

Section 2: Written Comments and Responses

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Written Comments and Responses

Since the completion of the Draft EIR Public Review Process, the County received a number of written comment letters from local residents and organizations. This section of the document addresses the written comments submitted on the proposed project. For oral testimony related to the project Planning Commission hearing held on August 3, 2016, refer to Section 3 (Public Testimony) of this document to review comments made during the public hearing and the staff response.

The following parties submitted comments on the proposed project in response to the Public Hearing notice:

<u>Comment Letter</u>	<u>Commenter</u>
PC 1	Annie Borel
PC 2	Aeonard Borel
PC 3	Alexander Ray Borel
PC 4	Emanuel Lin
PC 5	Endangered Habitats League
PC 6	Mission Pacific Land Company
PC 7	Sierra Club San Gorgonio Chapter/San Bernardino Valley Audubon Society
PC 8	Janlee Watson
PC 9	Highgrove Property Owner, LLC
PC 10	Joel Morse (T & B Planning)
PC 11	Colorado River Indian Tribes

Note: Only speakers who did not submit a comment letter are addressed in the public testimony section (Section 3 of this document). All speakers who gave spoken testimony and also submitted a commenter letter have been addressed in this section of the document.

Response to Comment Letter PC 1: Ray Borel

The commenter indicated a number of questions regarding the proposed neighborhood located on his property in the Southwest Area Plan. His property, along with his family's property, consists of 109 acres located in the French Valley Airport Vicinity (See EIR Exhibit 4.6-1), which contains both Neighborhood 1 and Neighborhood 2 of the French Valley Airport Vicinity.

Mr. Borel indicated during the August 3, 2016 Planning Commission hearing that his property was subject to an Agricultural Preserve agreement, and as such the proposed project would conflict with the existing agreement.

County staff reviewed Mr. Borel's comments in regards to his property, and due to the existing Agricultural Preserve on his property have recommended the removal of his property from the project. The removal of Mr. Borel's property has been included in the Planning Commission Staff Report, Post Production Land Use Change Table. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary.

Minegar, Peter

From: Gayk, Bill <BGAYK@rctlma.org>
Sent: Thursday, July 21, 2016 11:33 AM
To: 'ray borel'
Cc: Lovelady, Kristi; Nanthavongdouangsy, Phayvanh; Jolliffe, Jerry
Subject: RE: My property Leon and Allen roads (response 4)

Mr. Borel,

It is not uncommon for a parcel to have two or more land use designation/zoning. As proposed, part of the 109 acre parcel would be MUA and the remaining portion of the parcel would still be MDR (2 to 5du/Ac). Bill Gayk

-----Original Message-----

From: ray borel [mailto:rayborel69@yahoo.com]
Sent: Wednesday, July 20, 2016 5:34 AM
To: Gayk, Bill
Subject: Re: My property Leon and Allen roads

Good morning Mr. Gayk

I am in recipe of public hearing notice for GPA 1122 and ZC 7902 It says you are revising portions of several GPs through out the county.....some of these portions are very large in acre size. Our property is part of the Southwest GP put together in 1989. The notice says "Amendment"

There by you are not changing the GP in total. In conclusion don't you believe the balance of the 109 acres would still have the same designation (2 to 5du/Ac) as set in the Southwest GP or do you think it would have be challenged in court?

Sent from my iPhone

> On Jul 18, 2016, at 1:17 PM, ray borel <rayborel69@yahoo.com> wrote:

>

> Hello Mr. Gayk

> Please send me the date, time and address of the planning commission

> meeting concerning this property for new GP thank you Ray Borel Sent

> from my iPhone

>

>> On Jul 11, 2016, at 9:12 PM, Gayk, Bill <BGAYK@rctlma.org> wrote:

>>

>> Mr. Borel,

>> Below is a general explanation of the L shaped parcel and the use of the remaining land that my colleague provided. I will discuss your desire to exclude your family's property from this General Plan Amended and Zone change with my supervisor later. I will keep you posted.

>> Bill Gayk

>>

>> The French Valley/Borel site, Neighborhood 2, is sited in a very large parcel - too large, we surmised, for even a MUA w/HHDR in this area. So, we selected a small portion of it, bounded on the south by the edge of the Tualota Creek floodplain (we could have included the floodplain area, but development options would have been very limited), and on the east by a line co-linear with the centerline of Applegate Road to the north of Allen. Why? - because if there is a N-S street in the vicinity in the future, anywhere near Applegate (but not necessarily, of course), it'd probably need to line up w/Applegate, thereby providing both traffic access to the eastern side of the MUA, plus a buffer opportunity for whatever development (MDR?) would occur east of that.

>> The non-parcel boundaried nature of Neighborhood 2 does not constrain a variety of development application formats. For example, they could apply for a plot plan for a variety of uses over part or parts of the parcel without filing a parcel map to split the parcel along the MUA boundary, or, they could file an MDR tract map over the remainder of the parcel, with some flexibility along its westerly edge, since the MUA would allow "mixed residential densities" - including a moderate amount of MDR in the MUA area, too. There are many potential opportunities that they should be aware of.

>>

>> From: ray borel [rayborel69@yahoo.com]

>> Sent: Friday, July 08, 2016 6:33 AM

>> To: Gayk, Bill

>> Subject: Re: My property Leon and Allen roads

>>

>> That sounds ok, when posing the question find out what the intended

>> use of the balance of the 109 acre parcel.....thanks Ray Borel

>>

>> Sent from my iPhone

>>

>>> On Jul 7, 2016, at 4:56 PM, Gayk, Bill <BGAYK@rctlma.org> wrote:

>>>

>>> Mr Borel,

>>> I don't have an answer immediately to your question regarding the L shaped parcel. I have asked a colleague who worked on identifying the sites throughout the county to provide an answer. When I hear back from him, I will contact you. It may not be until Monday.

>>> Bill Gayk

>>>

>>> From: ray borel [rayborel69@yahoo.com]

>>> Sent: Thursday, July 07, 2016 10:27 AM

>>> To: Gayk, Bill

>>> Subject: My property Leon and Allen roads

>>>

>>> Call me 951 452 2399. When you explain the county of riverside agenda we are (the Borels) are opposed.....you are not dealing with legal parcels!!!! What are you doing?

>>>

>>> Sent from my iPhone

Minegar, Peter

From: Gayk, Bill <BGAYK@rctlma.org>
Sent: Monday, July 18, 2016 2:08 PM
To: 'Annie Borel'
Subject: RE: My property Leon and Allen roads (response to Annie)
Attachments: MUA_FrenchValleyAirportGPLU.pdf

Ann Borel,
Here is a copy of the map. Let me know if you have any questions.
Bill

From: Annie Borel [mailto:vjillannie@gmail.com]
Sent: Friday, July 15, 2016 9:48 AM
To: Gayk, Bill
Subject: Fwd: My property Leon and Allen roads

Hello Mr. Gayk

I am one of the owners of the "L" shaped properties. Could you please send a copy of the map denoting the planned changes.

Regards,

Ann Borel

----- Forwarded message -----

From: "Annie Borel" <vjillannie@aol.com>
Date: Jul 15, 2016 9:36 AM
Subject: Fwd: My property Leon and Allen roads
To: <Vjillannie@gmail.com>
Cc:

Sent from AOL Mobile Mail

-----Original Message-----

From: ray borel <rayborel69@yahoo.com>
To: Annie Borel <vjillannie@aol.com>
Sent: Tue, Jul 12, 2016 03:28 AM
Subject: Fwd: My property Leon and Allen roads

Sent from my iPhone

Begin forwarded message:

From: "Gayk, Bill" <BGAYK@rctlma.org>
Date: July 11, 2016 at 9:12:03 PM PDT
To: ray borel <rayborel69@yahoo.com>
Subject: RE: My property Leon and Allen roads

Mr. Borel,

Below is a general explanation of the L shaped parcel and the use of the remaining land that my colleague provided. I will discuss your desire to exclude your family's property from this General Plan Amended and Zone change with my supervisor later. I will keep you posted.
Bill Gayk

The French Valley/Borel site, Neighborhood 2, is sited in a very large parcel - too large, we surmised, for even a MUA w/HHDR in this area. So, we selected a small portion of it, bounded on the south by the edge of the Tualata Creek floodplain (we could have included the floodplain area, but development options would have been very limited), and on the east by a line co-linear with the centerline of Applegate Road to the north of Allen. Why? - because if there is a N-S street in the vicinity in the future, anywhere near Applegate (but not necessarily, of course), it'd probably need to line up w/Applegate, thereby providing both traffic access to the eastern side of the MUA, plus a buffer opportunity for whatever development (MDR?) would occur east of that. The non-parcel boundaried nature of Neighborhood 2 does not constrain a variety of development application formats. For example, they could apply for a plot plan for a variety of uses over part or parts of the parcel without filing a parcel map to split the parcel along the MUA boundary, or, they could file an MDR tract map over the remainder of the parcel, with some flexibility along its westerly edge, since the MUA would allow "mixed residential densities" - including a moderate amount of MDR in the MUA area, too. There are many potential opportunities that they should be aware of.

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Sent: Friday, July 08, 2016 6:33 AM
To: Gayk, Bill
Subject: Re: My property Leon and Allen roads

That sounds ok, when posing the question find out what the intended use of the balance of the 109 acre parcel.....thanks Ray Borel

Sent from my iPhone

On Jul 7, 2016, at 4:56 PM, Gayk, Bill <BGAYK@rctlma.org> wrote:

Mr Borel,

I don't have an answer immediately to your question regarding the L shaped parcel. I have asked a colleague who worked on identifying the sites throughout the county to provide an answer. When I hear back from him, I will contact you. It may not be until Monday.

