

Appendix A: **EIR Noticing and Public Involvement**

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A.1 - Notice of Preparation

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THE CITY OF JURUPA VALLEY
NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
PROPOSED RIO VISTA SPECIFIC PLAN

DATE: November 26, 2021

TO: Responsible Agencies
Organizations
Interested Parties

PROJECT CASE NO./TITLE: Project Title: MA16045 Rio Vista Specific Plan

Specific Plan No. SP16001

Notice is hereby given that the City of Jurupa Valley (City) as lead agency will be preparing a Draft Environmental Impact Report (Draft EIR) for the proposed project identified below. We are requesting your comments on the scope and content of the Draft EIR.

PURPOSE OF THE NOTICE OF PREPARATION: The purpose of this notice is to: (1) serve as the Notice of Preparation to the Governor's Office of Planning and Research (OPR), Responsible Agencies, public agencies involved in funding or approving the proposed project, and Trustee Agencies responsible for natural resources affected by the proposed project, pursuant to CEQA Guidelines Section 15082; and (2) advise and solicit comments and suggestions regarding the scope and content of the Draft EIR to be prepared for the proposed project, and (3) to provide notice of the public scoping meeting.

The following proposed entitlements are being sought for the proposed project:

1. New Specific Plan to replace the existing Rio Vista Specific Plan
2. General Plan Amendment
3. Change of Zone, to allow for adoption of a Zoning Ordinance for the proposed project and to modify the zone from SP No. 243 to a new SP Zone
4. Development Agreement
5. Annexation to water and sewer districts
6. United States Army Corps of Engineers Section 404 Permit
7. Regional Water Quality Control Board Section 401 Permit
8. California Department of Fish and Wildlife Section 1602 Permit

PROJECT LOCATION

The City of Jurupa Valley covers approximately 43.5 square miles within the County of Riverside. The City is bordered by the City of Fontana and the County of San Bernardino to the north, the City of Norco to the south, the City of Eastvale to the west, and the City of Riverside and the County of San Bernardino to the east. The proposed project is located north of California State Route (SR) 60 between Armstrong Road and Rubidoux Boulevard in Jurupa Valley, California. The proposed project is located within the Rio Vista Specific Plan Area. The site is vacant, undeveloped, and comprises approximately 917.3 acres. Access to the site is available from SR-60 (See Exhibit 1, Regional Location Map and Exhibit 2, Local Vicinity Map). The project site includes the following 17 Assessor's Parcel Numbers (APNs): 175-080-010 and -021, 175-090-001, -002, -003, -004, and -005, 175-100-003, -005, and -006, 175-150-002, 175-160-001 and -005, 177-030-012 and -0014, and 177-040-002 and -008 (see Exhibit 3).

PROJECT DESCRIPTION

The proposed project consists of a new Specific Plan to replace the existing Rio Vista Specific Plan, initially approved by Riverside County in 1992. The following Project Description outlines the major elements of the Specific Plan.

A Notice of Preparation for a previous version of the Rio Vista Specific Plan was submitted to the OPR in December 2018 (State Clearinghouse [SCH] No. 2018121005). However, the 2018 version of the Rio Vista Specific Plan was not finalized and an EIR was not prepared.

Residential land uses within the proposed project would consist of Very Low Density Residential (VLDR), Medium Density Residential (MDR), Medium-High Density Residential (MHDR), High Density Residential (HDR), and Highest Density Residential (HHDR). Additionally, the proposed project would include an elementary school, a community park and open spaces, and circulation improvements. Light Industrial (LI) and Business Park (BP) areas are included in the proposed project as well (see Table 1: Specific Plan Land Use Summary and Exhibit 2: Local Vicinity Map

: Land Use Plan).

The proposed Specific Plan includes the following major land use components:

- Up to 1,697 dwelling units (du) on 204.4 acres, yielding an average density of 1.8 du/ac
- 1,269,774 square feet of Light Industrial building square footage on 58.3 acres
- 1,428,768 square feet of Business Park building square footage on 82.0 acres
- 510.8 acres of natural open space
- 14.3 acres of recreational amenities
- 13.4 acres for a new public elementary school

The Specific Plan divides the site into 21 Planning Areas (PAs) as detailed in Table 1.

