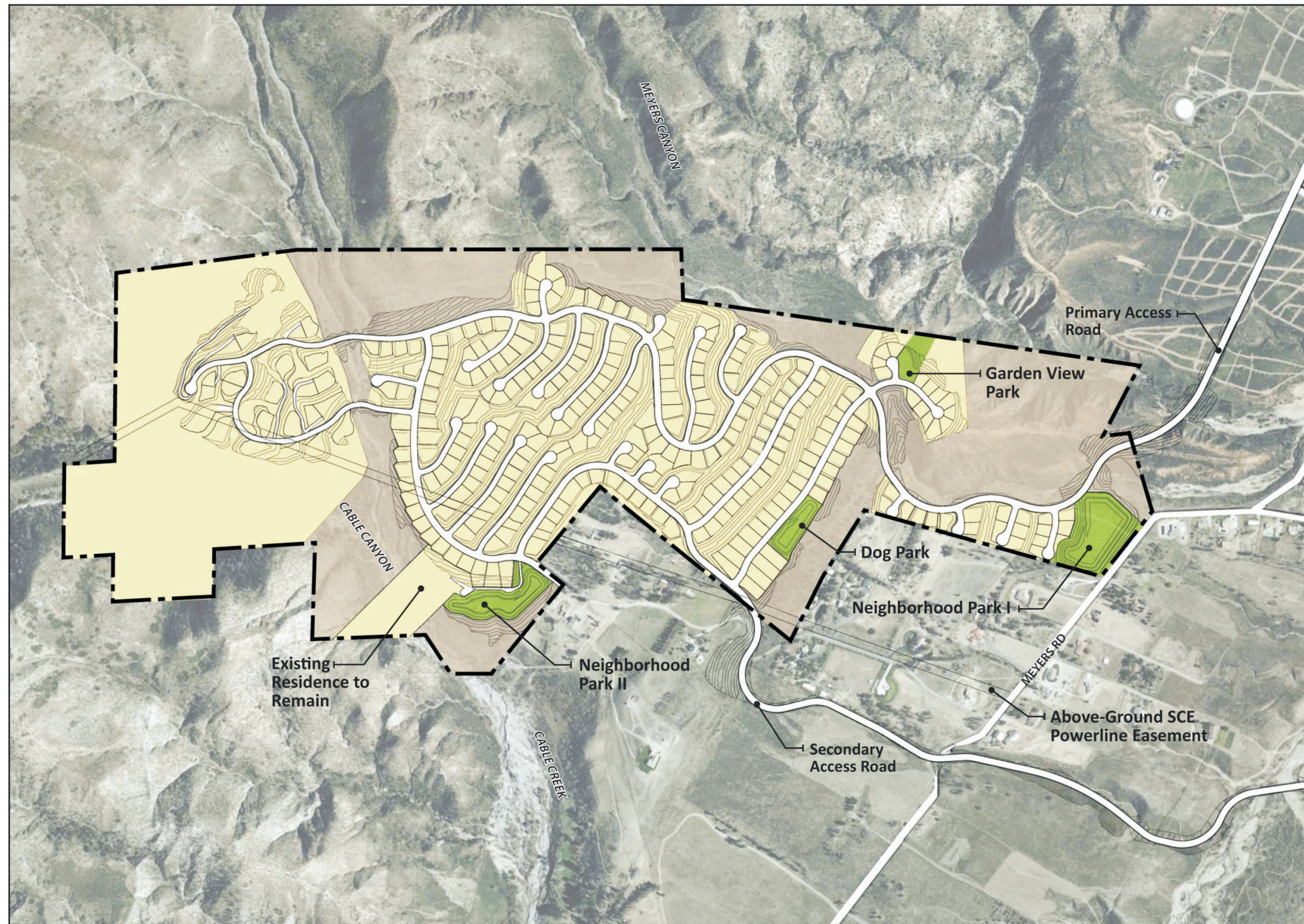
1. This Alternative Development Plan will be utilized if the SCE powerlines can be located underground.
 2. The Alternative Development Plan is a true representation of the use of land irrespective of legal lot lines and shows the areas where buildings may be located, graded slope areas, parks, roadways, and open space areas. The development potential shown in Table 2.1A is keyed to this figure.
 3. When determining the use, development standards, and buildable area of each lot within Spring Trails, this Figure and its associated land use categories shall govern.
 4. This Figure represents the intended alternative development pattern of Spring Trails and minor adjustments to roadway alignments and widths, grading areas, buildable pad configurations, and land use boundaries may be made per the provisions of Chapter 6, Administration and Implementation.
- * Lots 30 and 233 are unbuildable unless the building pads are reconfigured in a manner acceptable to the fire chief.



