

City of Colton General Plan Update Environmental Impact Report

State Clearinghouse Number 2012031037
May 2013

VOL. III



Hogle-Ireland
Planning & Development Consulting

City of Colton General Plan Update:
Land Use, Housing, and Mobility
Elements
Environmental Impact Report
Volume III - Final

SCH No. 2012031037
May 2013

Lead Agency:

City of Colton
659 N. La Cadena Drive
Colton, California

This document is designed for double-sided printing to conserve natural resources.

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1 Introduction

This Final Environmental Impact Report (FEIR) has been prepared to comply with Sections 15089 and 15132 of the State California Environmental Quality Act (CEQA) Guidelines. As noted in §15089 (b) of the Guidelines, the focus of a FEIR should be on responses to comments on the Draft Environmental Impact Report (DEIR). Accordingly, this document incorporates the Colton General Plan Update DEIR, Volumes I through II (State Clearinghouse No. 2012031037) by reference, in its entirety. The DEIR is available for review at the City of Colton, Development Services Department, 659 N. La Cadena Drive, Colton, California, and on the City's web site (http://www.ci.colton.ca.us/CD_Plan.html). The contents of this FEIR include:

Section 1: Introduction

Section 2: Responses to Comments

The City published a Notice of Availability and circulated a DEIR for public review and comment, for the period of January 15, 2013 through February 28, 2013. A total of ten different pieces of correspondences were submitted to the City during the review period. This section includes a list of all correspondence submitted to the City of Colton, each identified by a letter for later reference, together with the authors and the dates the letters were issued. Following this list, all of the letters are presented, with numbered brackets to highlight specific comments that are responded to in the next section.

Review of Environmental Documents

Section 15204 of the CEQA Guidelines provides guidance to the public in reviewing CEQA documents. This section is designed not to limit the scope of comments that can be submitted by the public but to focus comments on issues that are substantive to the environmental analysis. Commenting entities should focus on the adequacy of the document in identifying and analyzing impacts to the environment and identify any areas they believe to be inadequate. The guidance indicates that comments should be submitted in a manner that:

- Identifies a specific environmental effect
- Supports the effect and its significance with substantial evidence

Comments should include alternatives or mitigation measures to avoid or reduce identified, specific environmental effects. This section reiterates that the lead agency is bound by "reasonableness" and "good faith" in its analysis and that the lead agency is not required to respond to comments in the FEIR that do not identify significant environmental issues.

Each response provided herein is coded to correspond to the individual comment/author and each of the bracketed comments in that letter. A summary table is included with each response to identify if the response introduces "new

significant information” under any of the four categories identified in Section 15088 et seq. of the CEQA Guidelines.

Evaluation of Comments

Section 15088 et seq. of the State CEQA Guidelines provides guidance on the evaluation and response to comments received during circulation of the DEIR. To summarize:

- The lead agency must evaluate all comments received during the public review period and prepare a written response to comments on significant environmental issues
- The lead agency must provide the response to the commenting entity at least ten days prior to certification of the EIR
- The response must:
 - Identify any significant environmental issues raised in the comment
 - Explain, if necessary, why any recommendations provided in the comment were not accepted
 - Be supported by reasoned analysis
- Responses may be provided as direct revisions to the DEIR or as a separate section of the FEIR with marginal notes in the DEIR text indicating that it was subsequently revised

A lead agency is required to recirculate the DEIR if “significant new information” is introduced during the public comment period. “Significant new information” includes:

1. New significant impacts
2. Substantial increases in the severity of impacts
3. Feasible alternatives or mitigation that would reduce significant impacts
4. Identification of inadequacies in the analysis

Recirculation is *not* required when new information is not significant, this includes:

- Revisions that clarify or amplify an adequate analysis
- Insignificant modifications (such as spelling and grammar corrections)

Section 3: Errata

This section identifies revisions to the DEIR to incorporate clarifications developed in response to comments on the DEIR. Additions to the text are underlined and deletions have been stricken through. No substantial revisions were made to the DEIR and recirculation of the document is not required pursuant to CEQA.

Section 4: Notices and Distributions

This consists of notices concerning the release of the Draft EIR for public review and comment, and the list of agencies, groups and individuals who were sent notices and/or a copy of the Draft EIR.

2 Responses to Comments

The Draft Environmental Impact Report (DEIR) was circulated for a 45-day public review and comment period, beginning January 15, 2013 and ending February 28, 2013. Correspondence was received from several agencies and the public during this time period.

The correspondence listed in Table 1 (DEIR Comments) was submitted to the City of Colton concerning the DEIR. Written responses to each comment are subsequently provided. The following responses to comments include a summary to identify if the response will introduce “new significant information” under any of the four categories identified in Section 15088 et seq of the California Environmental Quality Act (CEQA) Guidelines or if it does not introduce “new significant information”. The four general categories are:

1. New significant impacts
2. Substantial increases in the severity of impacts
3. Feasible alternatives or mitigation that would reduce significant impacts
4. Identification of inadequacies in the analysis

Table 1
DEIR Comments

ID	Commenting Agency	Date
A	Native American Heritage Commission	1/17/2013
B	Endangered Habitats League	1/24/2013
C	K&A Engineering/Roquet Ranch	2/12/2013
D	San Bernardino County Department of Public Works	2/25/2013
E	Local Agency Formation Commission	2/27/2013
F	U.S. Fish and Wildlife Service	2/28/2013
G	City of Riverside	2/28/2013
H	San Bernardino Associated Governments	2/28/2013
I	Santa Ana Regional Water Quality Control Board	2/28/2013
J	City of Grand Terrace	3/5/2013