Bill Gayk

From: ray borel [rayborel69@yahoo.com]
Sent: Thursday, July 07, 2016 10:27 AM

To: Gayk, Bill

Subject: My property Leon and Allen roads

Call me [951 452 2399](tel:9514522399). When you explain the county of riverside agenda we are (the Borels) are opposed.....you are not dealing with legal parcels!!!! What are you doing?

Sent from my iPhone

Response to Comment Letter PC 2: Annie Borel

The commenter requested a map indicating the proposed changes on her property, which was provided by County staff via email. Further, the commenter attended the August 3, 2016 Planning Commission hearing and noted concerns regarding the land use proposed on her property, and potential future impacts associated with increased development proximal to her property. The commenter's property is located in the Southwest Area Plan. The commenter's property, along with her family's property, consists of 109 acres located in the French Valley Airport Vicinity (See EIR Exhibit 4.6-1), which contains both Neighborhood 1 and Neighborhood 2 of the French Valley Airport Vicinity.

As indicated in Response to Comment PC 1 (Ray Borel) of this document, due to comments submitted during the public testimony component of the Planning Commission hearing the commenter's property has been removed from the proposed project, and the parcels would retain their existing land use designation and zoning. For further information regarding the removal of the subject property, refer to Response to Comment PC 1 (Ray Borel) of this document. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary.

Minegar, Peter

From: Aeonard Borel <aeonard@gmail.com>
Sent: Tuesday, July 19, 2016 10:10 PM
To: Gayk, Bill
Subject: Property At Borel and Allen Roads

Greetings Mr. Gayk -

My name is Royal Borel - Yes, the third of the three property owners affected by the intended "L-shaped" 8.92 acres (Neighborhood 2) on the South and East sides of Ray & Brenda's 10.56 acres (Neighborhood 1) at the subject location.

I have a concern about the response you gave my brother Ray to his question about re-zoning the 'very large parcel' that contains Neighborhood 2. You have provided a reason for shaping the curve on the South side of the "L" because it was bounded on the south by the edge of the Tualata Creek floodplain. This leads me to believe that the County currently has no intent to rezone any property in the floodplain of this Section anything other than OS-C or OS-R. If that is the case (I for one hope it is not), then my question is just how large is the remainder of the 'very large parcel' that it might be considered too large to rezone along with Neighborhood 2?

In support of rezoning the 'very large parcel', I also call to mind the Public Hearing Notice, that addressed re-zoning at other Airport Land Use Compatibility Plans:

- 1,424 gross acres between March, Perris, French Valley, and Cochran airports
- 239 gross acres at Thermal
- 807 gross acres at Winchester
- 123 gross acres at Highgrove
- 148 gross acres at Mead Valley
- 131 gross acres at Good Hope
- 155 gross acres at Nuevo
- and **19.48 acres in French Valley?**

Considering that any one of these projects is larger than our **entire** 109 acre parcel, it all but demands a response to the question: Why ISN'T the County rezoning this 109 acres to MUA-HDR?

The comparable size of the French Valley project glaringly appears to be only a token response to the requirement!

I suspect that my siblings and the County would agree that re-zoning the entire parcel would make far better sense than doing non-parcel boundary overlays, implementing plans now as compared to later.

On an outside note, I would also be interested in knowing where and how much of the 1,424 gross acres listed in the first entry above are going to be at the French Valley Airport.

Thank you for hearing me out. Hope to hear your response soon -

Aeonard 'Royal' Borel

Response to Comment Letter PC 3: Aeonard Borel

The commenter indicated a number of concerns and questions regarding the proposed neighborhood located on his property. The commenter's property is located in the Southwest Area Plan. The commenter's property, along with his family's property, consists of 109 acres located in the French Valley Airport Vicinity (See EIR Exhibit 4.6-1), which contains both Neighborhood 1 and Neighborhood 2 of the French Valley Airport Vicinity.

As indicated in Response to Comment PC 1 (Ray Borel) of this document, due to comments submitted during the public testimony component of the Planning Commission hearing, the commenter's property has been removed from the proposed project. For further information regarding the removal of the subject property, refer to Response to Comment PC 1 of this document. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary.

Minegar, Peter

From: Emanuel Lin <linemanuel@gmail.com>
Sent: Thursday, July 21, 2016 1:15 PM
To: Gayk, Bill
Subject: My support to GPA1122 and CZ7902 re my APN 326-250-011 in Good Hope Neighborhood 1
Attachments: p.13 MeadValleyAreaPlan in DEIR548, GoodHopeNeighborhood1 Map - BellamoNeitzelt7thStEllisAve.pdf; pm081_078 T4S R4W §36, SE 7th St. & Hwy 74 (44' to Webster, Ruby Hardy) 1980-08-22.pdf; pm077_053 1980-04-18 44' Bellamo Ln road easement from Veria Ct.tif

Dear Bill,

On July 18, 2016, I received the subject Notice of Public Hearing for August 3, 2016 on the proposed Project referenced above. It listed you as Project Manger with your email address.

I live in Houston, Texas and own a 10-acre APN 326-250-011 commonly addressed on the sale contractor as 23886 Bellamo Lane, Perris, CA 92570 when I bought it in 1979. It is located in Good Hope Neighborhood 1 as depicted on page 13 of Mead Valley Area Plan in DEIR548 - Housing Element. (See attached "p.13")

Upon the receipt of subject Notice, I downloaded and studied the Mead Valley Area Plan in DEIR548. It has a lot to learn. But so far, it appears to propose the Highest Density Residential (HHDR) land use for the Good Hope Neighborhood 1 where my property resides. Am I correct generally speaking?

Would you kindly answer following questions to help me conduct further research?

Q1. Is it true the Project is proposing a Highest Density Residential (HHDR) land use for the Good Hope Neighborhood 1 where my property resides?

Q2. I would love to develop a mixed-use project on my 10 acres property with an electronic assembly plant producing something like iPhone on the ground floor and dormitory on the upper floors for the workers. Is it permissible if and when the proposed Project passes? I would like it to pass.

Q3. On the attached subject Neighborhood 1 site map, it has a side note "(MUA: 50% HHDR)". What does it mean? Does it mean I can only use 50% of my 10 acres for Mixed-Use?

Q4. On the attached subject Neighborhood 1 site map, it identifies my property with lot number "27". Where did you get this number 27?

Q5. The subject Good Hope Neighborhood 1 is bound by Bellamo Lane on the east that intersects Ellis Avenue on its southern boundary as shown in the attached site map. However, I only found lot 46 (Parcel Map No. 12,615 attached) and lot 19 (Parcel Map No. 12,427 attached) have such dedications to the Bellamo Lane. Will the proposed Project help the community to fully develop the entire Bellamo Lane from 7th Street on the north to Ellis Avenue on the south?

Q6. How did Riverside County recognize this undeveloped and unpaved dirt road as Bellamo Lane and used it to describe as subject Neighborhood 1's eastern boundary? Is it because Bellamo Lane has been a public street for decades? How come houses along Bellamo Lane get their addresses as Bellamo Lane even though continuous Bellamo Lane technically does not exist on a parcel map? Can you shed some light? Can you cite some California state regulations, such as Street and Highway Code, for me to study more? In short, when does a street become a named street in California before it is fully dedicated and developed?

I feel it will be good for the community for the proposed Project to move forward. I support it.

Sincerely yours
S. Emanuel Lin

Response to Comment Letter PC 4: Emanuel Lin

The commenter, who owns property within the Mead Valley Area Plan, indicated support for the proposed project. The commenter owns a 10-acre parcel (APN 326-250-011) that is located in Neighborhood 1 of the proposed Good Hope Community. Further, the commenter requested information regarding the implementation of future projects on his parcel, and potential uses that he would be able to develop on his parcel. Staff directed the commenter to the proper resources to address his questions and appreciates the commenters support for the proposed project. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. No further response is necessary.

Minegar, Peter

From: Nanthavongdouangsy, Phayvanh <PNANTHAV@rctlma.org>
Sent: Monday, August 01, 2016 12:16 PM
To: Minegar, Peter
Cc: Gayk, Bill; Clack, Shellie; Jolliffe, Jerry; Weiss, Steven; Lovelady, Kristi
Subject: FW: GPA 1122, Planning Commission, August 3, 2016, Item 4.1

Hi Peter,

Please include this letter in the memo to PC.

Thank you,
Phayvanh

From: Dan Silver [mailto:dsilverla@me.com]
Sent: Monday, August 01, 2016 12:06 PM
To: Stark, Mary
Cc: Johnson, George; Perez, Juan; Weiss, Steven; Nanthavongdouangsy, Phayvanh; Clack, Shellie; North, Tiffany; Balderrama, Olivia; Field, John; Magee, Robert; Mike Gialdini; Hernandez, Steven
Subject: GPA 1122, Planning Commission, August 3, 2016, Item 4.1

VIA ELECTRONIC MAIL

August 1, 2016

Planning Commission
Riverside County
ATTN: Mary Stark
4080 Lemon St
Riverside CA 2501

RE: GENERAL PLAN AMENDMENT NO. 1122 (Agriculture Foundation and Entitlement/Policy), ORDINANCE NO. 348.4840, CHANGE OF ZONE NO. 7902, ENVIRONMENTAL IMPACT REPORT NO. 548, Planning Commission, August 3, 2016, Item 4.1

Dear Chair and Members of the Commission:

Endangered Habitats League (EHL) wishes to pose basic questions for your consideration as you review GPA 1122 in detail. As you know, this GPA would bring the County into compliance with State law to meet its share of the Regional Housing Needs Assessment (RHNA). In EHL's view, the various cities should take on a greater share of the RHNA, as infrastructure and services can almost always be better provided in these more urban locations. But granted that the County must provide these thousands of lower income and more affordable housing units, the proposed use of Mixed Use Areas with Highest Density Residential (MUA/HHDR) and Town Centers makes the most sense. However, please examine the following closely:

1) Will the MUA/HHDR units actually be built out, or will they remain "paper units"? To what extent will market forces work, and to what extent might financial incentives be needed?