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Zoning Map

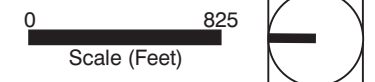


Legend

- Residential Estate
- Open Space
- Parks
- Site Boundary
- Parcel Lines



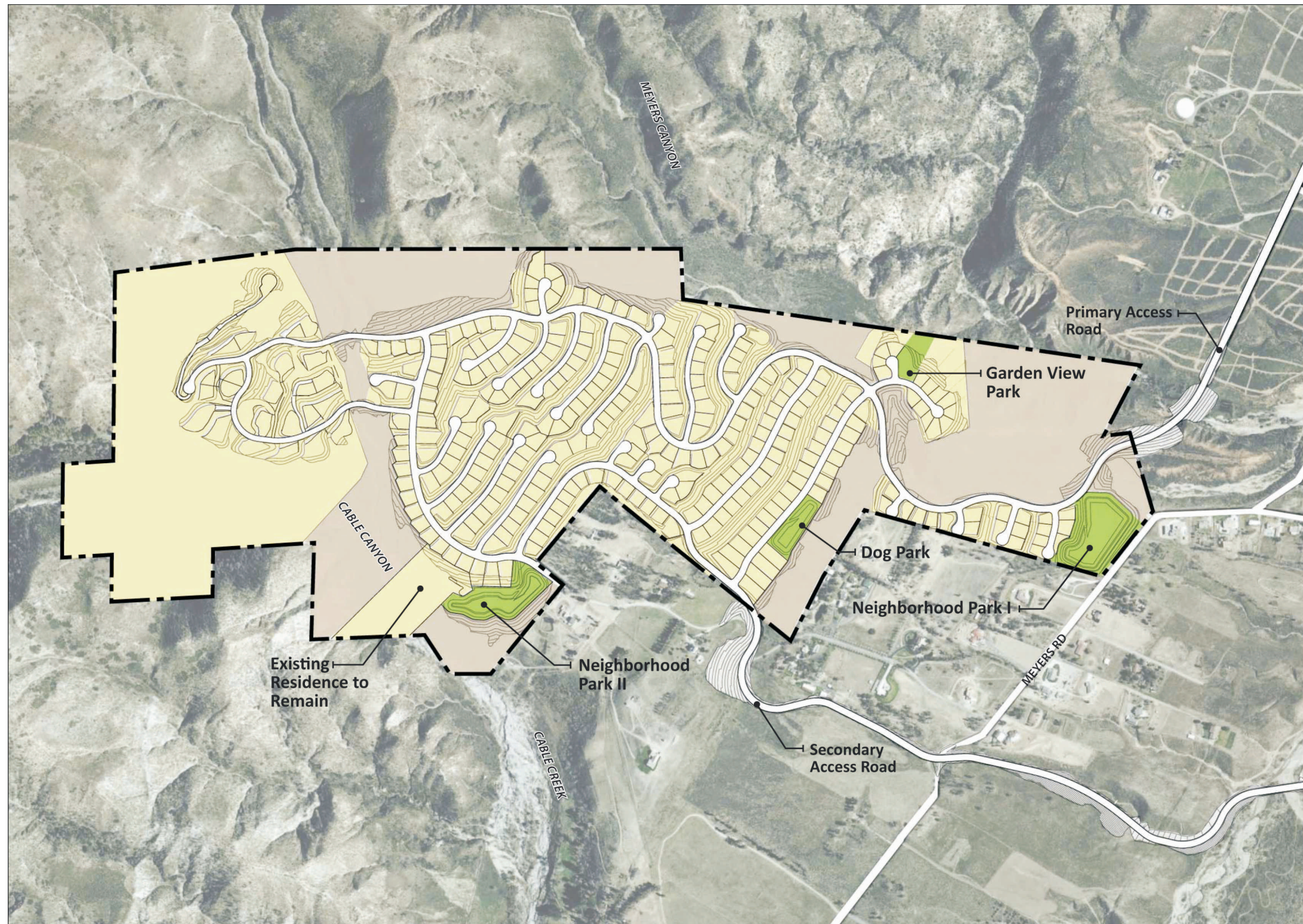
The Zoning Map is a depiction of the zoning designation of each lot. However, due to constraints such as fault zones and slope areas, the zoning does not provide a true picture of the use and buildable area of each lot. Therefore, when determining the use, standards, and buildable area for a lot, Figure 2.2, Development Plan, shall govern.



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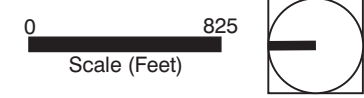
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Alternative (Underground Electric Lines) Zoning Map



- Legend**
- Residential Estate
 - Open Space
 - Parks
 - Site Boundary
 - Parcel Lines

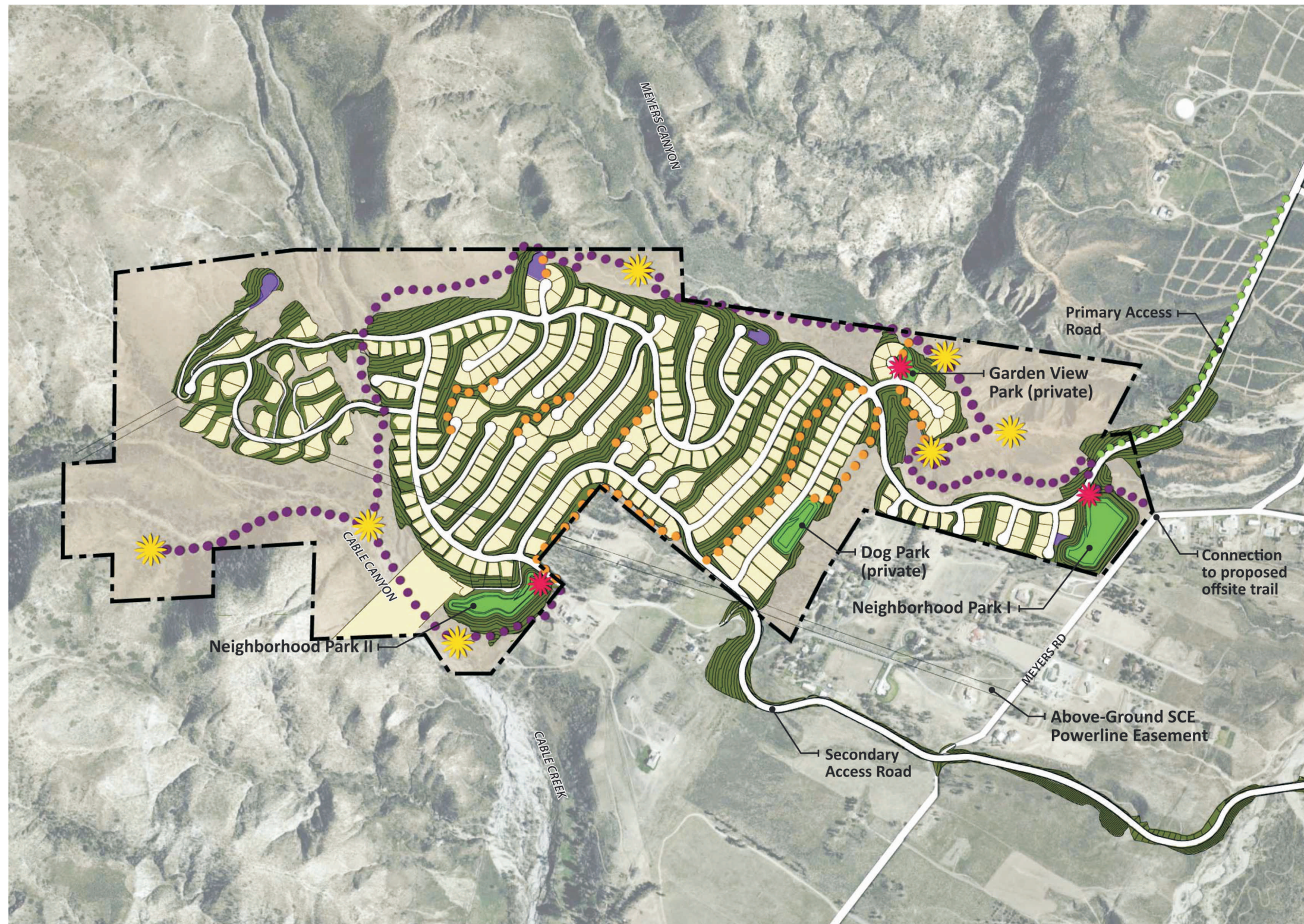
The Alternative Zoning Map is a depiction of the zoning designation of each lot. However, due to constraints such as fault zones and slope areas, the zoning does not provide a true picture of the use and buildable area of each lot. Therefore, when determining the use, standards, and buildable area for a lot, Figure 2.2A, Alternative Development Plan, shall govern.