Table 1: Specific Plan Land Use Summary

PA	Land Use	Acres	Target DUs ¹	Maximum DUs	Target Density ¹	Density Range ¹
1	Medium Density Residential (MDR)	24.9	113	125	4.5	2.0–5.0
2	Medium Density Residential (MDR)	22.7	107	114	4.7	2.0–5.0
3	Medium High Density Residential (MHDR)	19.4	149	155	7.7	5.0–8.0
4	High Density Residential (HDR)	18.2	225	455	12.4	8.0–14.0
5	High Density Residential (HDR)	13.3	116	186	8.7	8.0–14.0
6	High Density Residential (HDR)	27.1	258	379	9.5	8.0–14.0
7	Medium Density Residential (MDR)	11.1	45	56	4.1	2.0–5.0
8	Medium High Density Residential (MHDR)	39.6	259	317	6.5	5.0–8.0
9	Highest Density Residential (HHDR)	21.7	420	543	19.4	21.0–25.0
10	Very Low Density Residential (VLDR)	2.6	2	2	0.8	2.0
11	Very Low Density Residential (VLDR)	3.8	3	3	0.8	2.0
12	Light Industrial	38.1	–	–	–	–
13	Light Industrial	20.2	–	–	–	–
14	Business Park Area	31.9	–	–	–	–
15	Business Park Area	32.1	–	–	–	–
16	Business Park Area	18.0	–	–	–	–
17	Public Facility–Water Tanks (PF)	1.4	–	–	–	–
18	Public Facility–School (PF) ²	13.4	56	67	3.8	2.0–5.0
19	Open Space–Recreation (Parks & Trails)	14.3	–	–	–	–
20	Open Space–Water (Basin)	9.0	–	–	–	–
21 A-E	Open Space Conservation (Natural, Slopes)	510.8	–	–	–	–

PA	Land Use	Acres	Target DUs ¹	Maximum DUs	Target Density ¹	Density Range ¹
–	Expanded Parkway (Trails) (OS-R)	4.1	–	–	–	–
–	Circulation	19.6	–	–	–	–
Project Totals		917.3	1,697¹	N/A	1.8	–
Notes: ¹ Dwelling Unit (DU) count by Planning Area (PA) is approximate and may vary by PA and may increase or decrease by up to 10 percent, provided that the overall Dwelling Units in Rio Vista do not exceed the Target Dwelling Unit Count of 1,697. The target density of each PA may increase or decrease provided that the target density remains below the maximum density of the land use designation. ² The School Site in Planning Area (PA) 18 may be developed with a Medium Density Residential use at a maximum of 56 DUs, if the School District does not purchase school site by the buildout of the 800th residential unit (Section II.A.1.C.). In response to market demands, non-residential uses (mixed use, office, commercial, religious) may be developed in PA 18 subject to a Conditional Use Permit. The potential alternative 56 DUs are not included in the 'Project Totals'. ³ Park acreage is approximate and may be larger or smaller, provided that the overall park acreage in the Specific Plan meets or exceeds the City's park requirements of 3-acres per 1,000 population. ⁴ Open Space-Conservation includes natural areas, common areas, landscaped slopes, and conservation areas. It does not include park acreage. ⁵ Acreages are approximate—exact acreage will be defined through future implementing tract map(s). Source: City of Jurupa, 2018.						

As shown in Table 1, 11 PAs are proposed for residential development. PA 18 would be reserved for development of a K-8 school by the Jurupa Unified School District (JUSD), once the 800th building permit is issued by the City. If JUSD has not closed escrow and purchased PA 18 by that point, PA 18 would be available for residential development under its MDR land use designation.