Comment A –Native American Heritage Commission

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



RECEIVED

JAN 23 2013

CITY OF COLTON
DEVELOPMENT SERVICES DEPARTMENT

January 17, 2013

Mr. Mark Tomich, Planner

City of Colton Development Services Department

659 North La Cadena Drive
Colton, CA 92324

Re: SCH#2012031037; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "City of Colton General Plan Update Project;" located in the City of Colton; San Bernardino County, California

Dear Mr. Tomich:

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

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

1

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

2

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

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

3

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and California Public Resources Code Section 21083.2 (Archaeological Resources) that requires documentation, data recovery of cultural resources, construction to avoid sites and the possible use of covenant easements to protect sites.

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

3

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

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

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

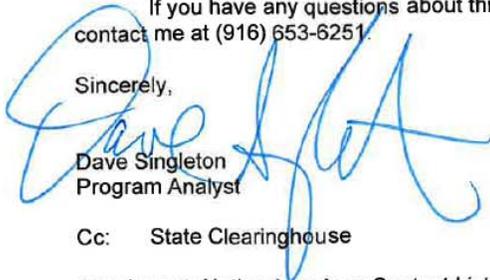
Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

4

2.

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

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts
San Bernardino County
January 17, 2013**

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula , CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.
gov
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

San Manuel Band of Mission Indians
Carla Rodriguez, Chairwoman
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Soboba Band of Mission Indians
Rosemary Morillo, Chairperson; Attn: Carrie Garcia
P.O. Box 487 Luiseno
San Jacinto , CA 92581
carrieg@soboba-nsn.gov
(951) 654-2765
(951) 654-4198 - Fax

Gabrielino/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Gabrielino Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Morongo Band of Mission Indians
Michael Contreras, Cultural Heritage Prog.
12700 Pumarra Road Cahuilla
Banning , CA 92220 Serrano
(951) 201-1866 - cell
mcontreras@morongo-nsn.
gov
(951) 922-0105 Fax

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Departmen
26569 Community Center. Drive Serrano
Highland , CA 92346
(909) 864-8933, Ext 3250
abrierty@sanmanuel-nsn.
gov
(909) 862-5152 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012031027; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the City of Colton General Plan Update Project; located in the City of Colton; San Bernardino County, California.

Response A – Native American Heritage Commission

A1. This provides a list of state and federal regulations generally applicable to Native American cultural resources. No response is required. *This response does not identify any new information.*

A2. This comment recommends that the City do a Sacred Land File search. The City will evaluate potential impacts to cultural resources on a project-by-project basis pursuant to CEQA and General Plan policies as discussed in Section 4.5 of the DEIR and may include a Sacred Lands File search, as applicable. *This response does not identify any new information.*

A3. This comment recommends consultation with local Native American tribes. The City will evaluate potential impacts to cultural resources on a project-by-project basis pursuant to CEQA/NEPA and General Plan policies as discussed in Section 4.5 of the DEIR to include tribal consultation, as applicable. *This response does not identify any new information.*

A4. This comment cites Section 15370(a) of the State CEQA Guidelines that favors *avoidance* of cultural resources as mitigation, when possible. The City will comply with all applicable state and federal regulations related to cultural resources, as required through General Plan policies noted in Section 4.5 of the DEIR. *This response does not identify any new information.*

Comment B – Endangered Habitats League

January 24, 2013

VIA ELECTRONIC AND US MAIL

Mark Tomich
Development Services Director
659 North La Cadena Drive
Colton, California 92324
<mtomich@ci.colton.ca.us>

RE: DRAFT ENVIRONMENTAL IMPACT REPORT NO. 2012031037 FOR THE CITY OF COLTON GENERAL PLAN UPDATE

Dear Mr. Tomich:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on the DEIR for the City of Colton General Plan Update. For your reference, EHL is Southern California’s only regional conservation group. For several years, we worked collaboratively with the City in its effort to balance long-term protection of the Delhi Sands flower-loving fly with the City’s development needs. While we have not been apprised of the more recent progress toward an HCP for the West Valley Specific Plan, we commend this effort, urge its expansion to the City-as-a-whole, and again offer our assistance.

1

Our comments are limited to biological resources. Exhibit 4.4-1 shows expanses of native and non-native vegetation that may support sensitive species and habitats. Some such locations are designated as Open Space - Resource, but many others are planned for industrial, commercial or residential development. The DEIR acknowledges the potential for significant biological impacts due to future development, but states that *future* biological assessments and subsequent mitigation, specifically Measures 4.4.A-1 and 4.4.A-2, will reduce such impacts to insignificance.

2

While Measure 4.4.A-2 references the Dept. of Fish and Game’s 1995 burrowing owl guidance, Measure 4.4.A-1, which covers all impacts other than burrowing owl, does not provide any performance measures. Instead, the measure waits until some unspecified future date to “define measures to avoid, reduce or compensate for any significant impacts.” More fundamentally, the plain language of the Measure makes clear that whether any mitigation is ultimately adopted depends completely on the unfettered discretion of the Development Services Director. In its entirety, the Measure reads as follows:

A biological resources assessment shall be prepared for any land use plan or development proposal located on any

undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities. This assessment shall identify the habitat types and quality, species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and *define measures to avoid, reduce or compensate for any significant impacts* attributable to the proposed project. The biological assessment *shall be submitted to the Development Services Director for review/approval*, and shall be included in the CEQA compliance documentation for all such proposals. (Emphasis added.)