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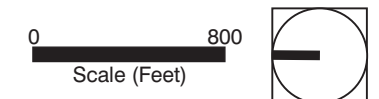
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Trails, Parks, and Open Space Plan



- Legend**
- Residential
 - Open Space
 - Parks
 - Graded Slopes
 - Utility
 - 12-foot Equestrian/Pedestrian Trail
 - 8-foot Community Trail (On-Street)
 - 4-foot Hiking Trail
 - Planned Trail (offsite)
 - Observation Point
 - Trailhead

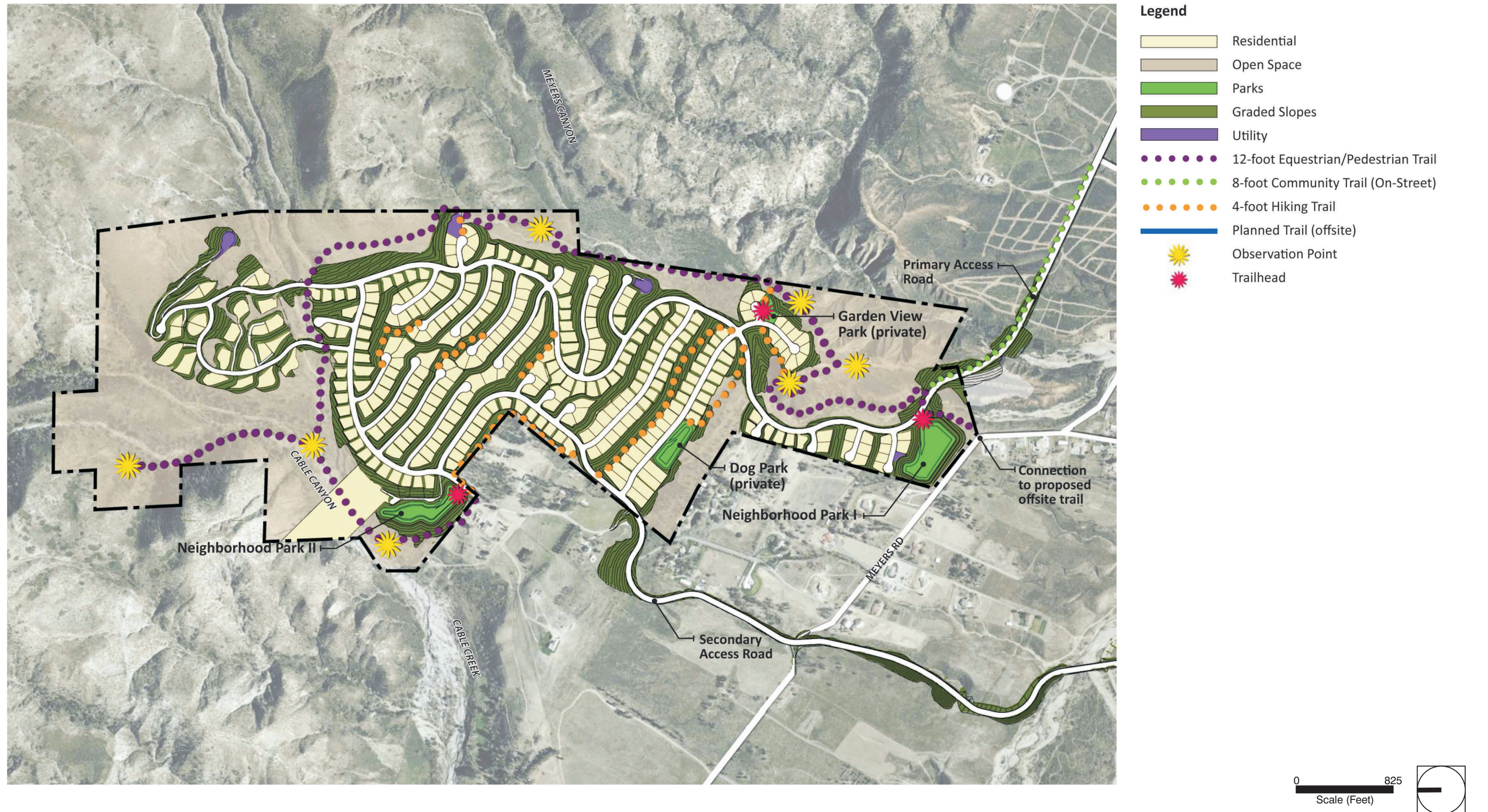
If permitted by SCE, a park and/or equestrian/pedestrian trail may be located under the power lines.



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Alternative (Underground Electric Lines) Trails, Parks, and Open Space Plan