The proposed project would contain approximately 510.8 acres of open space (conservation), consisting of a combination of natural open space, revegetated manufactured slopes, and regraded and revegetated slopes. Many of the existing informal trails would remain, and no new trails would be created into the open space. Recreational amenities would include a 14.3-acre community park with sports fields, open turf play areas, sports courts, a tot lot/playground, and picnic areas. Approximately five neighborhood parks, between 0.75 acres and 1 acre in size, would be located throughout the community and would have features such as benches, planters, and open lawn areas. In addition, an integrated system of hard- and soft-surface (decomposed granite) trails would provide access from the residential neighborhoods to the school site, the community park, and the informal dirt trails located in the open space area. Finally, a bike path and soft-surface trail would be provided within a 30-foot-wide easement along 20th Street through the central portion of the site. Total recreational areas would be approximately 529.2 acres, or 58 percent of the project site.

Approximately 140.3 acres located in the eastern portion of the site would be dedicated for a commerce center, which would include Light Industrial uses on approximately 58.3 acres with a maximum of 1,269,774 square feet of building space, and a Business Park on approximately 82.0 acres with a maximum of 1,428,768 square feet of building space. The commerce center is intended to attract new businesses and encourage the creation of new light industrial, light manufacturing, research, self-storage, professional and retail services to serve the City of Jurupa Valley and the new residents that would live within the Rio Vista Specific Plan area.

Construction of approximately 19.6 acres of roadways, including an approximately 1.3-mile extension of 20th Street developed as a Modified Secondary Highway (100-foot right-of-way), would also be included as part of the proposed project.

The proposed project would be completed in six phases, which would be timed to respond to market demands to provide a logical and orderly extension of roadways, public utilities, and infrastructure. Development would generally start in the northwestern area of the Specific Plan, proceed east in Phase 2, then move to the southwest in Phases 3 and 4. PA 7, located in the far northwest of the Specific Plan area, would likely be developed last, as Phase 5. However, phases would be taken in any order that would allow for logical and orderly development.

Environmental Issues: CEQA Guidelines Section 15063 provides that if a Lead Agency determines that an EIR will clearly be required for a project, an Initial Study is not required. The EIR that will be prepared for the proposed project is a full-scope EIR, including each of the CEQA Guidelines Appendix G topical issue areas. Potential impacts associated with environmental resource areas that will be analyzed in the EIR include those listed below. A full-scope EIR is proposed, so there are no environmental topics that have been screened out or that are considered potentially less than significant.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire

The EIR will address the short-term and long-term effects of the proposed project on the environment. The EIR will also evaluate the potential for the proposed project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the proposed project will be evaluated in the EIR. Mitigation measures will be proposed for those impacts that are determined to be potentially significant. A mitigation monitoring program will also be developed as required by Section 15097 of the California Environmental Quality Act (CEQA) Guidelines.

LEAD AGENCY

City of Jurupa Valley Planning Department
Attn: Jim Pechous, Principal Planner
8930 Limonite Avenue, Jurupa Valley, CA 92509
Phone: 951-322-6464
Email: Jpechous@jurupavalley.org

PROJECT SPONSOR

Applicant: Brian Hardy
Address: 3161 Michelson Dr., Suite 425
Irvine, CA 92612
949-698-2191

The environmental determination in this Notice of Preparation is subject to a 30-day public review period pursuant to California Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. Public agencies, interested organizations, and individuals have the opportunity to comment on the environmental issues that have the potential to be affected by the proposed project and that should be addressed in the EIR. Relevant information should be submitted to this office as soon as possible, but no later than thirty (30) days after receiving this notice beginning November 26, 2021 and ending at the close of business on December 26, 2021. All comments must be submitted in writing to Jim Pechous, Principal Planner at 8930 Limonite Avenue, Jurupa Valley, CA 92509 or by email at jpechous@jurupavalley.com.