2

This reliance on the unfettered discretion of a city official employed by the lead agency to determine the adequacy of mitigation violates CEQA. The EIR in *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, was found inadequate for precisely this reason when it deferred noise mitigation to the unfettered discretion of a lead agency official. The Court found “*this mitigation measure does no more than require a report be prepared and followed, or allow approval by a county department without setting any standards.*” (*Id.* at 794, emphasis added.)¹

Here, as in *Endangered Habitats League*, a mere report or assessment is required, while the amount and content of any mitigation of biological impacts is left to the discretion of some future Development Services Director “without setting any standards.” This Measure therefore violates CEQA. The DEIR should re-drafted provide measurable standards appropriate to this level of environmental review.

Secondly, the DEIR does not address whether the *intensity* of permitted uses— FARs, DU/acre—within the remaining native and non-native vegetation will cumulatively permit mitigation to insignificance. In other words, at build-out, is there enough habitat land available to accommodate the necessary on-site avoidance, minimization, and off-site compensation to compensate for the cumulative build-out? To provide a basis for the assertion of mitigation to a level of insignificance, the DEIR should provide a supporting analysis of mitigation capacity relative to potential development. Alternatively (or in combination with the analysis) the General Plan should make explicit within every relevant land use designation that to fully mitigate biological impacts, only *partial* development intensity may be achieved as compared with the theoretical maximum.

3

¹ “Impermissible deferral of mitigation measures occurs when an EIR puts off analysis or orders a report without either setting standards or demonstrating how the impact can be mitigated in the manner described in the EIR.” (*City of Long Beach v. Los Angeles Unified School Dist.* (2009) [176 Cal.App.4th 889](#), 915-916.) See also *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal.App.4th 48, 54 [EIR inadequate because “[d]espite being labeled as mitigation measures in the EIR, these provisions simply are statements that the County will decide the mitigation to be adopted after it receives the recommendation of a professional archaeologist”].

EHL would look forward to an opportunity to work with you to resolve our concerns. Also, please place or retain EHL on all mailing, notification, and distribution lists for this project, such as for CEQA documents and public hearings.



4

With best regards,

Dan Silver
Executive Director

cc: U.S. Fish and Wildlife Service
California Dept. of Fish and Wildlife

Response B – Endangered Habitats League

B1. This comment notes previous and current efforts on development of a Habitat Conservation Plan for the West Valley Specific Plan. No response is necessary for this comment. *This response does not identify any new information.*

B2. This comment contends that measurable standards are not included in Mitigation Measure 4.4.A-1 and gives too much authority to the Development Services Director in approving biological surveys. This mitigation measure does include the measurable performance standards of avoiding, reducing, or compensating for any potentially significant impacts that may be determined via analysis of individual projects. Analysis and proposed mitigation for individual projects will follow these standards which that will ensure that less than significant impacts would occur from the implementation of the General Plan. In addition, the analysis included in Section 4.4.A of the DEIR provides examples of avoidance, reducing, or compensating for potential impacts (i.e. relocation, on-site conservation, off-site banking, etc.). The mitigation measure has been revised to clarify that such biological resources assessments will be prepared by a qualified biologist to assure that professional analysis of potential impacts will be documented and that review and approval by the Development Services Director will be in consultation with the project biologist. *This revision as shown below does not introduce new information and merely clarifies the analysis.*

Mitigation Measure 4.4.A-1: A biological resources assessment shall be prepared for any land use plan or development proposal located on any undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities or mapped Delhi sands habitat. This assessment shall identify the habitat types and quality, identify species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to a proposed project. The reduction in impacts may include a redesign of the project. The compensation may include creating and/or preserving in perpetuity equivalent or better quality habitat at a minimum 1:1 ratio, as will be determined through project-specific analysis. The biological resources assessment shall be prepared by a qualified biologist and submitted to the Development Services Director for review/approval in consultation with the biologist and other as appropriate to the project. The biological resources assessment shall be included in the CEQA compliance documentation for all such proposals.

B3. This comment notes that at full build-out of the General Plan, adequate potentially required habitat area may not be available. Since the total amount of conservation has not been determined because it would be determined on an individual project basis, it is unknown how much total conservation may be required as the planning area develops over the long-term and is speculative to determine

how it could alter General Plan build-out projections. In addition, other methods of mitigation that do not require on-site habitat conservation (such as habitat banking and mitigation fees) are also available. The comment suggests noting that such habitat area may not allow full build-out to be achievable. The City recognizes that the projected build-out is a maximum or worst-case scenario and that actual development may occur below this amount due to issues such as zoning requirements, right-of-way needs, and habitat conservation. *This response does not identify any new information.*

B4. This comment requests that the Endangered Habitats League be retained on all notification for the General Plan Update. The City of Colton will continue to notify the Endangered Habitats League through use of its standard environmental notification list, as appropriate. *This response does not identify any new information.*

Comment C – K&A Engineering/Roquet Ranch



ENGINEERING
LAND PLANNING
SURVEYING

February 12, 2013

Mr. Mark Tomich
Development Services Director
City of Colton
659 North La Cadena Drive
Colton CA 92324

Re City of Colton General Plan Update
Draft Environmental Impact Report No. 2012031037

Dear Mr. Tomich,

K & A Engineering, Inc. represents the owners and developer of the 324 acre Roquet Ranch property which is within the Pellissier Ranch/La Loma Hills area of the City. We have reviewed the Draft EIR, the Land Use Element, the Mobility Element, and the Housing Element of the proposed General Plan Update for the City of Colton. We have the following comments regarding the effects to the Roquet Ranch property.