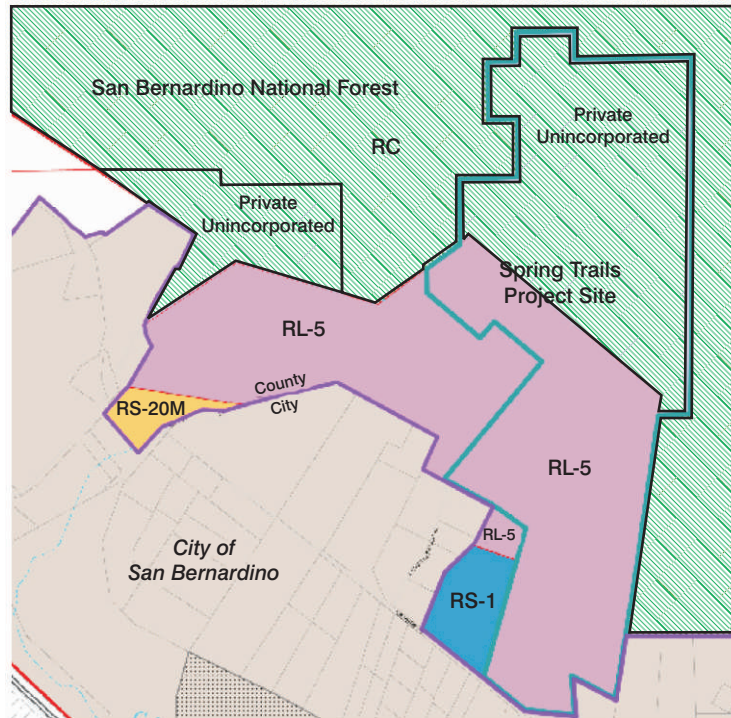


3. Revisions to the Draft EIR

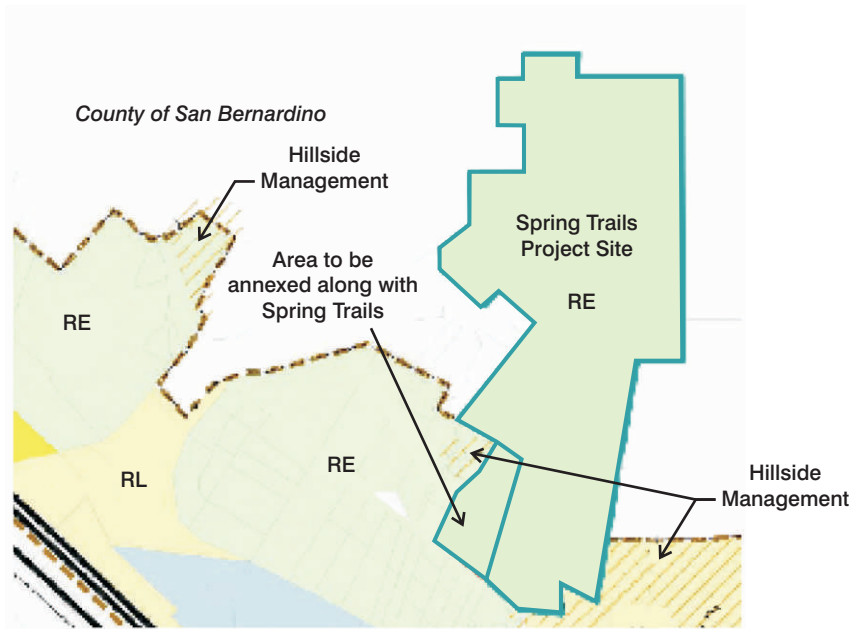
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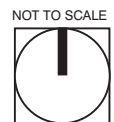
Existing Land Use Designations