2) Do the locations for MUA/HHDR and Town Centers represent good planning? Are they in locations that are served by transit now or are likely to be served in the future? Are the locations proximate to job centers, or will they simply perpetuate the long commutes and the regional jobs-housing imbalance? Will they provide walkability to schools and activity centers?

3) Would the MUA/HHDR units reduce vehicle miles traveled (VMT) compared to other scenarios or make the County's greenhouse gas emissions reduction requirements even harder to attain? What is the relationship between these new designations and the County's Climate Action Plan?

Locating MUA/HHDR in what have historically been low density, completely automobile dependent rural locations is problematic, and we urge your attention to the above considerations.

Thank you for your considering our views, and sincerely,

Dan Silver
Executive Director

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

Response to Comment Letter PC 5: Endangered Habitats League

The commenter noted a number of general questions related to the proposed project, for consideration by the Planning Commission. The commenter stated that the cities within the County should be required to provide housing to assist in meeting the County's RHNA. It should be noted that the cities within the County (and throughout the State) are required to meet a separate RHNA for their respective jurisdiction. As such, the County must also provide housing opportunities in addition to those provided within incorporated areas.

In regards to market forces and their impact on project implementation, market forces will control the development of future units. It is anticipated that units will be developed as proposed by the project; however, the rate at which these units are developed would be in response to market demands. The updated Housing Element would allow for projects to receive grant funding that could allow for some incentives for development.

In regards to the locations of the MUA/HHDR neighborhoods, as extensively explained in the Housing Element, the County undertook a lengthy site selection process in order to locate future development sites in areas that would best facilitate future development. This was done through the use of a set of site selection criteria (refer to Housing Element page H-125). These criteria included lands within the existing General Plan Community Development Foundation, the availability/proximity of local community-supportive facilities and services (existing or prospective future facilities), availability/proximity of intra- and interregional transportation facilities (existing or prospective future facilities), availability/proximity of supportive on-site and site-edge land use and environmental characteristics, availability/proximity of existing or prospective future primary on-site infrastructure (roads, sewer, and water), and flexibility in individual site development options. Further, the location of neighborhood sites considered proximity to multiple beneficial uses, including existing and future job centers, retail opportunities, and school facilities. While no one site contains all of these features, the County selected sites that contain as many of these features as possible while apportioning development throughout the County to provide greater potential future housing options for its citizens.

In regards to the MUA/HHDR units and future VMT, it is anticipated that the higher density and mixed use sites will allow for internal trip capture due to the proximity of some commercial and other non-residential uses. Further, sites have been located proximal to existing urban centers in order to allow for service uses in the vicinity of the proposed neighborhoods and facilitate and capitalize on future public transit options. The proposed project, and future implementing projects, would be subject to the requirements of the County's Climate Action Plan.

In regards to the location of sites in historically low density areas, refer to the response related to site selection above.

August 1, 2016

Mr. Bill Gayk
County of Riverside
TLMA Planning Department
PO BOX 1409
Riverside, CA 92502-1409
bgayk@rctlma.org

Subject: Proposed General Plan Amendment No. 1122, Change of Zone No. 1902, and Ordinance No. 348.4840

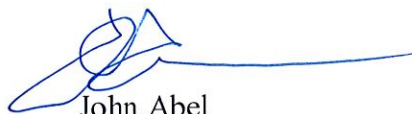
Mr. Gayk,

MPLC Lakeview Estates, LLC has received Notice of Public Hearing for Planning Commission meeting scheduled for August 3, 2016. The notice states the commission will hear proposed countywide land use changes per GPA No. 1122, CZ No. 1902, and Ord. No. 348.4840. MPLC Lakeview Estates, LLC owns property that is impacted by the referenced land use cases. Specifically, APN's: 308-140-005, 308-140-003, 308-150-005, 308-160-003 thru 009, 308-170-001 thru 019, 308-170-021, 308-170-022, 308-170-024, 308-180-002, 308-180-004 thru 016, 308-190-001 thru 012.

After reviewing the documents provided, we have concerns with the proposed land use changes. MPLC Lakeview Estates, LLC, an affiliate of Mission Pacific Land Company purchased the property based on the current MDR land use designation. The proposed change to MUA with 25% HHDR is not consistent with the approved Tentative Tract Map on the property (TTM 29315), and negatively impacts the development potential.

Based on the above, MPLC Lakeview Estates, LLC respectfully requests Planning to remove the subject parcels from the proposed land use change being heard on August 3, 2016 by the Planning Commission.

Sincerely,



John Abel
MPLC Lakeview Estates, LLC

Response to Comment Letter PC 6: Mission Pacific Land Company

The commenter noted opposition to the proposed project due to an existing tentative tract map (TTM 29315, Approved in 2004) that consists of 96 acres of MDR development located in the proposed Lakeview Nuevo Area Plan Lakeview Town Center. The proposed Lakeview Town Center consists of seven neighborhoods, of which neighborhoods 1-4 contain/are adjacent to the existing 96 acres within TTM 29315. The development proposed under TTM 29315 is consistent with the MDR land use designation, and does not propose HHDR development as included in the MUA (25% HHDR requirement).

County staff have reviewed the Mission Pacific Land Company tentative tract map, in conjunction with the proposed project, and recommend the removal of the tract from the proposed project. This has been noted in the Planning Commission Staff Report Post Production Land Use Change Request Table. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary.



**San Bernardino Valley
Audubon Society**

Dear Riverside County Planning Commission:

August 1, 2016

Re: DEIR/FEIR No. 548 (Housing Element) and GPA No. 1122 and CZ No. 7902

This letter is submitted on behalf of the San Bernardino Valley Audubon Society (SBVAS) and the Sierra Club on the Riverside County Housing Element and DEIR/FEIR No. 548. The Sierra Club and the SBVAS finds it difficult to understand how with several good comment letters submitted, there is basically no acceptance of their constructive information. With a Housing Element (HE) for as many as “73,255 more housing units and 240,805 more people in the unincorporated County in comparison to build out of GPA 960” there will be significant impacts.(3.0-3) “The Riverside County General Plan Update Project No. 960 was approved after environmental impacts of the plan were evaluated in Environmental Impact Report No. 521 (State Clearinghouse #200904105). This previous analysis was considered in evaluating the impacts associated with the proposed project and is incorporated by reference.” (2.2-2)

The San Bernardino Valley Audubon Society (“SBVAS”) is a non-profit 501(c)(3) corporation and a local chapter of the National Audubon Society. In spite of its name, the chapter covers almost all of San Bernardino and Riverside counties. SBVAS has about 2000 members, with over a thousand of those living in Riverside County. SBVAS is an

educational and public interest environmental organization. Its mission is to help educate the public as to the importance of the natural environment, and to preserve habitat for birds and other wildlife. SBVAS and its members, while primarily interested in birds, are acutely aware that birds flourish only when an entire ecosystem is healthy and viable. They are therefore very concerned about the subject under discussion.

The Sierra Club is a national nonprofit organization of over 732,000 members dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives. Over 193,500 Sierra Club members reside in California and the San Geronio Chapter of the Sierra Club has 2,600 members that live in Riverside County

The GPA 960 EIR purported to analyze the impacts of its Plan assuming "mid-range" projections for population, dwelling units, and floor-area ratios, rather than analyzing the impacts associated with the scope of development actually authorized by the Plan. CEQA, however, requires lead agencies to analyze the impacts associated with the "whole of an action" and does not permit the lead agency to assume that some of the authorized development will not be built. CEQA Guidelines § 15378(a).

The GPA 960 RDEIR attempts to justify its failure to describe and analyze the entirety of the proposed Plan by stating that mid-range projections would be most representative of a reasonably foreseeable future build-out. The County has taken the "reasonably foreseeable" language from the definition of project under the CEQA Guidelines, but has misinterpreted its meaning. Under CEQA, a project means "*the whole of an action*", which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable

indirect physical change in the environment” CEQA Guidelines § 15378(a). “Reasonably foreseeable” describes the likelihood of indirect impacts; it does not suggest that an EIR need only evaluate the “reasonably foreseeable” aspects of a project. Here, the whole of the action is the level of development permitted under the General Plan.

The response to Sierra Club’s Draft EIR comments concerning mid-range doesn’t resolve the concerns we raise. Simply saying that the EIR provides substantial support as does the General Plan Appendix E-1 to justify the mid-range use fails, as stated in our last letter, to provide convincing information. As you acknowledge the GPA 960 and the Climate Action Plan are “under litigation”. The Sierra Club believe it would be wise to wait for the outcome before proceeding with the HE. As is mentioned above, much of this plan relies on “previous analysis” of the approval of GPA 960. Current land use patterns as well as those in GPA 960 and this HE undercut the County’s ability to reduce its greenhouse gas emissions so that it can help avoid the catastrophic effects of climate change or, as the Sierra Club says, Climate Disruption. In our opinion this makes all of your cumulative, direct, and indirect as well as growth inducing impacts required by CEQA inaccurate and misleading to the public and decision makers.