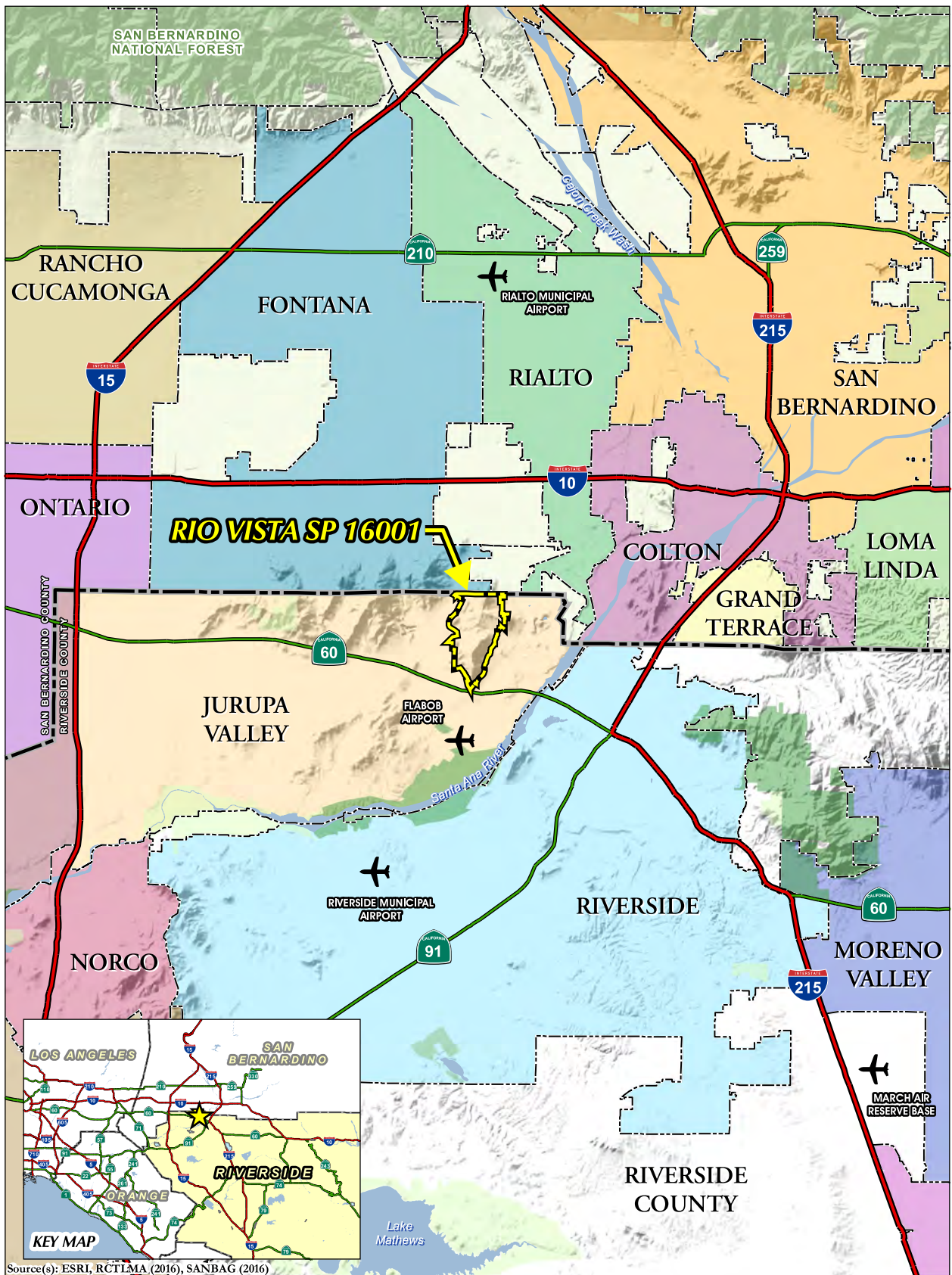
PUBLIC SCOPING MEETING

A public scoping meeting will be held on Tuesday, December 14 2021 at 2:00 PM at the City of Jurupa Valley City Council Chamber, 8930 Limonite Avenue, Jurupa Valley, CA 92509. At this meeting, public agencies, organizations, and members of the public will be able to review the proposed project application materials and provide comments on the scope of the environmental review process. If you have any questions please contact Jim Pechous, Principal Planner at 951-322-6464.