County of San Bernardino Land Use



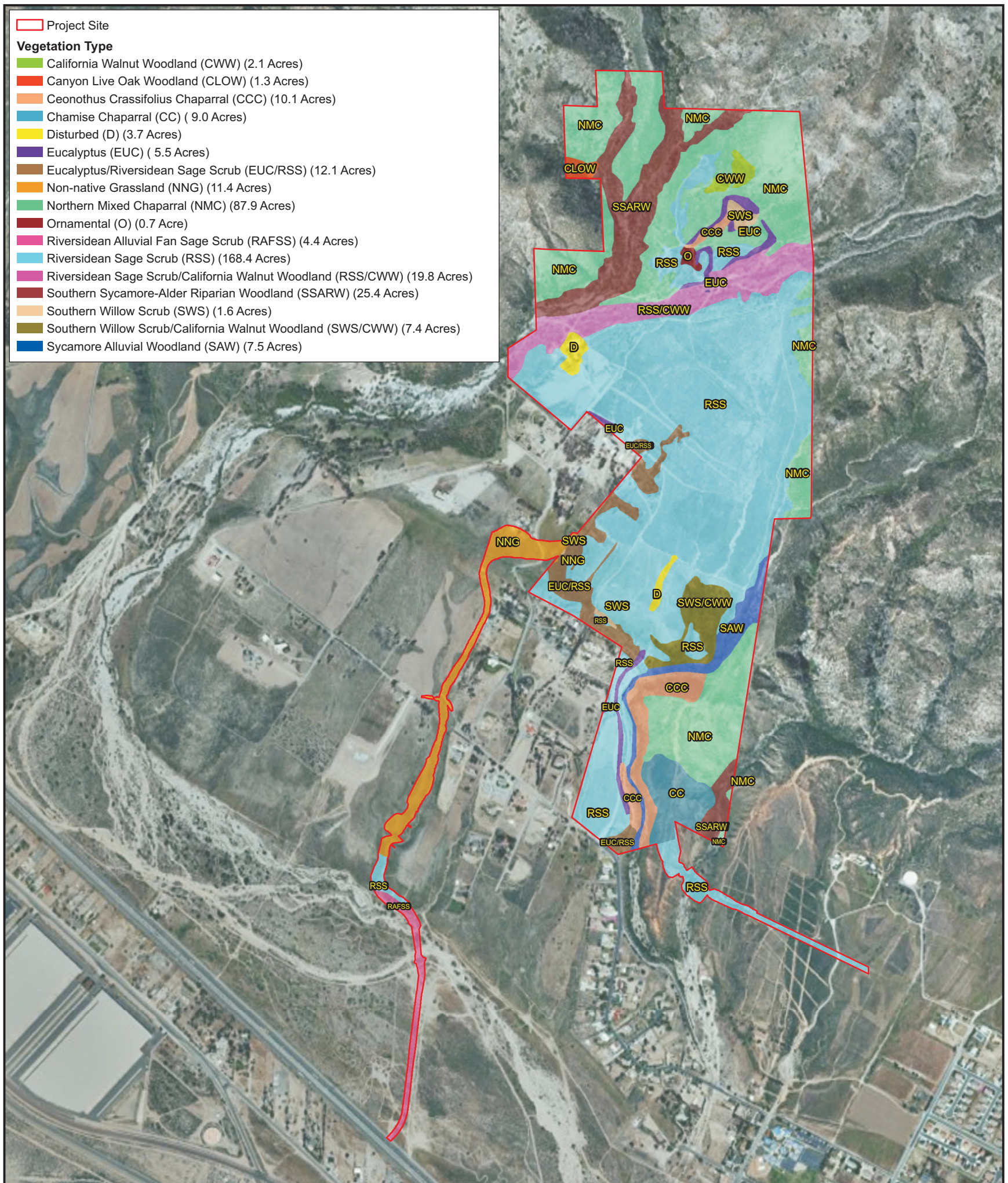
City of San Bernardino Land Use



3. Revisions to the Draft EIR

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Plant Communities Map

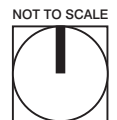
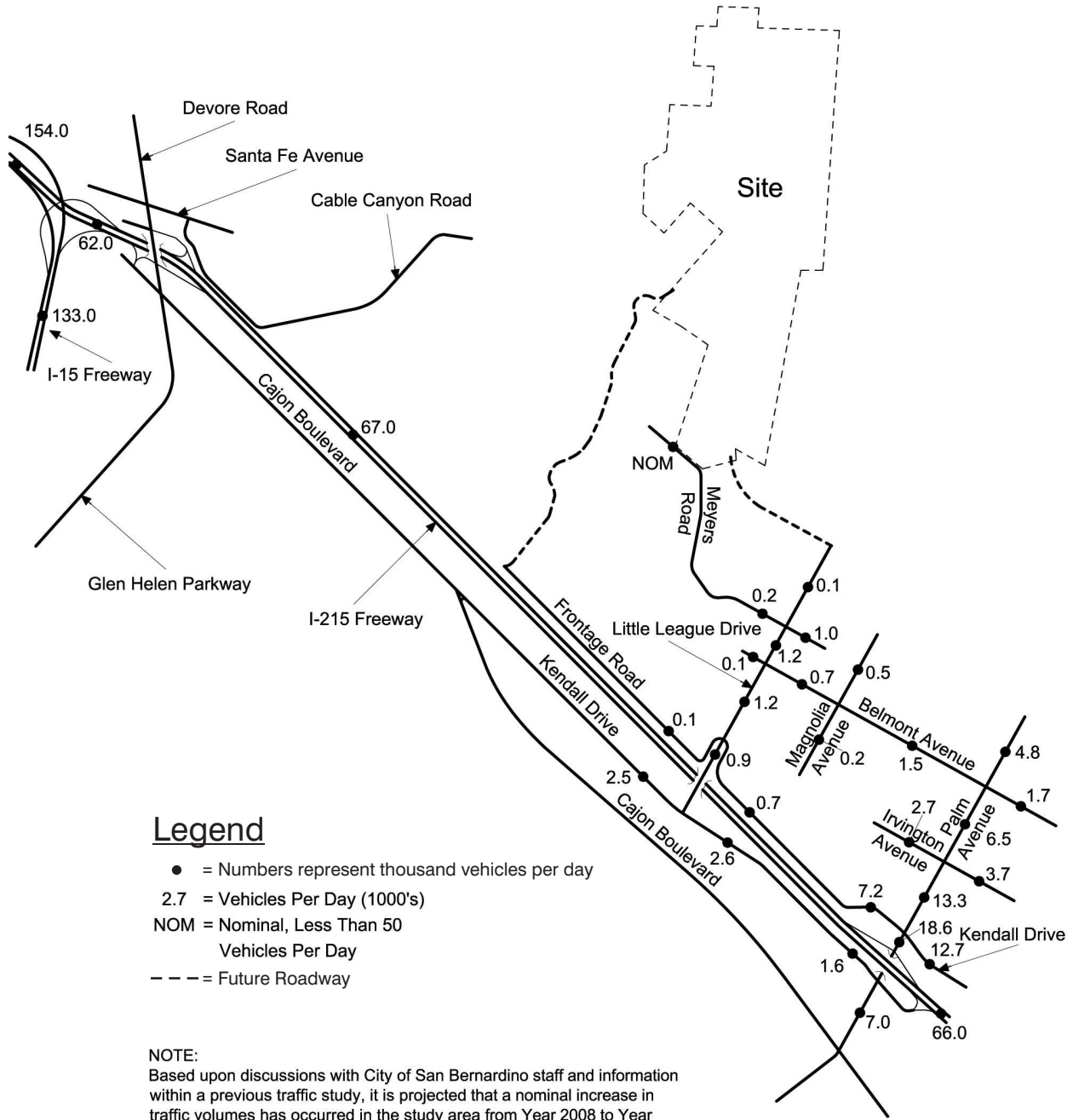


3. Revisions to the Draft EIR

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3. Revisions to the Draft EIR

Existing Average Daily Traffic Volumes



Source: Kunzman Associates Inc.

3. Revisions to the Draft EIR

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*Appendix A. Kunzman Associates Response to Caltrans
Comments*

Appendices

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October 5, 2011

Ms. Victoria Mata, Director of Planning
USA GLOBAL DEVELOPMENT CO.
100 Pacifica, Suite 345
Irvine, CA 92618

Dear Ms. Mata:

INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to provide responses to comments regarding the Spring Trails Traffic Impact Analysis (May 16, 2011). Comments were received from Caltrans in a letter dated September 21, 2011. The proposed development is located north of Meyers Road and west of Little League Drive in the City of San Bernardino. The project site is proposed to be developed with 329 single-family detached residential dwelling units.

COMMENT 1

Table 1, Figures 4, 5, and 6; there are two different years of traffic data collected for the proposed study. Label and verify the existing year (i.e. 2008 or 2009).

RESPONSE TO COMMENT 1

Table 1, Figures 4, 5, and 6 are attached and labeled with their existing year as a footnote or in their legend.

COMMENT 2

Existing truck volumes should be counted and then converted to Passenger Car Equivalent (PCE) volumes using PCE factors 1.5, 2.0, and 3.0 for 2-axle, 3-axle, and 4-or-more-axle trucks, respectively. Please verify the PCE calculations factor in Appendix B (traffic count worksheets), should be reflect in figures 5 and 6.

RESPONSE TO COMMENT 2

Existing intersection traffic conditions were established through morning and evening peak hour traffic counts obtained by Kunzman Associates, Inc. from October 2008 (see Appendix B of the traffic study)


Ms. Victoria Mata, Director of Planning
USA GLOBAL DEVELOPMENT CO.
October 5, 2011

and the resulting Passenger Car Equivalent traffic volumes (see Appendix C of the traffic study) are shown on Figures 5 and 6, respectively.