1. The Street Classification Plan within the Mobility Element depicts a new, un-named secondary arterial roadway, 88' R/W, which extends through the Pellissier Ranch/La Loma Hills area from La Cadena Drive, just south of Maryknoll Drive, and connects to Key Street which intersects Riverside Avenue just north of the Highgrove Channel.

We presume that the Roquet Ranch project would be responsible for the construction of this new roadway through their property. However, the Roquet Ranch property does not extend all the way to Key Street, but ends near the northerly projection of Orange Street which connects to West Center Street in the City of Riverside. This street connection seems to make sense as a secondary access point of connection for the Pellissier Ranch/La Loma Hills area in general, as well as Roquet Ranch project.

The Mobility Element of the General Plan Update should address this significant traffic circulation issue.

2. The Draft Land Use Plan depicts the following land use designations on the Roquet Ranch property:
 - Very Low Density Residential, 0.1 – 2.0 dwelling units per acre
 - Low Density Residential, 2.1 – 8.0 dwelling units per acre
 - Medium Density Residential, 8.1 – 16.0 dwelling units per acre
 - High Density Residential, 16.1 – 22.0 dwelling units per acre

1

2

The following table illustrates a dwelling unit analysis for the Roquet Ranch property. The analysis is broken down into the two Assessor's Parcels, 1167-021-01 79.6 acres and 1167-011-01 244.6 acres, on the property which totals to 324.2 acres.

APN	Area			Max Density, du/ac	Max. du	Median Density, du/ac	Median du
1167-021-01	79.6						
Proposed Land Use		Map Color	Area,ac				
VLDR: 0.1-2 du/acre		light yellow	11.0	2	22	1	12
LDR: 2.1-8 du/acre		dark yellow	15.6	8	125	5	79
MDR: 8.1-16 du/acre		orange	41.0	16	656	12	494
HDR: 16.1-22 du/acre		brown	12.0	22	264	19	229
			<u>79.6</u>		<u>1067</u>		<u>813</u>

APN	Area			Max Density, du/ac	Max. du	Median Density, du/ac	Median du
1167-011-01	244.6						
Proposed Land Use		Map Color	Area,ac				
VLDR: 0.1-2 du/acre		light yellow	235.1	2	470	1	247
LDR: 2.1-8 du/acre		dark yellow	0.0	8	0	5	0
MDR: 8.1-16 du/acre		orange	9.5	16	152	12	114
HDR: 16.1-22 du/acre		brown	0.0	22	0	19	0
			<u>244.6</u>		<u>622</u>		<u>361</u>

Property Area	324.2						
acres		# Dwelling Units at Max. Density		1689			
		# Dwelling Units at Median Density				1174	

We have assumed that the number of allowable dwelling units at the median density level, 1,174 units, should be a safe target number for our land planning purposes. Is this a reasonable assumption?

We appreciate the opportunity to comment on the Draft Environmental Impact Report for the General Plan Update for the City of Colton.

Sincerely,
K & A Engineering, Inc.



James Bolton, P.E.
 Sr. Project Manager

2

Response C – K&A Engineering/Roquet Ranch

C1. This comment notes that the planned Secondary Arterial between La Cadena Drive and Riverside Avenue northerly of the Highgrove Channel is primarily within the boundaries, but not entirely, of the planned 324-acre Roquet Ranch development and proposes an alternate route via Orange Street as opposed to extending west to Key Street as proposed in the General Plan Circulation Element. The proposed alternative for the arterial to be routed to Orange Street would result in substantial traffic within residential areas and is not desirable for safety or traffic flow and speed. The comment presumes that the planned development would be responsible for construction of the roadway within its boundaries and implies that construction of the remaining portion of the planned roadway is undetermined. Completion of the planned roadway network would be accomplished through a combination of construction of roadways directly by the proposed development as well as indirectly from collection of development impact fees for the City to construct additional priority roadways not addressed directly from construction of development as determined by the City. In addition, individual development projects will be required to provide adequate primary and secondary access for the increased traffic volumes generated as is required to meet adequate intersections and roadway performance standards as well as provide adequate emergency access/evacuation routes as is analyzed in Section 4.16.E of the DEIR. This comment is related to circulation issues and does not comment on the adequacy of the DEIR analysis. No response is required.

C2. This comment seeks to clarify the individual proposed development planned capacity as determined by the proposed land use plan. This comment does not relate to any environmental impact analysis. No response is required.