Section 3.7 of the Draft EIR on Greenhouse Gas (GHG) emissions concludes with Mitigation Measures and the words “None feasible” (3.0-94) Table 3.7-2 lists potential statewide impacts, but the document fails to address specific impacts to Riverside County. The HE environmental documents need to address GHG impacts in our County to public health, water resources, floods and droughts as well as forests and landscapes. What mitigation measures can be implemented to reduce these impacts also needs to be included?

Directing growth to urban areas would have many benefits, including reductions in energy consumption, road and infrastructure costs, vehicle miles traveled, air pollution, and greenhouse gas emissions. It would also protect the County's farmland, open space, plant and

wildlife habitat, and water quality and quantity. This document and those with GPA 960 on which this one relies fail to fully address the impacts of climate change on water supply or to adequately analyze how the County will meet water demands of future residents in times of prolonged drought. The Sierra Club and SBVAS believes that the GPA 960 EIR sidesteps this issue as well as increased water demand of new residents by citing unpredictability and uncertainty of future water supply. Therefore the HE EIR must analyze and answer the above concerns on water or it will violate CEQA.

There is no scientific or factual basis supporting this EIR or GPA 960 EIR's assertion that new development that is merely 25 percent below "business-as-usual" will not interfere with California's near term emission objectives. The HE's environmental documents reliance on those of GPA 960's makes them flawed. The HE document also relies on the County's recently approved Climate Action Plan (CAP) that "has a process to incorporate ranked GHG-reducing Implementation Measures (IM)" (2.2-22) The CAP's EIR and therefore this EIR mistakenly assumes — without substantial evidence and with limited enforcement mechanisms — that a series of IM's for new development outlined in the CAP will result in significant GHG emission reduction. "The emission reduction program contained in the CAP were developed to comply with the requirements of AB 32 and achieve the goals of AB 32 Scoping Plan." (2.3-22) This shows that the HE EIR is relying on the flawed CAP which is currently in litigation. The Sierra Club and SBVAS again recommends that the County waits until this litigation is resolved before approving the HE.

The County in this EIR and GPA 960 EIR failed to explain to the public and decision-makers how the air pollution resulting from both plans will adversely impact human health — especially the young and elderly. While both EIR's acknowledge such effects will be significant and unavoidable, they fail to disclose the actual public health consequences in Riverside County other than the generic information in table 3.3-1. While there are methodologies to perform this analysis

in the project area, the County's refusal to analyze these impacts to health violates CEQA. The HE puts too many people near freeways and major roads as well as railroad tracks. It is widely acknowledged that living within 1,500 feet of such transportation corridors impacts people's health and that is why the Los Angeles Department of Public Health recommends that schools, housing and other sensitive land uses adhere to best-practices mitigations like proper air filtration systems when this occurs. Unless you can make sure those living in these units stay inside all the time and can afford the necessary filters, then it would be better not to site these uses within 1,500 feet of transportation corridors. The Housing Element would allow a considerable amount of residential development adjacent to freeways, highways, and railroad tracks at the following locations:

- SR 111 and the railroad tracks in North Shore Town Center. Housing Element .
- SR 79 in Winchester Town Center..
- Ramona Expressway/Mid County Parkway in Lakeview Town Center.
- Highway 74 in Good Hope Community. .
- Cajalco Road in Mead Valley Town Center.
- I-10 within the Desert Edge, Southeast Desert Hot Springs Communities.
- I-10 and railroad tracks within the I-10/Haugen Lehmann Ave. Community.

While their EIR's do state the traffic induced by the HE and GPA 960 Plans will emit toxic air contaminants, diesel particulate matter and particulate matter, they provide no study of the Plans' impacts to public health and no mitigations for these effects. The County continues to approve too many logistic centers/warehouses with their many toxic

diesel trucks, but fails to even acknowledge in the HE's EIR that these trucks are accountable for any of our PM10 and PM 2.5 pollution. (table 3.3-1) Because you do not acknowledge this, you do not offer any mitigation. The County could require only 2010 or newer trucks and only Tier IV or better off road construction equipment and electric fork lifts/hostlers for warehouses in Riverside County. The County could also begin implementing the California Freight Action Plan which is available at the following link: <http://www.casustainablefreight.org/> .

Riverside County has portions of three air basins and each contains pollution standards that are hazardous to human health. The HE EIR acknowledges this, but fails to offer significant mitigations. Those living in the northwest section of the County are exposed to toxic air contaminants that create additional inhalation cancer risks of greater than 250 persons per million and many more hospitalizations as well as lost days of work. In the Salton Sea Basin there is no mention of the toxic dust that will result from the Salton Sea continuing to decrease in size for lack of water or the smell which I can sometimes detect in western Riverside County. Both are a concern to the SCAQMD and need to be thoroughly discussed in the HE environmental documents. The Mojave Desert Air Basin is also in nonattainment for ozone, PM10 and PM2.5 Directing growth towards urban areas would have many benefits, including reduction in energy consumption, road and infrastructure costs, vehicle miles traveled, air pollution, and greenhouse gas emissions. It would also protect open space, farmlands, and wildlife habitat, and water quality and quantity. The County continues with the HE to promote sprawl and lose the opportunity to promote sustainability. In 2014 Smart Growth America designated the Riverside area the fourth worst metropolitan area for sprawling land use development, based on the County's lack of density, lack of connectivity, and high separation of land uses. The Sierra Club and the SBVAS urges the County to develop a land use

alternative that places HHDR/MUA's where they reduce environmental impacts and promote sustainability. We hope the County will realize the importance of actually putting these HHDR/MUA's much closer to urban areas instead of saying we put them where they are after thorough review and study.

The HHDR/MUA neighborhoods in eastern Coachella Valley and the Lakeview/Nuevo area are leapfrog development and need to be put much closer to urban areas where public services are much easier to access. People in these units need easy access to libraries, health services, educational and recreational opportunities, public transportation and jobs. How will the County reimburse cities that will have to provide many of these services to those who are not their residents — if they are able to reach the cities? In eastern Coachella Valley how will you make sure there are services available for both water and wastewater as well as other public services? The Lakeview/Nuevo area is subject to significant flooding and dam inundation. The response to our DEIR comments on this does not do justice to our serious concern and doesn't solve a worse case scenario as required by CEQA. As this letter is being written there is flooding beyond the 100 year event taking place throughout much of the United States. When you have that type of flooding combined with the collapse of the Lake Perris Dam and/or the Hemet Dam what will happen to this area that you are recommending 1,000's of families should live as part of the HE?

The Lakeview/Nuevo area is being placed where it will also be growth inducing and impact the biological resources of the San Jacinto Wildlife Area (SJWA). The Western Riverside County Multiple Species Habitat Conservation Plan relies on the SJWA and the adjacent Lake Perris as a Core Reserve. They also are major lands for the Stephens' Kangaroo Rat Habitat Conservation Plan. The Audubon Society has

made the SJWA and its surrounding lands an Important Birding Area (IBA) as shown in the following link:

http://media.wix.com/ugd/09ca00_728292545f674c7b8b52209faafbf723.pdf.

The HE and GPA 960 environmental documents do not adequately disclose and analyze each Plan's impacts to biological resources. Both Plans minimize and disregard the impacts to sensitive species and habitats from anticipated new development. In violation of CEQA the EIR's rely on the Western Riverside County Multiple Species Habitat Conservation Plan and the Coachella Valley Multiple Species Habitat Conservation Plan mitigation measures, despite the uncertainty and potential ineffectiveness of many of those measures.

Housing for those with very low income can be a percentage of regular apartment units for a designated number of years. Why hasn't the County provided this much needed housing by using this method? There are many positive benefits in providing low income housing by doing this. The Final EIR needs to show how many units over the life of the Housing Element could be provided in this manner.

While the County tries to convince people that it is a model for concentrated growth and reduced sprawl in order to protect its diverse environmental resources and rural, agricultural, and open spaces, the GPA 960 and this HE are far from achieving these sustainable goals. They both facilitate the conversion of rural, semi-rural, agricultural, and vacant lands to the detriment of environmental resources.

Between 2008 and 2013 Riverside County lost 23,000 acres of cultivated farmland. These lands also provided significant open space resources and habitat for many biological species. The EIR's analysis of agricultural resources impacts are deficient as were those in GPA

960. The EIR doesn't even address the growth inducing impacts caused by Lakeview/Nuevo HHDR/MUA and what will happen to those agricultural lands in the area. Draft EIR 548 also needs to address the Villages of Lakeview (VOL) with its 8,900 units. It is on the Planning Department's website and was last updated on 7-19-2016. With the VOL Draft EIR coming out before the end of the year, it would be very easy to factor in the additional units and include them with cumulative impacts. The same is true with Paradise Valley, which is also on the Planning Departments website. Its NOP has already been circulated and its Draft EIR is expected to be out one year from now. Its 8,500 units is also a reasonably foreseeable project which needs to be included in your list of projects and units, or your Final EIR will be inadequate. While there has been no Draft EIR review of these two massive projects, they will almost assuredly result in many of the same impacts as the General Plan Update (GPU) and the proposed HE. The County's failure to analyze the cumulative environmental effects of both of these planned developments, together with the HE and the GPU, is an egregious CEQA violation. CEQA guidelines 15355.