Sincerely,



Jim Pechous, Principal Planner
City of Jurupa Valley



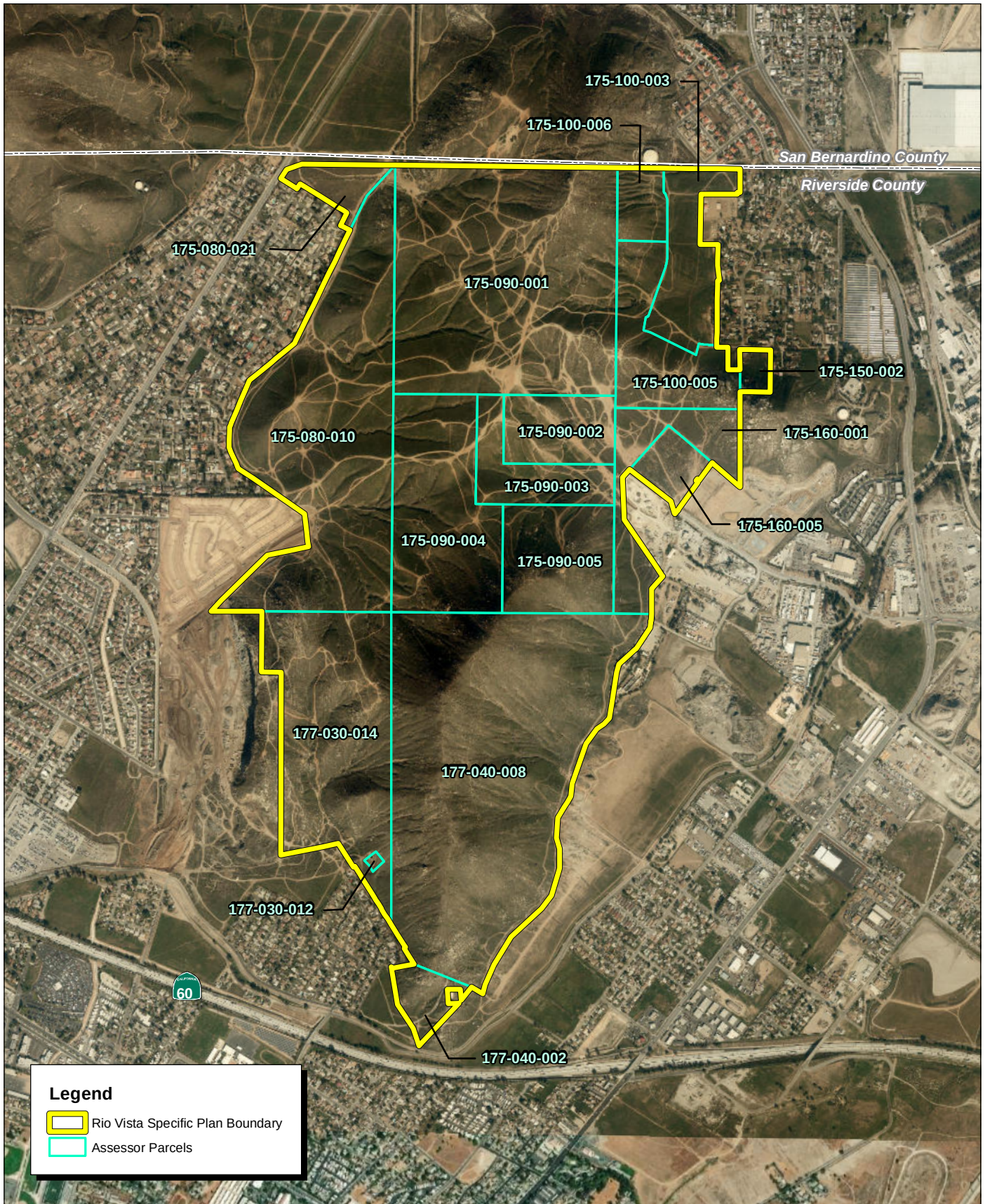
Source: t&b planning