Comment D – San Bernardino County Department of Public Works

DEPARTMENT OF PUBLIC WORKS

FLOOD CONTROL • LAND DEVELOPMENT & CONSTRUCTION • OPERATIONS
SOLID WASTE MANAGEMENT • SURVEYOR • TRANSPORTATION



COUNTY OF SAN BERNARDINO

825 East Third Street • San Bernardino, CA 92415-0835 • (909) 387-8104
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GERRY NEWCOMBE
Director of Public Works

February 25, 2013

Mr. Mark Tomich
Development Services Director
City of Colton
659 North La Cadena Drive,
Colton, CA 92324



10(ENV)-4.01

**RE: NOTICE OF AVAILABILITY AND DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
FOR THE CITY OF COLTON GENERAL PLAN UPDATE**

Dear Mr. Tomich:

Thank you for giving the County of San Bernardino Department of Public Works the opportunity to comment on the above-referenced project. We received this request on January 16, 2013, and pursuant to our review, the following comments are provided:

Water Resources Division (Mary Lou Mermilliod, PWE III, (909) 387-8222):

According to the most recent FEMA Flood Insurance Rate Maps, Panels 06071C8677H, 8678H, 8679H, 8683H, 8686H, 8687H, 8688H, 8689H, 8691H, 8692H, 8693H, and 8694H, dated August 28, 2008, portions of the project lie within Zone D, Zone X, Zone X, shaded, Zone A, Zone AH, Zone AE and the Regulatory Floodway.

1. In general, it appears that the DEIR has addressed the major concerns of the San Bernardino County Flood Control District (District). However, the District's recommendations are most often made for site specific conditions. Consequently, the recommendations made here are general in nature until such time as more detailed plans become available.
2. The second paragraph of DEIR Volume I, Section 4.9, Hydrologic Hazards, Flooding, should be revised to include the FEMA definitions for shaded Zone X.
3. Exhibit 4.9-3 of DEIR Volume I, Hydrologic Hazards, should be amended to show the revised limits of flooding as a result of the LOMR for East Branch Lytle Creek dated November 15, 2010.
4. Prior to any activity on District right-of-way, a permit shall be obtained from the District's Permits/Operation Support Division, Permits Section. Other off-site or on-site improvements may be required which cannot be determined at this time.

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GREGORY C. DEVEREAUX
Chief Executive Officer

Board of Supervisors

ROBERT A. LOVINGOOD First District	JAMES RAMOS Third District
JANICE RUTHERFORD Second District	GARY C. OVITT Fourth District
JOSIE GONZALES Fifth District		

City of Colton
Comments – Colton-General Plan Update
February 25, 2013
Page 2 of 2

5. We recommend that the City of Colton establish adequate provisions for intercepting and conducting the accumulated drainage around and through the sites in a manner which will not adversely affect adjacent or downstream properties. 5
6. We recommend that the most current FEMA regulations for construction within established floodplains and the Regulatory Floodway be enforced by the City of Colton. 6

Should you have any questions, please contact the individuals who provided the specific comment, as listed above.

Sincerely,



ANNESLEY IGNATIUS, P.E.
Deputy Director – Land Development & Construction

ARI:EJH:nh/CEQA Comments_Colton_City of Colton General Plan Update

cc: Mary Lou Mermilliod, Water Resources Division

Response D – San Bernardino County Department of Public Works

D1. This comment introduces and summarizes the following detailed comments. *This response does not identify any new information.*

D2. This comment requests that the FEMA definition for “Zone X” be included. This definition has been clarified on page 4.9-5 to utilize the FEMA definition for Zone X shaded as an area of moderate risk and Zone X unshaded as an area of minimal risk instead of an area not subject to flooding. *These revisions do not introduce new information and merely clarifies the analysis.*

D3. This comment notes that the exhibit needs to be updated to reflect recent changes to flood plain limits. Exhibit 4.9-3 has been updated to reflect this change. *These revisions do not introduce new information and merely clarifies the analysis.*

D4. This comment requests for the implementation of existing permitting procedures in the right-of-way. The analysis, mitigation, and conclusions in the DEIR would not restrict implementation of existing permitting procedures. The City of Colton will assure that these permitting procedures continue to be followed. *This response does not identify any new information.*

D5. This comment requests that proper drainage be adequately collected and conveyed downstream. These measures would be addressed on an individual project basis as they currently are implemented through the City's design review process with the review of the City Engineer for all storm drains. *This response does not identify any new information.*

D6. This comment requests that current FEMA regulations within floodplains and the Regulatory Floodway be enforced by the City. The City will comply with and enforce all applicable floodplain and floodway regulations. The proposed General Plan would not prohibit such compliance. *This response does not identify any new information.*

Comment E – Local Agency Formation Commission



LOCAL AGENCY FORMATION COMMISSION

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

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

Sent Via Fax (909) 783-0875 and Mail



February 27, 2013

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Board of Supervisors
- DIANE WILLIAMS
City Member

Mark Tomich, Development Services Director
Development Services Department
City of Colton
659 North La Cadena Drive
Colton, CA 92324

RE: Notice of Availability of Draft Environmental Impact Report for the City of Colton General Plan Update (SCH #2012031037)

ALTERNATES

- JANICE RUTHERFORD
Board of Supervisors
- DAWN ROWE
City Member
- SUNIL SETHI
Public Member
- ROBERT W. SMITH
Special District

Dear Mr. Tomich,

The Local Agency Formation Commission (LAFCO) received a copy of the Draft Environmental Impact Report (EIR) and Appendices for the City's General Plan Update. After reviewing the document, no jurisdictional issues were identified. However, LAFCO would like to provide some comments on the following:

Reference to the City's Sphere of Influence throughout the Draft EIR

LAFCO would like to point out that the reference to the City's Sphere of Influence (SOI) within the document is not entirely accurate. Although the document defines the SOI accurately pursuant to Government Code Section 56076 (last paragraph, page 3-1), this also means that the sphere of influence of a City includes its corporate boundaries as well. Therefore, it would be more appropriate to identify the area being referred to as the City's SOI throughout the document as the "City's **unincorporated SOI.**"

1

STAFF

- KATHLEEN ROLLINGS-McDONALD
Executive Officer
- SAMUEL MARTINEZ
Assistant Executive Officer
- MICHAEL TUERPE
Project Manager
- REBECCA LOWERY
Clerk to the Commission
- ANGELA M. SCHELL
Deputy Clerk to the Commission

Land Use Designations within the City's Unincorporated Sphere of Influence

The Draft EIR did not specifically identify that it was pre-zoning its unincorporated SOI. Since the City is assigning land use designations within its unincorporated SOI, it is LAFCO's assumption that the City is pre-zoning its unincorporated SOI.