As the cornerstone of the CEQA process, the EIR must disclose and analyze a project's potentially significant environmental impacts. In addition, the EIR also must inform decision-makers and the public of feasible mitigation measures and alternative project designs or elements that would lessen or avoid the project's significant adverse environmental impacts. The HE's DEIR 548, environmental documents and errata fail to adequately disclose, analyze, or mitigate the Plan's significant impacts on the environment, including but not limited to the Plan's direct, indirect, and cumulative impacts on biological resources, air quality, public health, climate change, agriculture, and water. The HE's reliance on GPA 960 and the CAP previous approvals make its environmental documents inadequate. Our decision makers would be wise to wait until the litigation on these

documents is settled before approving the Housing Element. The Sierra Club incorporates by reference our NOP and Draft EIR comments on Riverside County's Housing Element.

Please keep the Sierra Club and the SBVAS informed of all future meetings and documents related to Riverside County's Housing Element by using the addresses below.

Sincerely,

George Hague

Sierra Club

Moreno Valley Group

Conservation Chair

26711 Ironwood Ave

Moreno Valley, CA 92555

Drew Feldman

Conservation Chair

San Bernardino Valley Audubon Society

P.O. Box 10973

San Bernardino, CA 92423-0973

**Response to Comment Letter PC 7: Sierra Club San Gorgonio Chapter/
San Bernardino Audubon Society**

The commenter noted a number of concerns regarding the proposed project, and EIR No. 548. The comments were submitted in addition to the Sierra Club's comments submitted on Draft EIR No. 548 (Refer to Final EIR No. 548, Response 12 and Response 15).

The commenter notes a number of concerns related to the General Plan Update (GPA No. 960) Environmental Impact Report (EIR No. 521) and the methods used within the EIR No. 521 analysis, specifically the use of a mid-range socioeconomic forecast for the project. While these comments are noted, County staff thoroughly addressed the use of this analysis methodology in EIR No. 521, EIR No. 521 Response to Comments, and the staff report for GPA No. 960/EIR No. 521 for the Planning Commission and Board of Supervisors in 2015. EIR No. 521/GPA No. 960 are separate from the current GPA No. 1122 effort, as such while these comments are noted they are not related to the proposed project. The commenter also notes the pending litigation of GPA No. 960, and asserts that the current planning process should be halted until GPA No. 960 is no longer under litigation. While this comment is noted, due to the unknown length of the GPA No. 960 litigation and the required timeline of State housing law, the proposed project must continue despite litigation on other General Plan projects. The Draft EIR for the proposed project provides detailed analysis as it relates to direct, indirect, and cumulative environmental impacts. The Draft EIR, counter to the commenter's opinion, is neither inaccurate nor misleading and instead provides suitable analysis for meaningful public review and informed decision-making.

In regards to the GHG analysis contained within the EIR, the GHG analysis provides extensive information related to potential GHG impacts in EIR No. 548 Section 3.7. As described in Section 3.7, emissions associated with the full development potential allowed under the proposed project would not surpass the year 2020 or year 2035 significance thresholds. However, impacts were determined to be significant and unavoidable due to the programmatic and conceptual nature of the proposed project and the uncertainties related to future individual projects. It should be noted that the thresholds utilized in the analysis were developed by the SCAQMD and the GHG CEQA Significance Threshold Working Group which are intended to allow the region meet the State's GHG reduction targets. The State's GHG reduction targets were developed in order to avoid impacts associated to public health, floods and droughts, water resources, and forests and landscapes. As such, an analysis of the project against the proposed SCAQMD thresholds also addresses impacts to these issue areas. In addition, projects required to obtain a grading permit would be subject to a CEQA review, as the County of Riverside requires discretionary review of all grading permits. As such, future individual projects developed under the proposed Housing Element would be required to undergo an evaluation of potential GHG emissions-related impacts specific to the individual project, on a case-by-case basis and comply with the provisions of the Climate Action Plan.

The commenter notes concerns about the EIR's analysis related to water supply. The EIR extensively addresses public services and utilities throughout the EIR, including in the Greenhouse Gas (Section 3.7), Hydrology and Water Quality (Section 3.9), and Utility and Service Systems (Section 3.17) analysis sections.

The EIR, as noted in Section 3.7, analyzes the proposed project and its impacts on Greenhouse Gas emissions. As stated above, the EIR analysis incorporates analysis methods that quantify cumulative

impacts and long-term climate change impacts including, but not limited to, public health, water resources, and biological resources.

The commenter states that the EIR should address potential health impacts related to air pollutants generated from mobile emissions, specifically adjacent to freeways. The analysis provides sufficient information related to air quality emissions and potential health effects as required by CEQA (Appendix G). The commenter also notes the Los Angeles Department of Public Health 1,500 foot buffering requirement for roadways, speculating that 1,500 feet must therefore be the “safe zone” for air quality impacts. The EIR provides a detailed analysis of mobile source pollution, and potential impacts from these pollutants in Section 3.3, Air Quality, of the EIR. In regards to the 1,500 foot Los Angeles Department of Public Health standard, the SCAQMD has adopted the California Air Resources Board 500 foot buffer standard as it has been proven that the concentration of criteria pollutants drops significantly at the 500 foot buffering distance, and that the 1,500 foot distance provides minimal benefit beyond the 500 foot buffer. For further information, refer to the discussion provided starting on Page 3.0-22 of the EIR. The comment related to logistic centers and warehouses is not relevant to the proposed project and requires no further response.

In regards to the Salton Sea, and potential impacts to air quality as a result of dropping water levels, the Salton Sea is a critical issue for the County and is addressed specifically on page 4.8-5 of EIR No. 548. The EIR states, “The sea’s decreased water level, increased salinity level, and exposed water bed has created economic, environmental, and public health issues for this community as well as the surrounding desert communities. Implementation of this Town Center MUA and HHDR development is largely dependent on the Salton Sea Authority Salton Sea restoration efforts.” The commenter does not raise any particular environmental issues or shortcoming on the part of the EIR, only a general reference to the Salton Sea and its potential air quality and odor issues. Although the projected exposure of the Salton Sea bottom due to dropping water levels has the potential to become a new dust source, it should be noted that air quality and fugitive dust in this portion of the County are managed by the South Coast Air Quality Management District. The SCAQMD has an adopted Coachella Valley PM10 State Implementation Plan that identifies control strategies and measure commitments to reduce fugitive dust emissions and attain ambient air quality standards. The California Irrigation Management Information System (CIMIS) operates a series of meteorological stations throughout agricultural areas of California, including the Coachella and Imperial Valleys. Several stations are located around the Salton Sea. Nothing associated with the proposed project would conflict with the implementation of the Coachella Valley PM10 State Implementation Plan.

Additionally, the California Air Resources Board maintains monitoring stations that measure pollutant concentrations (including PM10) throughout the state. A total of seven stations monitor PM10 in the Salton Sea Air Basin, and two of those stations are located in Riverside County. Potential air quality impacts from a reduction in water levels at the Salton Sea are not a recent issue. As noted above, the SCAQMD has a demonstrated history of adopting and implementing PM10 dust controls (e.g., 1990 Coachella Valley State Implementation Plan, 1994 Best Available Control Measures State Implementation Plan, SCAQMD Rules 403 and 403.1, local dust control ordinances, clean streets management program) to ensure healthful air. Additionally, sand fences are being used as one control element for the Coachella Valley PM10 State Implementation Plan. Fugitive dust problems at the Salton Sea were also analyzed in a 2002 white paper by the Salton Sea Science Office Workshop.

The Salton Sea is also managed by the Salton Sea Authority and the Imperial Irrigation District. Potential impacts to the Salton Sea have been addressed in the Imperial Irrigation District QSA EIR, as well as by the Salton Sea Authority.

The commenter asserts that the proposed project should concentrate development in developed areas to reduce VMT. As noted in the Site Selection discussion of the Housing Element (See Page H-125), County staff underwent an exhaustive process to select site close to existing development while also providing opportunities for housing throughout the County. While not all development is located directly adjacent to existing development, proposed neighborhood sites are located near areas where future growth may occur. Furthermore, the proposed project includes land uses that would facilitate development of multiple uses in close proximity and higher density development, which are two key smart growth strategies. Refer to Response PC5, Endangered Habitats League, for further discussion regarding the site selection process.

In regards to the locations of the MUA/HHDR neighborhoods, as extensively explained in the Housing Element, the County undertook a lengthy site selection process in order to locate future development sites in areas that would best facilitate future development. This was done through the use of a set of site selection criteria (refer to Housing Element page H-125). These criteria included lands within the existing General Plan Community Development Foundation, the availability/proximity of local community-supportive facilities and services (existing or prospective future facilities), availability/proximity of intra- and interregional transportation facilities (existing or prospective future facilities), availability/proximity of supportive on-site and site-edge land use and environmental characteristics, availability/proximity of existing or prospective future primary on-site infrastructure (roads, sewer, and water), and flexibility in individual site development options. Further, the location of neighborhood sites considered proximity to multiple beneficial uses, including existing and future job centers, retail opportunities, and school facilities. While no one site contains all of these features, the County selected sites that contain as many of these features as possible while apportioning development throughout the County to provide greater potential future housing options for its citizens.