It has been a pleasure to service your needs on this project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 973-8383.

Sincerely,

KUNZMAN ASSOCIATES , INC.



Carl Ballard
Principal Associate



KUNZMAN ASSOCIATES, INC.



William Kunzman, P.E.
Principal

#4320d

cc: Ms. JoAnn Hadfield, THE PLANNING CENTER
Ms. Leah Boyer, THE PLANNING CENTER

Table 1

Existing Intersection Delay and Level of Service¹

Intersection	Traffic Control ⁴	Intersection Approach Lanes ²												Peak Hour Delay-LOS ³	
		Northbound			Southbound			Eastbound			Westbound			Morning	Evening
		L	T	R	L	T	R	L	T	R	L	T	R		
Little League Drive (NS) at:															
Meyers Road (EW) - #1	CSS	0	1	0	0	1	0	0	1	0	0	1	0	12.0-B	9.3-A
Belmont Avenue (EW) - #2	AWS	0	1	1	0	1	0	0	1	0	0	1	0	8.9-A	7.4-A
Frontage Road (EW) - #3	CSS	0	1	0	0	1	0	0	1	0	0	1	0	12.2-B	8.9-A
Kendall Drive (EW) - #4	CSS	0	0	0	1	0	1	0	1	0	0	1	0	9.7-A	9.6-A
Magnolia Avenue (NS) at:															
Belmont Avenue (EW) - #5	AWS	0	1	0	0	1	0	0	1	0	0	1	0	7.6-A	7.1-A
Palm Avenue (NS) at:															
Belmont Avenue (EW) - #6	AWS	0	2	0	0	1	0	0	1	0	0	1	0	9.8-A	9.2-A
Irvington Avenue (EW) - #7	TS	1	2	0	1	2	0	0	1	1	0	1	1	14.5-B	15.4-B
Kendall Drive (EW) - #8	TS	1	2	1>	1	2	0	1	1	1	1	1	1	31.3-C	31.2-C
I-215 Freeway NB Ramps (EW) - #9	CSS	1	1	0	0	2	0	0	0	0	1	0	1	29.2-D	29.9-D
I-215 Freeway SB Ramps (EW) - #10	AWS	1	1	1	1	2	0	0	1	1	0	1	1>>	34.8-D	14.2-B

¹ Based upon discussions with City of San Bernardino staff and information within a previous traffic study, it is projected that a nominal increase in traffic volumes has occurred in the study area from Year 2008 to Year 2011.

² When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.

L = Left; T = Through; R = Right; > = Right Turn Overlap; >> = Free Right Turn

³ Delay and level of service calculated using the following analysis software: Traffix, Version 7.9.0215 (2008). Per the 2000 Highway Capacity Manual, overall average intersection delay and level of service are shown for intersections with traffic signal or all way stop control. For intersections with cross street stop control, the delay and level of service for the worst individual movement (or movements sharing a single lane) are shown.