2

LEGAL COUNSEL

- CLARK H. ALSOP

If it is, then this should be clearly identified within the Introduction, the Executive Summary, the Project Description and the Land Use and Planning portion of the Environmental Impact Analysis section of the document.

2

Draft EIR Comments:

- Environmental Setting 2.3 (Page 2-4)

Again, the reference of the SOI is inaccurate. The City's unincorporated SOI is what should be identified as 1.7 square miles whereas the City's SOI is the total area between its corporate boundaries and its unincorporated SOI.

3

- 3.0 Project Description

Project Location (Page 3-1)

The second paragraph identifies the planning area as 18.8 square miles. However, this statement is not consistent with what has been identified as the total area for the City's corporate boundaries (16.1 sq. miles) and its unincorporated SOI (1.7 sq. miles).

4

Proposed General Plan Update (Page 3-3)

See comments above related to the Environmental Setting.

5

- 4.0 Environmental Impact Analysis

General Comments:

The document refers to the City's Water Department throughout the document. However, in some instances within the sections of Hydrology and Water Quality and Utilities and Service Systems, the document refers to its Water Department as the Colton Water District. This may be a confusing statement since it may appear to the reader that this is a separate entity.

6

Geology and Soils 4.6 (page 4.6-15)

The last paragraph references again the issue identified above. This time, it references the Colton Water District Urban Water Management Plan (UWMP) instead of the Colton Water Department UWMP.

Land Use & Planning 4.10 (page 4.10-1)

The breakdown of the City's corporate boundaries and the total planning area as identified in the Existing Land Use Distribution portion of the document (second to last paragraph), and as shown on the tables on the subsequent

7

pages, Table 4.10-1 and 4.10-2, which are being identified in acreages, are inconsistent with what have been identified earlier as the areas in square miles. However, it should be noted that the acreage for the City's unincorporated SOI does match the identified 1.7 square miles.

7

Comments Related to the Reche Canyon Specific Plan:

The document does not specifically identify the land uses assigned for the Reche Canyon Specific Plan area. The document indicates that "...the proposed General Plan Update does not change the permitted land uses for the Reche Canyon Specific Plan area..." and that "...it simply changes the designation to be "Reche Canyon Specific Plan." However, the original Reche Canyon Specific Plan does not clearly define the zoning for the area (not parcel specific) nor does it conform to the current area defined as the new Reche Canyon Specific Plan. In fact, the easterly portion of the original Reche Canyon Specific Plan is currently in the City of Loma Linda.

8

Unless the City intends to prepare a separate document for the new Reche Canyon Specific Plan area sometime in the future, it would be helpful if the City clearly show the proposed land uses and/or zoning for the area as a part of the General Plan Update.

If you have any questions concerning the information outlined above, please do not hesitate to contact me or Samuel Martinez, Assistant Executive Officer, at (909) 383-9900. Please continue to include LAFCO on your distribution list to receive further information related to this project.

Sincerely,

KATHLEEN ROLLINGS-McDONALD
Executive Officer

Attachments

Response E – Local Agency Formation Commission

E1. This comment notes that the term Sphere of Influence (SOI) is not always properly applied throughout the DEIR. Various revisions have been made throughout the DEIR to clarify and correct the use of this term as suggested by the comment. *These revisions do not introduce new information and merely clarifies the analysis.*

E2. This comment assumes that the City would prezone those portions of its unincorporated SOI that the General Plan is assigning land use designations. The City is not pre zoning properties within its unincorporated SOI concurrently at this time and is thus not included in the project description and subsequent analysis in the DEIR. *This response does not identify any new information.*

E3. See Response E1.

E4. This comment points out an inconsistency in the statement of the size of the planning area. There will continue to be discrepancies between the planning area size and the total land use areas due to utilization of net parcel acreage. The inconsistency of planning area size is noted and the EIR has been revised to reflect this discrepancy. *These revisions do not introduce new information and merely clarifies the analysis.*

E5. This comment is the same as comment E1 and E3 and is responded to similarly. *This revision does not introduce new information and merely clarifies the analysis.*

E6. This comment notes that the references in the DEIR to the City's Water Department and Colton Water District inconsistently. Sections 4.9 and 4.17 of the DEIR have been revised to consistently refer to the Colton Water Department. *These revisions do not introduce new information and merely clarifies the analysis.*

E7. This comment points out an inconsistency in the statement of the size of the planning area and is addressed in Response E4. *These revisions do not introduce new information and merely clarifies the analysis.*

E8. This comment notes that the General Plan does not identify the land uses within the Reche Canyon Specific Plan area. The General Plan is not intended to provide the land use information, including zoning, of any specific plan within its planning area. The General Plan and its land use plan merely designate and identify where adopted specific plans exist. Detailed land use information that govern specific plan areas are provided within each Specific Plan document, separate of the General Plan and its land use plan. The update of the General Plan does not necessitate the update of this specific plan. *This response does not identify any new information.*

Comment F – United States Fish and Wildlife Service



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer To:
FWS-SB-13B0131-13CPA0063

FEB 28 2013

Mr. Mark Tomich
Development Services Director
City of Colton
659 North La Cadena Drive
Colton, California 92324

Subject: Draft Environmental Impact Report for the City of Colton General Plan Update,
City of Colton, San Bernardino County, California

Dear Mr. Tomich:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Environmental Impact Report (DEIR) for the City of Colton General Plan Update received on January 15, 2013. The DEIR was prepared by the City of Colton to assess the long range and cumulative environmental consequences that could result from adoption and implementation of the proposed General Plan Update. The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). We are providing the following comments as they relate to the project's effects on wildlife resources and species listed under the Act.