The commenter asserts that the proposed neighborhoods in the Coachella Valley should be located in closer proximity to existing development. Refer to the discussion above regarding site selection, as well as page H-125 of the Housing Element. In regards to dam inundation, refer to Final EIR No. 548 Response 15.2.

The commenter asserts that the Lakeview/Nuevo neighborhoods are being placed in areas where biological resources may be impacted. Potential impacts were analyzed for the Lakeview Nuevo Area Plan specifically in section 4.9 of the EIR. In regards to the EIR, and use of the MSHCP, when the County of Riverside developed both MSHCPs, comprehensive data was collected under the purview of a scientific committee. The final conservation strategy in the MSHCPs was developed to fully mitigate impacts to sensitive biological resources. The issuance of the Section 10(a) permit by the US Fish and Wildlife Service (USFWS) acknowledged the adequacy of the conservation programs as full mitigation. As described in Section 2.3 of the Draft EIR, each covered project in the county must comply with the requirements of the MSHCPs, including conducting habitat assessments and focused surveys, mandatory conservation of lands identified to have conservation value that would support the assemblage of several Conservation Areas in Western Riverside County and Coachella Valley, and payment of mitigation fees. Compliance must occur prior to any project approval.

RCA, CVAG, the County of Riverside, USFWS, and CDFW meet routinely throughout the year to review all actions, including project approvals, resulting from conservation activities and other required mitigation measures taken under the MSHCPs. A series of meetings are held each year between all of the above agencies to ensure that the MSHCPs are being successfully implemented and managed. Annual reports are prepared and work plans for the subsequent year are prepared, reviewed, approved, and implemented. This robust process is a joint effort by the federal, state, and local governments to ensure the sensitive biological resources found in Western Riverside County and Coachella Valley are successfully protected and conserved for the future.

It should be noted that as part of an applicant's participation in the MSHCPs, habitat assessments and focused surveys will be required to assess the ongoing status of sensitive biological resources in specific areas. The results of these surveys will be used by the County, RCA, and the wildlife agencies to verify the ongoing adequacy of the MSHCPs in protecting biological resources and to make the adjustments to guide the development of the annual work plans for the conservation programs authorized by USFWS and CDFW. This process will ensure that the ongoing conservation programs are protecting and managing sensitive biological resources as required by the federal and state Endangered Species Acts, the Migratory Bird Treaty Act, and other applicable natural resources laws, as well as required by CEQA.

The commenter asserts that housing could be provided using a mix of affordable and market rate housing. This comment is noted, and the proposed project would not preclude such developments.

In regards to location of the proposed neighborhoods, and potential loss of agricultural land, refer to the response above regarding the site selection process. Potential impacts to agricultural resources is outlined and analyzed in the EIR, on both a countywide and area plan level in Section 3.2 and Section 4.9, respectively. Further, after more detailed analysis from staff, 836 acres of land in Agricultural Preserves has been removed from the project. The commenter asserts that the EIR does not evaluate potential growth inducing impacts. Draft EIR No. 548, Section 6.1, *Growth Inducing Impacts*, specifically addresses potential growth inducement that could result from the proposed Project.

The commenter asserts that the EIR should analyze local developments currently in various phases of the entitlement process, including the Villages of Lakeview and Paradise Valley projects. While these comments are noted, the County has not approved the Villages of Lakeview and Paradise Valley projects, and if they are approved, these projects would require the approval of a General Plan amendment. It would be speculative for EIR No. 548 to evaluate a project proposing development that is inconsistent with existing land use designations, as this would require the assumption that the entirety of the County could be developed at high intensity levels, including those areas designated for low intensity uses such as open space and agriculture.

Lastly, the commenter inaccurately surmises that the County has somehow failed to fully disclose and/or analyze the potential physical environmental impacts that may occur as part of the proposed project. In actuality, the County has portrayed a realistic assessment of the potential direct, indirect, and cumulative impacts that may occur due to the State mandated housing requirements; including the incorporation of enforceable, effective, and feasible mitigation measures that are reasonably related to a planning document of this nature.

Minegar, Peter

From: Weiss, Steven <SWeiss@rctlma.org>
Sent: Tuesday, August 02, 2016 12:18 PM
To: Nanthavongdouangsy, Phayvanh; Minegar, Peter; Jolliffe, Jerry
Subject: Fwd: General Plan Housing Element ...

From: Jannlee Watson [<mailto:jannlee.watson@ca.rr.com>]
Sent: Tuesday, August 02, 2016 11:58 AM
To: Jeff Greene <jgreene@rcbos.org>
Cc: Jerry Sincich <jsincich1@ca.rr.com>; Huyck, Kristen <KHuyck@rcbos.org>; Aaron Hake <ahake@rctc.org>; Aaron Hake <aaronhake@gmail.com>; Charissa Leach <CLEach@adkan.com>
Subject: General Plan Housing Element ...

Hi, Jeff!

Wow – we didn't have a clue about Agenda Item No. 4-1 on the Planning Commission agenda for tomorrow. (General Plan Amendment No. 1122, Ordinance No. 348.4840 and Change of Zone No.7902.) We found it when we were perusing the agenda for a non-related item.

We have an active MAC and an active citizens' group – why did we not receive communication from the county? Also, can you please tell me when these two parcels were added to the mix for HHDR and MUA consideration? About 18 months ago, maybe longer, when the county was first suggesting areas for affordable housing, I searched all documentation and found nothing being planned in Temescal Valley. Maybe I overlooked it, or maybe The Temescal Valley parcels were added later in the process. Or maybe Temescal Valley should NOT BE divided between two General Plan areas.

County planner Jerry Jolliffe, at our request, spoke at the October 2014 MAC meeting about changes to the General Plan that would affect Temescal Valley. He made no mention of a Housing Element change planned here. Eight months later, the county is holding public workshops to address the Housing Element changes. Were the two Temescal Valley parcels included in those June 2015 workshops or were they added later?

Included in the staff report for tomorrow's agenda item (Page 5), is a recap of how the public was notified of the anticipated changes to the Housing Element. Included on the list pertaining to workshop notifications ... "community organizations and other governmental agencies."

I do not believe the county has given us adequate time to research and educate ourselves on this matter.

jannlee

Response to Comment Letter PC 8: Janlee Watson

The commenter noted opposition to the proposed project due to a lack of knowledge of time to review the proposed project. The commenter noted that sufficient review as not provided in order for her, and fellow residents, to review the project. The County provided extensive noticing for the project including public outreach, CEQA, and public hearing notices including three outreach meetings in the summer of 2015 to which members of the community and Municipal Advisory Committees were invited. The proposed Lee Lake Neighborhoods were included in the proposed project during the public outreach process, which was initiated in 2014.

Ms. Watson noted concerns about the placement of housing along the freeway and required travel distances to utilities and public services. These concerns, while noted, have been addressed throughout the EIR document, specifically in Section 4.1 of EIR No. 548. As a result of further discussions between County staff and representatives of the Temescal Valley MAC following the August 3, 2016 Planning Commission hearing, staff is proposing to modify the northern Lee Lake Neighborhood from a HHDR to MUA in order to facilitate more community based commercial opportunities and public services within the Temescal Valley area. This change has been included in the Planning Commission Staff Report, Post Production Land Use Changes Table. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary

From: Weiss, Steven <SWeiss@rctlma.org>
Sent: Tuesday, August 02, 2016 2:33 PM
To: Minegar, Peter
Cc: Nanthavongdouangsy, Phayvanh; Gayk, Bill
Subject: FW: Housing Element, Objection to HHDR Designation, APN 255-060-008
Attachments: Page 398 from Agenda Item 4.1 Part-1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[Here's another one!](#)

From: Jo Faris [mailto:jo@alcasainc.com]
Sent: Tuesday, August 02, 2016 1:42 PM
To: Ashley, Marion; Perez, Juan; Weiss, Steven
Cc: Wheeler, Timothy; Bugtai, Wendell; Lovelady, Kristi; Jolliffe, Jerry
Subject: Housing Element, Objection to HHDR Designation, APN 255-060-008

Supervisor Ashley, Mr. Perez and Mr. Weiss,

On behalf of Highgrove Property Owner, LLC ("Owner"), please be advised that Owner objects to the designation of its property, APN 255-060-008, located north of Spring Street and east of Garfield Avenue, being designated as 75% HHDR in the Housing Element.

Owner's objection is based on the fact that this property is subject to a valid Approved Tentative Tract Map, No 28957. Please see attached map from the online information regarding the proposed Housing Element with the location of TTM No. 28957 indicated.

Given that this property has an approved Tentative Tract Map, has processed all final engineering plans, has received bond and fee letters and agreements from the County, and has a Final Map ready to record, changing the designation or use of this property at this time could potentially constitute a "taking" of the property.

On behalf of Owner, we respectfully request that TTM No. 28957 (APN 255-060-008) be removed from the 75% HHDR designation in the Housing Element.

I am available at (949) 648-8127 if you have any questions.