⁴ CSS = Cross Street Stop; AWS = All Way Stop; TS = Traffic Signal

Figure 4
Existing Average Daily Traffic Volumes

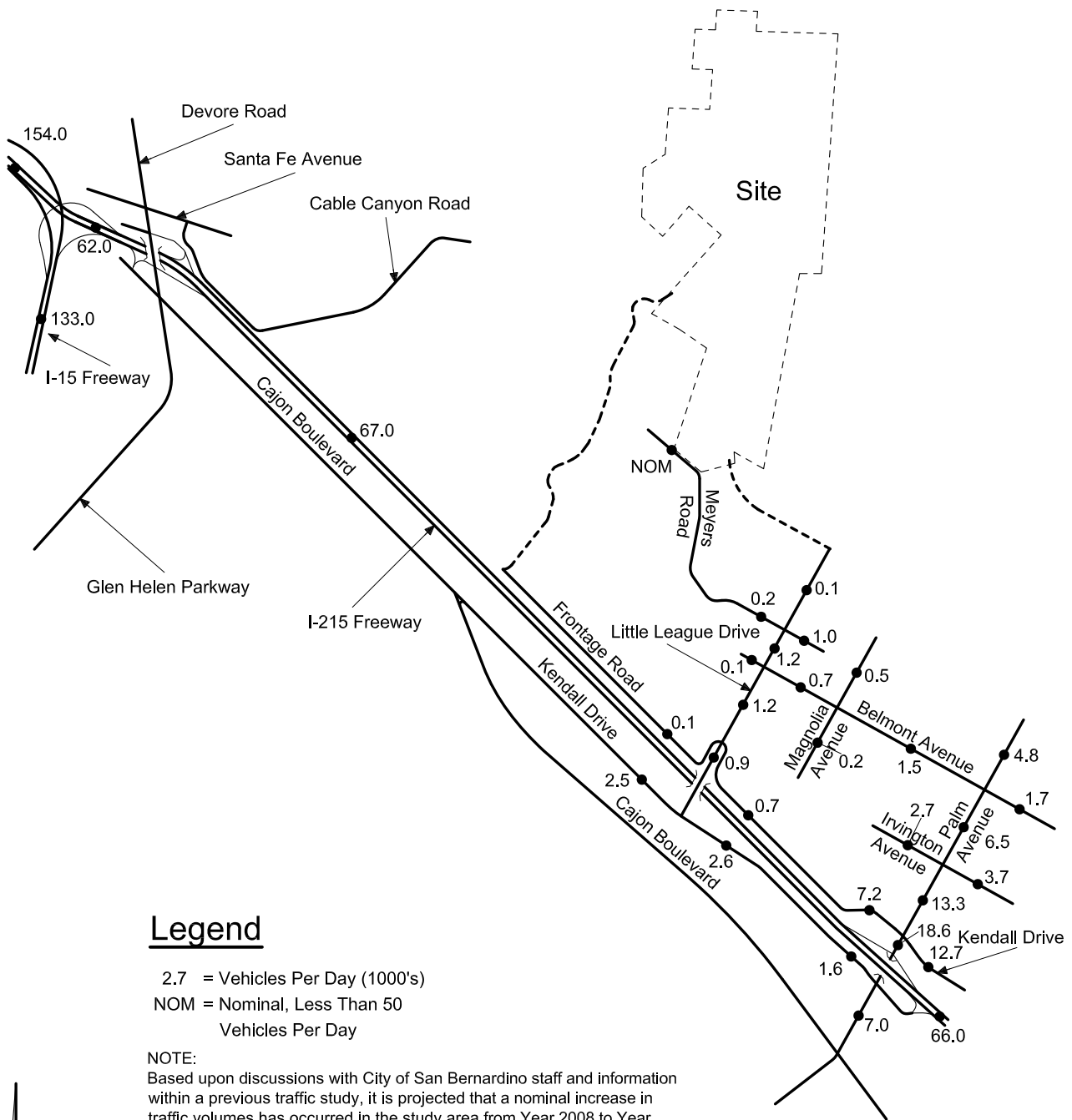
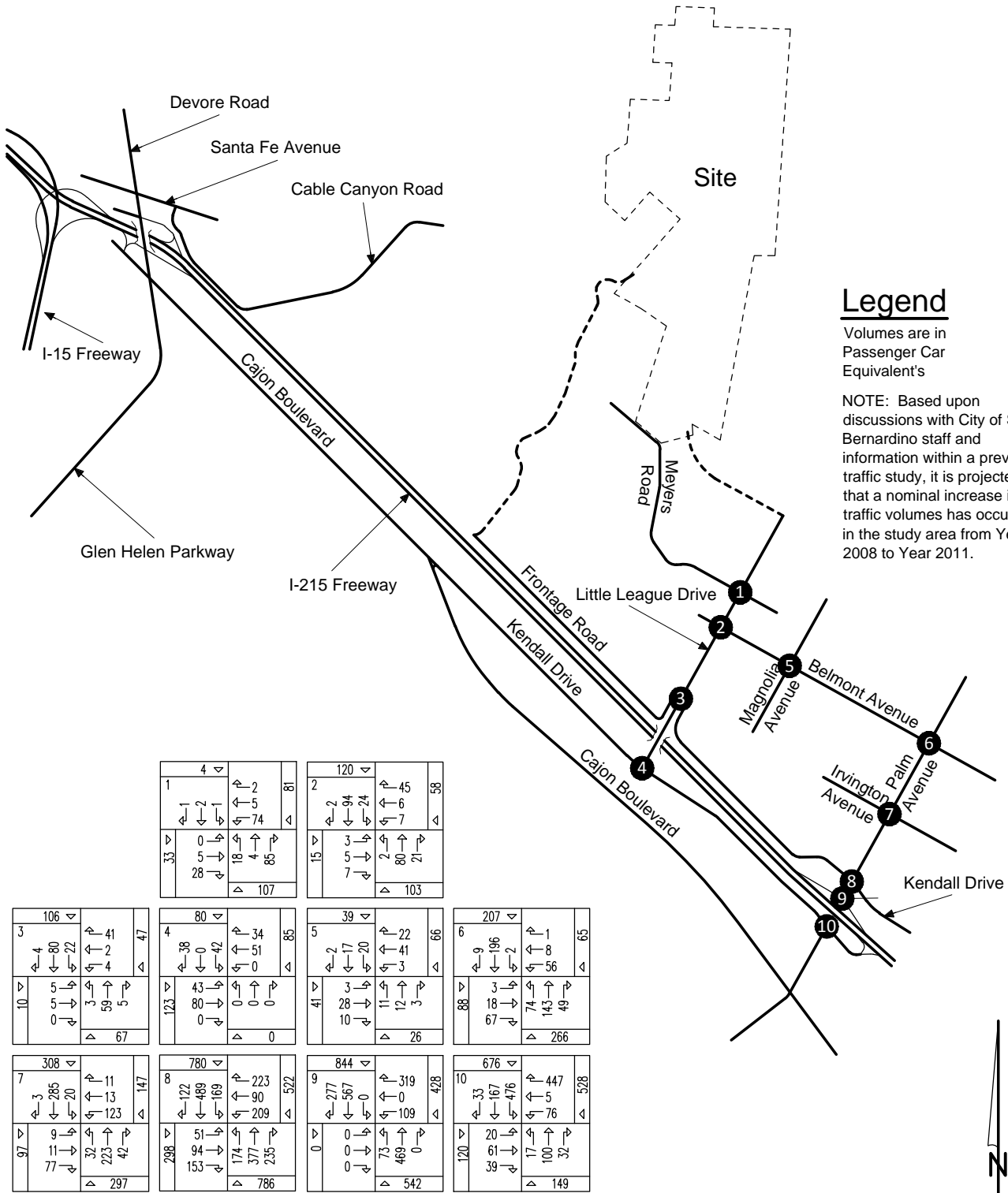


Figure 5
Existing Morning Peak Hour Intersection Turning Movement Volumes



Legend

Volumes are in Passenger Car Equivalent's

NOTE: Based upon discussions with City of San Bernardino staff and information within a previous traffic study, it is projected that a nominal increase in traffic volumes has occurred in the study area from Year 2008 to Year 2011.