Biological Resources

DEIR section 4.4A, Biological Resources concludes that: "Impacts to special status species and their habitat resulting from implementation of the General Plan Update will be less than significant with mitigation incorporated." This conclusion is based on the implementation of Mitigation Measure 4.4.A-1 which states: "Biological resources assessment shall be prepared for any land use plan or development proposal located on any undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities." We are concerned that limiting the requirement for biological resource assessments to a subset of the vegetation communities found on undeveloped lands within the City of Colton could result significant biological resources being overlooked or undetected, including those listed in the DEIR as special status species. For example, the federally endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*, DSF) occurs in at least two vegetation communities, Annual Grass/Forbs and California Sagebrush (depicted in Exhibit 4.4.2, Vegetation Map) which are not included in the assessment requirement. The

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Mr. Mark Tomich (FWS-SB-13B0131-13CPA0063)

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federally threatened coastal California gnatcatcher (*Poliophtila californica californica*) may also be present in the California Sagebrush community as well as other shrub communities which currently do not have an assessment requirement. To help ensure that significant biological resources, including federally listed species, are detected if present, we recommend the requirement for biological resource assessments be broadened to include all undeveloped and agricultural land.

1

We appreciate the inclusion of Mitigation Measure 4.4-A2 requiring focused surveys for burrowing owl. In addition to the vegetation communities listed in the mitigation measure, burrowing owls are often found in agricultural areas. We recommend that the DEIR vegetation category Agriculture be added to the vegetation categories requiring a biological resources assessment. Mitigation Measure 4.4-A2 states that burrowing owl surveys and approaches to mitigation will be in accordance to the 1995 California Department of Fish and Game (CDFG) staff report on burrowing owl. CDFG, now the California Department of Fish and Wildlife published a new staff report in March 2012 (Enclosed). The revised staff report supersedes the survey, avoidance, minimization and mitigation recommendations in the 1995 staff report. We recommend that you replace any references to the 1995 report with the 2012 report.

2

3

As stated in the DEIR, Delhi sand soils, DSF habitat, can be found in areas of the City of Colton. DSF may occur anywhere these soils are present. We recommend that you add a Biological Resources mitigation measure requiring focused surveys for DSF on undeveloped lands in areas with mapped Delhi soils, and that they follow the Service's 1996 interim general guidelines and subsequent 2004 Memorandum recommending that surveys begin on July 1.

4

The Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*) protects migratory birds and their nests, eggs, young, and parts from possession, sale, purchase, barter, transport, import, and export, and take. For purposes of the MBTA, "take" is defined as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect" (50 C.F.R. § 10.12). The MBTA applies to bird species that are identified in 50 C.F.R. § 10.13 (defined hereafter as "migratory birds"). Many migratory birds, including birds of prey, are sensitive to disturbance during the breeding season, including courtship, incubation, brooding, and pre-fledging. Should human generated disturbance result in the wounding or killing of migratory birds, chicks, or eggs, including destruction of a nest with eggs or young, the activity would violate the MBTA. In order to ensure compliance with the MBTA, we recommend that a mitigation measure be added to the Biological Resources section to require pre-construction surveys for nesting birds during the breeding bird season, and if they are detected, the development of project specific avoidance and minimization measures, e.g., avoiding construction during the breeding bird season or establishing appropriate nest buffers.

5

Special Status Species

Although there are no occurrence records for the federally endangered southwestern willow flycatcher (*Empidonax traillii extimus*, SWWF) in the General Plan area, it has been detected in a nearby tributary of the Santa Ana River, San Timoteo Creek. Given this, and that suitable

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Mr. Mark Tomich (FWS-SB-13B0131-13CPA0063)

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habitat is present in the Santa Ana River, we recommend that SWWF be added to the Special Status Species list. The Service (Carlsbad Fish and Wildlife GIS database) has occurrence records in the General Plan area for the federally endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and Santa Ana River woolly-star (*Eriastrum densifolium* subsp. *sanctorum*). We recommend that they also be added to the Special Status Species list.

6

We appreciate the opportunity to comment on the DEIR. If you have questions regarding this letter, please contact Geary Hund of the Service at 760-322-2070, extension 209.