Best regards,

Jo Faris



Supervisory District 2 Highgrove Area Plan

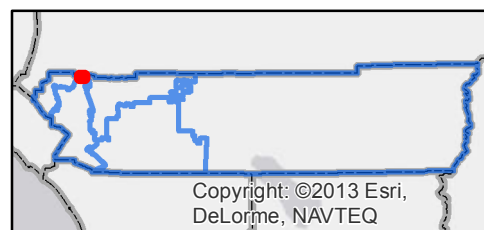
Riverside County General Plan Housing Element

-  Proposed HHDR/MUA Neighborhoods
-  PARCELS
-  Supervisorial District
-  Roads
-  Rail Roads
-  Cities
-  Criteria Cells
-  Area Plans

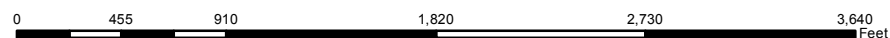
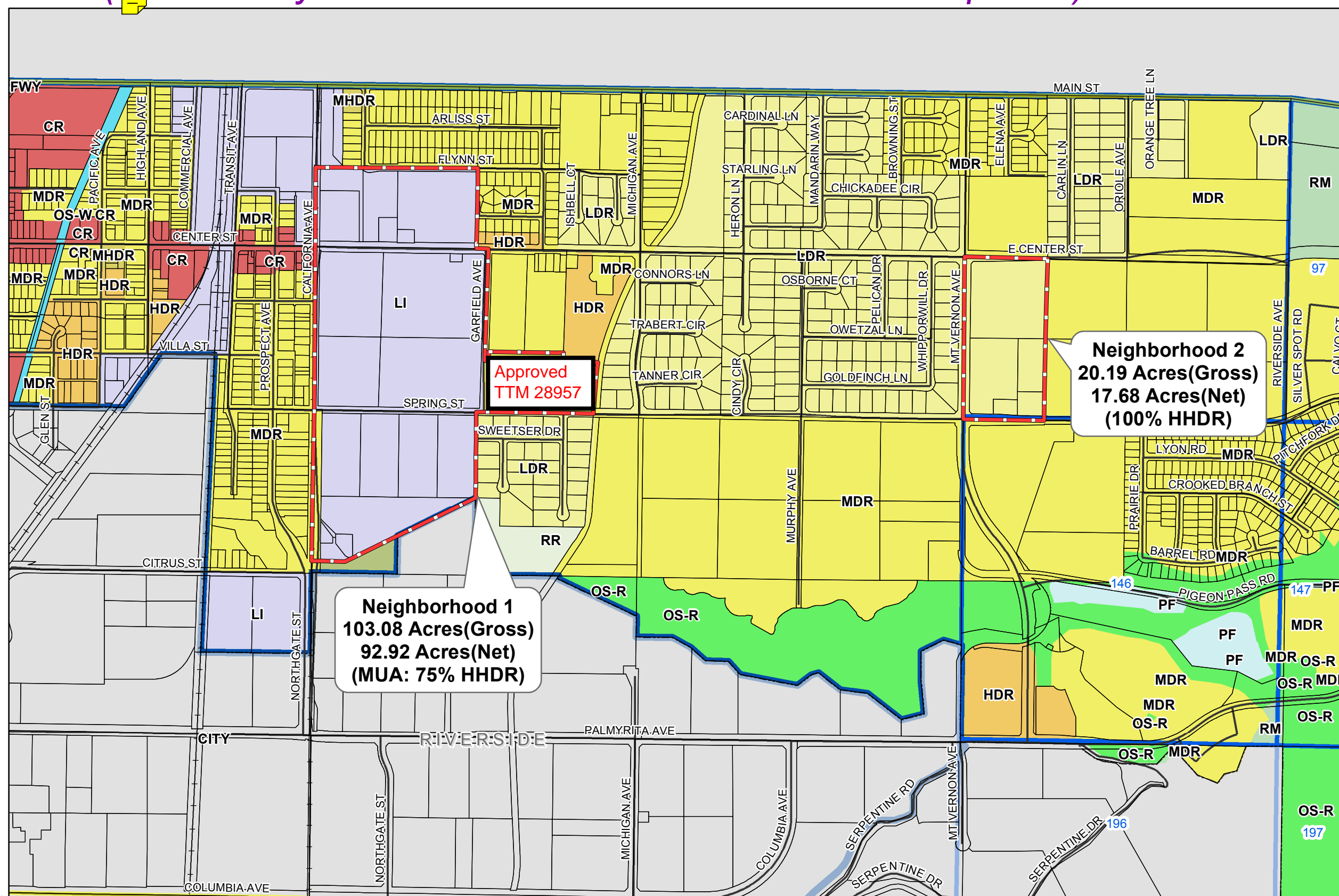
General Plan Land Use

- | |
|---------------------------------|
| Low Density Residential |
| Medium Density Residential |
| Medium High Density Residential |
| High Density Residential |
| Commercial Retail |
| Light Industrial |
| Public Facilities |
| Rural Residential |
| Rural Mountainous |
| Conservation |
| Open Space Recreation |
| Water |
| CITY |
| Freeway |

6/16/2015



Disclaimer: Maps and data are to be used for reference purposes only. Maps and data are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



1 inch = 833 feet



Response to Comment Letter PC 9: Highgrove Property Owner, LLC

The commenter notes an existing tentative tract map (TTM 28957) is located in the Highgrove Town Center. The TTM consists of one 8.86-acre parcel (APN: 255-060-008-6) located in Neighborhood 1 of the Highgrove Town Center. The noted TTM consists of 8.86 acres proposed for single family development. The commenter requests the removal of the property from the proposed project. Staff have reviewed the noted property and recommends the removal of TTM 28957 from the project. The proposed removal has been noted in the Post Production Land Use Change attachment to the October 5, 2015 Planning Commission Staff Report. This comment does not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Removing the property from the project would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR. No further response is necessary.

From: Joel Morse
Sent: Tuesday, August 02, 2016 4:59 PM
To: Weiss, Steven; Jerry Joliffe (JJoliff@rctlma.org); 'Gayk, Bill'
Subject: GPA 1122, CZ 7902 and Ordinance 348.4840

Steve, Jerry and Bill:

Thank you for your call earlier this afternoon. We were happy to hear that the majority of the issues we were concerned about have already been addressed. As we discussed, there are still a few (small?) cleanup items I'd like to propose be changed in the GPA text and CZ text.

GPA Text

We suggest that the language of Policy HVWAP 8.27 be revised to state, "**The portions of Mixed-Use Areas that are not developed for HHDR** development within Mixed-Use Area neighborhoods should utilize mutually supportive mixes of retail, commercial, office, industrial, civic, park and recreational, and other types of uses, **including additional residential development at varying densities** that result in vibrant compatible neighborhoods." This language is generally consistent with the language of Policy WCVAP 8.18, which we believe provides more flexibility for developing a variety of residential densities in the Mixed-Use Neighborhoods.

Also, as we've discussed in the past, we believe the County should create a policy defining qualified parkland for HHDR developments. We suggest two new policies that will help mitigate the amount of required parkland for HHDR developments while still ensuring residents have adequate recreational amenities:

1. Establish 100% park credit for recreation uses found in urban areas, such as public plazas, parks with limited green space (i.e. Washington Square Park in New York City).
2. Establish 100% park credit for Private Recreation within HHDR developments; such as rooftop gardens, pools, bbq facilities and similar outdoor uses, whether on the roof, within a courtyard between buildings or elsewhere on site.
3. While the MU Zone identifies common recreational Open Space requirements for residential uses in the MU zone (Section 9.87. B. 3), such as , it does not indicate whether such open space areas qualify for Quimby credits nor if they would receive 100% credit.

CZ Text

Following is a list of requested revisions to the Zoning Ordinance text:

1. Article VIIIg. Section 303. DEVELOPMENT STANDARDS, Subsection B. 5. INDIVIDUAL USEABLE OPEN SPACE: "*Individual Useable Open Space. A residential dwelling shall include at least one hundred (100) square feet ~~200 square feet (200')~~ of attached useable open space such as patios or balconies, which is not encumbered with structures. No length or width of the useable space shall be less than eight feet (8').*" We believe that 200 square feet of private open space for attached residential uses is excessive, and will be very difficult to achieve for most attached products, such as stacked flat apartments. We were unable to find this requirement for development within the R-3 Zone. Therefore, we respectfully request that this requirement is removed or modified as shown above.

Article VIIIg. Section 304. DEVELOPMENT DESIGN AND PHASING, Subsection A. PHASING PLAN: "*For phased developments, a site development phasing plan shall be submitted with the land use application and a description of the following: the viability of future development within the neighborhood and adjoining neighborhoods;*" The meaning of the phrase "*the viability of future development within the neighborhood and adjoining neighborhoods;*" is highly subjective and vague. This should either be removed, or a more clear description of what specific material needs to be submitted to meet this standard should be provided.

3. Article IXf. Section 9.87 DEVELOPMENT STANDARDS, Subsection A.4.: TRANSPARENCY: ~~“Along predominantly retail streets~~ **At least fifty percent (50%) of the street building-wall area of commercial uses in mixed use or commercial buildings facing the adjacent street,** ~~between three feet (3’) and ten feet (10’), shall be transparent with clear windows that allow views of indoor space and display areas.”~~ We believe that as written, the phrase “Along predominantly retail streets...” is vague, so we would like to propose that it be removed. Additionally, as written, this standard would apply to a residential uses in buildings on a “predominantly retail street”, and therefore recommend revising the language as shown above to ensure the transparency requirement only applies to the commercial uses of a mixed-use and commercial buildings.
4. Article IXf. Section 9.87 DEVELOPMENT STANDARDS, Subsection B.4.: USEABLE OPEN SPACE: *“Individual Useable Open Space. A residential dwelling shall include at least **one hundred (100) square feet** ~~200 square feet (200’)~~ of attached useable open space such as patios or balconies, which is not encumbered with structures. No length or width of the useable space shall be less than eight feet (8’).”* This change is identical to comment #1 above.
5. Article IXf. Section 9.88 DEVELOPMENT DESIGN AND PHASING, Subsection A. PHASING PLAN: *“For phased developments, a site development phasing plan shall be submitted with the land use application and a description of the following: the viability of future development within the neighborhood and adjoining neighborhoods;”* Our comment here is identical to comment #2 above.