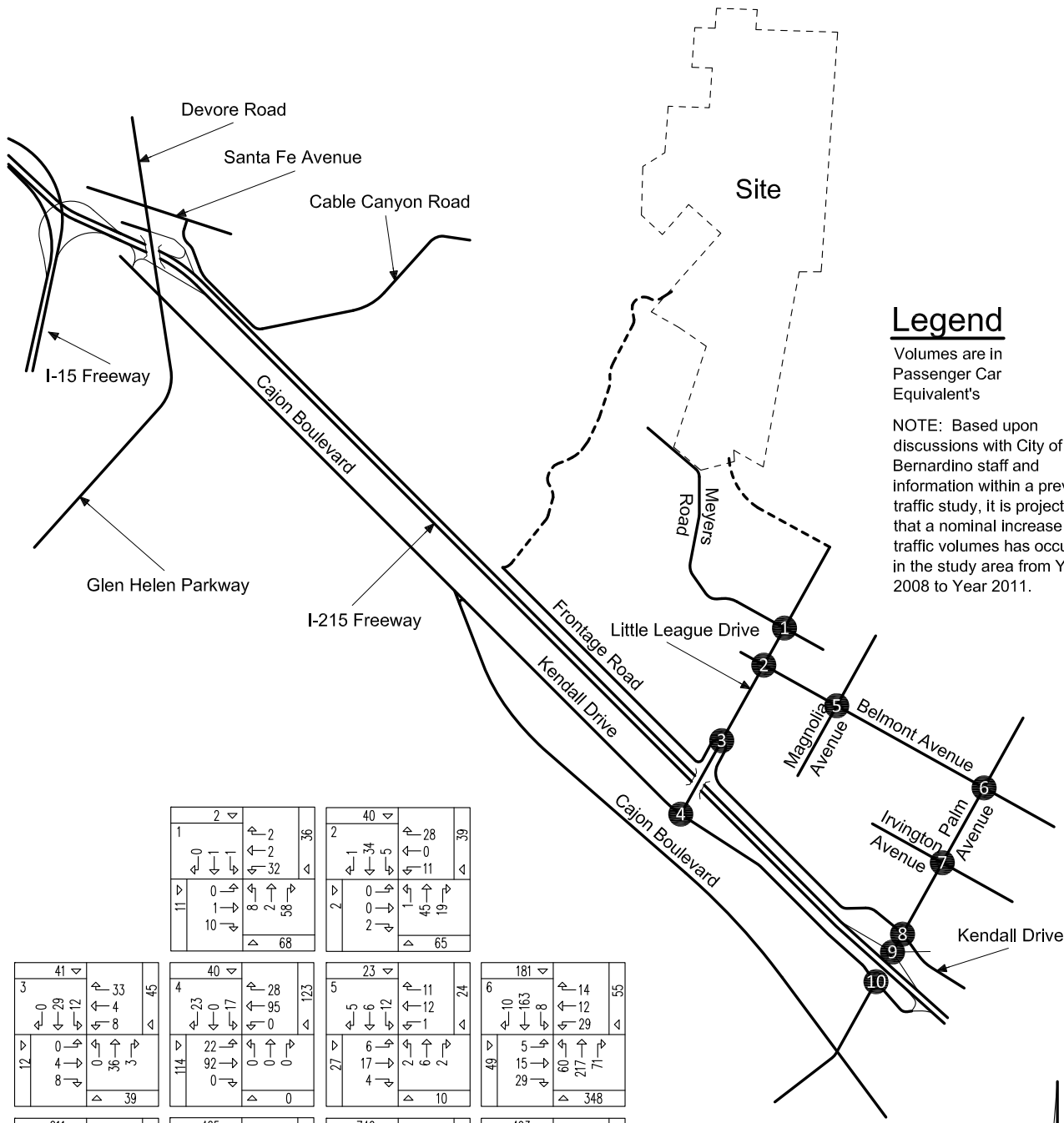
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KUNZMAN ASSOCIATES, INC. Intersection reference numbers are in upper left corner of turning movement boxes.

OVER 30 YEARS OF EXCELLENT SERVICE

4320d/5

Figure 6
Existing Evening Peak Hour Intersection Turning Movement Volumes



Legend

Volumes are in Passenger Car Equivalent's

NOTE: Based upon discussions with City of San Bernardino staff and information within a previous traffic study, it is projected that a nominal increase in traffic volumes has occurred in the study area from Year 2008 to Year 2011.

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*Appendix B. Kunzman Associates Response to County of
San Bernardino Department of Public
Works Comments*

Appendices

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November 28, 2011

Ms. Victoria Mata, Director of Planning
USA GLOBAL DEVELOPMENT CO.
100 Pacifica, Suite 345
Irvine, CA 92618

Dear Ms. Mata:

INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to provide responses to comments regarding the Spring Trails Traffic Impact Analysis (May 16, 2011). Comments were received from the County of San Bernardino in a letter dated September 1, 2011. The proposed development is located north of Meyers Road and west of Little League Drive in the City of San Bernardino. The project site is proposed to be developed with single-family detached residential dwelling units.

COMMENT 1

Intersection 4, Kendall Drive at Little League Drive: The eastbound through lane does not have the minimum 10% growth as stated on page 3 of the report.

RESPONSE TO COMMENT 1

The East Valley Traffic Model forecasts were used in the traffic impact analysis. Appendix C of the traffic impact analysis includes the future growth increment calculation worksheets for the study area intersections. The eastbound movement at Intersection 4, Kendall Drive at Little League Drive shows a nominal (negative) increase in growth based upon the traffic model forecasts. However, the overall intersection shows an increase from existing traffic volumes to Year 2035 traffic volumes of 39% $[(400-288)/288]$ during the morning peak hour and of 91% $[(530-277)/277]$ during the evening peak hour.

COMMENT 2

Intersection 4, Kendall Drive at Little League Drive: The existing morning volumes on Figure 5 do not match the count sheets.

RESPONSE TO COMMENT 2

So noted. The morning peak hour traffic count worksheet provided by National Data and Surveying Services had an Excel worksheet error. However, the traffic impact analysis did use the correct traffic

Ms. Victoria Mata, Director of Planning
USA GLOBAL DEVELOPMENT CO.
November 28, 2011

volumes. Appendix C of the traffic impact analysis includes the future growth increment calculation worksheets that are based upon the correct peak hour turning movement volumes.

COMMENT 3

There is a difference between the number of lots discussed in the Traffic Appendix (329 sites) and the main docs (307 sites).

RESPONSE TO COMMENT 3

At the time the traffic impact analysis was completed, 329 single-family detached residential dwelling units was proposed. The traffic impact analysis depicts a conservative analysis compared to the 307 single-family detached residential dwelling units currently proposed.

COMMENT 4

The San Bernardino General Plan circulation (page 14[22]) on Appendix K shows a collector road connecting Cable Canyon Road with Meyers Road. This connection is not addressed in mitigation of the identified impacts.

RESPONSE TO COMMENT 4

The Year 2035 traffic model includes the roadway network assumed for the traffic impact analysis. The City of San Bernardino General Plan Circulation Element illustrates the roadway network for General Plan Buildout conditions. The Year 2035 roadway network does not assume the collector road connection of Cable Canyon Road with Meyers Road.

It has been a pleasure to service your needs on this project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 973-8383.

Sincerely,

KUNZMAN ASSOCIATES, INC.



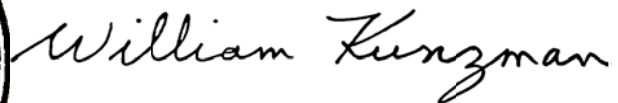
Carl Ballard
Principal Associate

#4320d1

cc: Ms. JoAnn Hadfield, THE PLANNING CENTER
Ms. Leah Boyer, THE PLANNING CENTER



KUNZMAN ASSOCIATES, INC.



William Kunzman, P.E.
Principal