Source: t&b planning





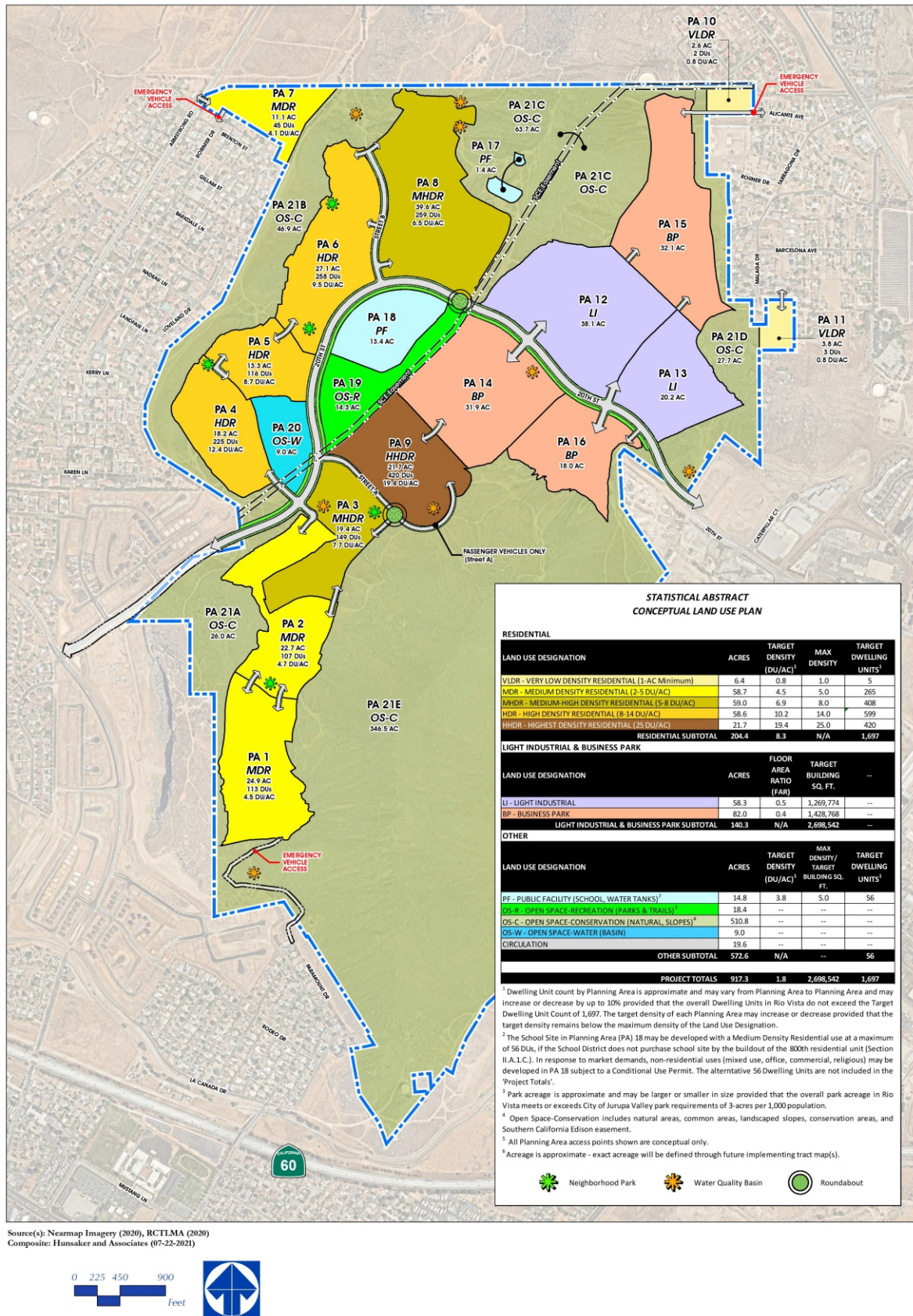
Source: ESRI Aerial Imagery, Riverside County.