If staff supports these revisions, we respectfully request that you read them into the record as part of your presentation to Planning Commission tomorrow.

Thank you for your assistance.

Joel Morse
Principal



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PLANNING □ DESIGN □ ENVIRONMENTAL □ GRAPHICS

□ Please consider the environment before printing this e-mail

Response to Comment Letter PC 10: Joel Morse

The commenter notes a number of small proposed textual changes to the proposed project. The commenter requested the addition of minor textual edits to Policy HVWAP 8.26, which staff has reviewed and recommends for inclusion to the General Plan amendment. As proposed, HVWAP 8.26 would state the following:

HVWAP 8.26 The Portions of Mixed-Use Areas that are not developed for HHDR ~~Non-HHDR~~ development within MUA-designated neighborhoods should utilize mutually supportive mixes of retail, commercial, office, industrial, civic, park and recreational, and other types of uses including additional residential development at varying densities that result in vibrant neighborhoods with internal compatibility.

The revisions, as proposed, are reflected in Section 4, Errata, of this document.

The commenter also requests the addition of a new parkland credit program that would better define the requirements for parkland to meet the Quimby Act parkland standards. While these comments are noted, staff has reviewed the comment and feels a parkland credit program would require substantial work and would be best handled in the next General Plan update.

The commenter requests the revision of the Ordinance 348, Article VIIIg. Section 304 to reflect a requirement of at least 100 square feet of individual open space for dwelling units, as opposed to 200 square feet. The recommended changes have been reviewed by staff and are recommended for inclusion into the proposed project. The proposed changes have been reflected in Section 4, Errata of this document, as follows:

“INDIVIDUAL OPEN SPACE. A residential dwelling shall include at least ~~two hundred (200) square feet~~ *one hundred square feet (100)* of attached useable open space such as patios, balconies...”

The commenter requests the removal of the phrase “the viability of future development within the neighborhood and adjoining neighborhoods” from Article VIIIg. Section 304 as they feel it is vague. The recommended changes have been reviewed by staff and are recommended for inclusion into the proposed project. The proposed changes have been reflected in Section 4, Errata of this document, as follows:

“For phased developments, a site development phasing plan shall be submitted with the land use application and include maps, exhibits and a description of the phasing for development and infrastructure, ~~the viability of future development within the neighborhood and adjoining neighborhoods,~~ and the development of multi-modal transportation connectivity with the neighborhood and adjoining community areas.”

The commenter also requests the revision of Ordinance 348, Article IXf. Section 9.87, Subsection A.4 to better clarify window requirements for developments. The recommended changes have been reviewed by staff and are recommended for inclusion into the proposed project. The proposed changes have been reflected in Section 4, Errata of this document, as follows:

“TRANSPARENCY. The retail portion of any commercial building that has a street facing wall with customer access shall have at least 50% of the total wall area transparent with clear windows. Such windows shall allow views of the indoor space or display areas and start at least 3 feet (3’) above the adjacent sidewalk, but not exceed ten feet (10’) in height. Along predominantly retail streets least fifty percent (50%) of the street building wall area, between three feet (3’’) and ten feet (10’’) shall be transparent with clear windows that allow views of indoor space or display areas.

The commenter requests the revision of the public open space requirement to be reduced from two hundred feet to one hundred feet, as noted above, for Article IXF. Section 9.87. The recommended changes have been reviewed by staff and are recommended for inclusion into the proposed project. The proposed changes have been reflected in Section 4, Errata of this document, as follows:

“Development with one hundred (100) residential dwellings or less shall provide two hundred (200) square feet square feet of ~~attached-contiguous or non-contiguous~~ useable open space such as but not limited to pools, gyms, parks and recreational facilities. At least one hundred (100) square feet of usable open space shall attached to the dwelling unit. ...”

The commenter requests the removal of the phrase “the viability of future development within the neighborhood and adjoining neighborhoods” from Article IXF. Section 9.88 as they feel it is vague. The recommended changes have been reviewed by staff and are recommended for inclusion into the proposed project. The proposed changes have been reflected in Section 4, Errata of this document, as follows:

“For phased developments, a site development phasing plan shall be submitted with the land use application and include maps, exhibits and a description of the phasing for development and infrastructure, ~~the viability of future development within the neighborhood and adjoining neighborhoods~~, and the development of multi-modal transportation connectivity with the neighborhood and adjoining community areas.”

These comments do not identify any specific concern with the adequacy of EIR No. 548 or any environmental issues. Incorporating the proposed changes identified above would not result in a new significant environmental impact and would not alter any of the impact determinations within the EIR.



COLORADO RIVER INDIAN TRIBES

Tribal Historic Preservation Office

26600 MOHAVE RD.
PARKER, ARIZONA 85344
PH (928) 669-5822 • FAX (928) 669-5843

June 2, 2016

William Gayk, Project Manager
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409

RE: 5th Cycle Housing Element Update Project

Dear Mr. Gayk:

The Colorado River Indian Tribes' Tribal Historic preservation office ("CRIT THPO") has received your letter dated April 14, 2016 regarding the 5th Cycle Housing Element Update Project.

As a preliminary matter, the Colorado River Indian Tribes are a federally recognized Indian tribe comprised of over 4,200 members belonging to the Mohave, Chemehuevi, Hopi and Navajo Tribes. The almost 300,000 acre Colorado River Indian Reservation sits astride the Colorado River between Blythe, California and Parker, Arizona. The ancestral homelands of the Tribe's members, however, extend far beyond the Reservation boundaries. Significant portions of public and private lands in California, Arizona and Nevada were occupied by the ancestors of the Colorado River Indian Tribes' Mohave and Chemehuevi members since time immemorial. These landscapes remain imbued with substantial cultural, spiritual and religious significance for the Tribes' current members and future generations. For this reason, we have a strong interest in ensuring that potential cultural resource impacts are adequately considered and mitigated.

In particular, the Colorado River Indian Tribes are concerned about the removal of artifacts from this area and corresponding destruction of the Tribes' footprint on this landscape. As such, the Tribes request that all prehistoric cultural resources, including both known and yet-to-be-discovered sites, be avoided if feasible. If avoidance of the site is infeasible, then the Tribes request that the resources be left in-situ or reburied in a nearby area, after consultation. This language should be incorporated into enforceable mitigation measures.

In addition, we respond as follows:

- _____ Given the potential impact of the project on important cultural resources, the Colorado River Indian Tribes request in-person government-to-government consultation. Please contact the CRIT THPO to discuss our concerns and schedule a meeting with Tribal Council.

CRIT THPO

Project Name: 5th Cycle Hosing Element Update Project

Date: June 2, 2016

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☒ In the event any human remains or objects subject to provision of the Native American Graves Protection and Repatriation Act, or cultural resources such as sites, trails, artifacts are identified during ground disturbance, please contact the CRIT THPO within 48 hours.

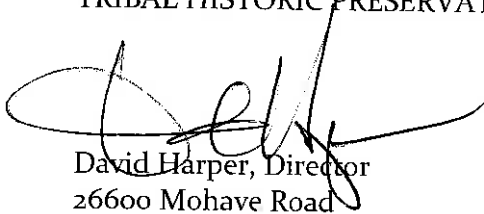
☐ The Colorado River Indian Tribes request tribal monitoring of any ground disturbing activity as a condition of project approval. The Tribes request notification of any opportunities to provide tribal monitoring for the project.

☒ The Colorado River Indian Tribes do not have any specific comment on the proposed project and instead defer to the comments of other affiliated tribes.

Thank you for your consideration. Please contact the undersigned if you have any questions or concerns.

Sincerely,

COLORADO RIVER INDIAN TRIBES
TRIBAL HISTORIC PRESERVATION OFFICE



David Harper, Director

26600 Mohave Road

Parker, AZ 85344

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critthpo@crit-nsn.gov

Response to Comment Letter PC 11: Colorado River Indian Tribes

The Colorado River Indian Tribes notes that they have reviewed the proposed project. The commenter noted a request to be notified of any findings related to any human remains or objects subject to the Native American Graves Protection and Repatriation Act or cultural resources. Further, the Colorado River Indian Tribes notes they have no specific comments and defers to affiliated tribes to provide comment as needed. The submitted comments are noted, and while the proposed project does not propose specific development (and disturbance) currently, future implementing projects will be required to comply with federal, state, and local regulations regarding cultural resources.

The County of Riverside has a number of policies and regulations that have been developed to preserve cultural resources. These include Federal and State regulations, such as the Native American Graves Protection and Repatriation Act, Ab-52, SB-18, as well as many others. Further, the County of Riverside has General Plan Policy OS 19.2, which states:

Policy OS 19.2 The County of Riverside shall establish a Cultural Resources Program in consultation with Tribes and the professional cultural resources consulting community that at a minimum, would address each of the following: application of the Cultural Resources Program to projects subject to environmental review; government-to-government consultation; application processing requirements; information database(s); confidentiality of site locations; content and review of technical studies; professional consultant qualifications and requirements; site monitoring; examples of preservation and mitigation techniques and methods; curation and the descendant community consultation requirements of local, state and federal law. (AI 144)

This comment is duly noted, and the County appreciates the commenter's statements regarding cultural resources.