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Exhibit 3 Assessor Parcel Numbers



Source(s): Nearmap Imagery (2020), RCTLMA (2020)
Composite: Hunsaker and Associates (07-22-2021)



Source: t&b planning, August 5, 2021.

A.2 - Notice of Preparation Public Comments

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DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING (MS 722)

464 WEST 4th STREET, 6th Floor

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300

www.dot.ca.gov/dist8

*Make Conservation
A California Way of Life.*

Thursday, December 16, 2021

Jim Pechous
Principal Planner
City of Jurupa Valley
Planning Department
8930 Limonite Avenue
Jurupa Valley, CA 92509

Rio Vista Amendment Specific Plan (RIV 60 PM 7.60)

Mr. Pechous,

We have completed our initial review for the above-mentioned proposal for the amendment to the Rio Vista Specific Plan approved in 1992. The amendment is to modify the distribution of land use designations, reduce the number of proposed units, increase the amount of preserved open space, and reduce the amount of grading. Project includes 1,239 dwelling units on 222.6 acres, 511.2 acres of natural open space, 125 acres of other space with 10 miles of trails, 14.3 acres of recreational amenities and 12.1 acres for a new public elementary school.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. Under the California Environmental Quality Act (CEQA), we are required to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Jurupa Valley due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

Our areas of concern, pertaining to State facilities, include hydrology/flooding and transportation/traffic issues in which the initial study identifies as having potentially significant impacts. Due to these potentially significant impacts and because the south portion of the Project area directly abuts SR-60 we recommend the following to be analyzed.

We recommend the following to be provided:

Traffic Study

- Please provide design details for high quality transit stops on 20th Street. Shelter, seating, trash receptacle, lighting etc. should be included.
- Redesignate some 10 acres of PA 12 or 14 for Neighborhood Commercial Land Use.
- Provide bike and pedestrian connections every 600 feet to 20th Street from PA's 3, 5, 6, 8, 12, 13, 14, 16, and 19.
- Provide bike lanes on both sides of 20th Street.

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Pechous
December 16, 2021
Page 2

- Design all future buildings to have zero net energy use.
- Minimize surface parking ratios by allowing 50% below the minimum standard at industrial, business park and commercial land use.
- Provide bike facilities at all industrial, business park and commercial land uses (bike racks at building entrances, showers, lockers etc.)

If this proposal is revised in any way, please forward appropriate information to this Office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact Talvin Dennis at dennis.talvin.1@dot.ca.gov or (909) 383-7017 for assistance.

Sincerely,

Rosa F. Clark

ROSA F. CLARK
Office Chief
Land Development/Intergovernmental Review



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Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
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Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

RECEIVED

December 7, 2021

DEC 16 2021

Jim Pechous
City of Jurupa Valley
8930 Limonite Avenue
Jurupa Valley, CA 92509

CITY OF JURUPA VALLEY

Re: 2018121005, Rio Vista Specific Plan MA16045 Project, Riverside County

Dear Mr. Pechous:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

December 21, 2021

Jpechous@jurupavalley.org

Jim Pechous, Principal Planner
City of Jurupa Valley, Planning Department
8930 Limonite Avenue
Jurupa Valley, California 92509

Notice of Preparation of a Draft Environmental Impact Report for the MA 16045 Rio Vista Specific Plan (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project will include, among others, 1,697 residential units and is located in close proximity to State Route 60, and to facilitate the purpose of an EIR as an informational document, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵ to disclose the potential health risks⁶.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁷ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁸.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁹, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy¹⁰.

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ *Ibid*.

⁷ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁸ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁹ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

¹⁰ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters¹¹, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Draft EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC211201-08

Control Number

¹¹ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.