Sincerely,



Kennon A. Corey
Assistant Field Supervisor

Enclosure

Response F – United States Fish and Wildlife Service

F1. This comment notes that other vegetation communities should be included in the requirement to perform biological resources assessments due to the possibility for Delhi Sands flower-loving fly to occur in annual grass/forbs and California sagebrush and for the California gnatcatcher to occur in California sagebrush. As is indicated on Figure 4.4-1 of Section 4.4 of the DEIR annual grass/forbs is included in the dry herbaceous category and California sagebrush is included in the shrub category. Mitigation Measure 4.4.A-1 requires biological resource assessments to be conducted for development located within both dry herbaceous and shrub vegetation communities, thus such assessments would be required for annual grass/forbs and California sagebrush where the Delhi Sands flower-loving fly may occur. *This response does not identify any new information.*

F2. This comment notes that Mitigation Measure 4.4.A-2 should include agriculture vegetation type to the list of vegetation communities to require focused surveys for burrowing owls. The mitigation measure has been revised to include agriculture vegetation type. *This revision as shown below does not introduce new information and merely clarifies the analysis.*

Mitigation Measure 4.4.A-2: A focused survey for burrowing owls shall be conducted by a qualified professional biologist for any new development project proposed on a vacant site of two acres or larger, with a landscape of annual and perennial grasslands, desert, or arid scrubland with low-growing vegetation or agricultural use or vegetation. The purpose of the survey is to determine if burrowing owls are foraging or nesting on or adjacent to the project site. If surveys confirm that the site is occupied habitat, mitigation measures to minimize impacts to burrowing owls, their burrows, and foraging habitat shall be identified. The results of this survey, including any mitigation recommendations, shall be incorporated into the project-level CEQA compliance documentation. Owl surveys and approaches to mitigation shall be in accordance with the Staff Report on Burrowing Owl Mitigation, issued by the California Department of Fish and Game on March 7, 2012.

F3. This comment notes that the more recent 2012 California Department of Fish and Wildlife staff report on burrowing owls should be referenced in Mitigation Measure 4.4.A-2 instead of the 1995 report by the California Department of Fish and Game. The mitigation measure has been updated to reflect the more recent standards. *This revision as shown above does not introduce new information and merely clarifies the analysis.*

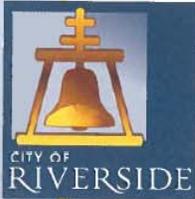
F4. This comment requests that a mitigation measure be added to require a biological resources assessment for development proposed on Delhi sand soils. Mitigation Measure 4.4.A-1 has been revised to include Delhi sand soils. *This revision as shown below does not introduce new information and merely clarifies the analysis.*

Mitigation Measure 4.4.A-1: A biological resources assessment shall be prepared for any land use plan or development proposal located on any undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities or mapped Delhi sands habitat. This assessment shall identify the habitat types and quality, identify species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to a proposed project. The reduction in impacts may include a redesign of the project. The compensation may include creating and/or preserving in perpetuity equivalent or better quality habitat at a minimum 1:1 ratio, as will be determined through project-specific analysis. The biological resources assessment shall be prepared by a qualified biologist and submitted to the Development Services Director for review/approval in consultation with the biologist and other as appropriate to the project. The biological resources assessment shall be included in the CEQA compliance documentation for all such proposals.

F5. This comment requests that a mitigation measure be added to require pre-construction surveys for nesting birds during the breeding bird season in accordance with the Migratory Bird Treaty Act (MBTA). Adherence to the MBTA is a federal requirement and thus does not need to be included as a mitigation measure. Project specific biological assessments will include surveys for migratory birds and will identify appropriate mitigation, if necessary. *This response does not identify any new information.*

F6. This comment requests that the federally endangered southwestern willow flycatcher, which is noted as having been detected in the nearby San Timoteo Creek and that adequate habitat is present in the Santa Ana River, be added to the list of Special Status Species. The comment also requests the addition of the San Bernardino kangaroo rat and Santa Ana River woolly-star to the Special Status Species list. The southwestern willow flycatcher and San Bernardino kangaroo rat have both been added to the list. Habitat supporting these species consist of a variety of scrub type plants, which are included in the shrub category. Therefore, Mitigation Measure 4.4.A-1 is not required to be revised to accommodate any additional vegetation types not already addressed. The Santa Ana River woolly-star was already included on the Special Status Species list in Section 4.4 of the DEIR. *These revisions as shown previously do not introduce new information and merely clarifies the analysis.*

Comment G – City of Riverside



Community Development
Department
Planning Division

February 28, 2013

Mark Tomich, Development Services Director
City of Colton
Development Services Department
659 N. La Cadena Drive
Colton, CA 92324

SUBJECT: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF COLTON GENERAL PLAN UPDATE: LAND USE, MOBILITY AND HOUSING ELEMENTS

Dear Mr. Tomich:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the City of Colton General Plan Update. The Project analyzed in the DEIR includes the adoption and implementation of three updated Elements of the City of Colton General Plan: Land Use, Mobility, and Housing. At this time, no changes are proposed to the remaining General Plan Elements: Noise, Open Space and Conservation, Safety, Model Air Quality, and Cultural Resources Preservation.

As described, the updated Land Use Element establishes overall development capacity for the City and surrounding areas, and serves as a policy guide for determining the appropriate physical development and character of the City. The DEIR indicates that the southwestern portions of Colton and its Sphere of Influence involve significant changes in land use designated for industrial uses, reflecting the City of Colton's desire to promote the area for intense industrial uses. In particular, the overall land designated for industrial uses will increase from approximately 223 acres to approximately 390 acres, with land specifically designated for heavy industrial uses increasing from approximately 100 acres to 137 acres.

As you are aware, the northernmost boundary of the City of Riverside abuts the southernmost boundary of the City of Colton, with Riverside Avenue/Main Street being a common arterial between the two cities. The proposed increase in land designated for industrial uses will generate significant truck and vehicular traffic that will result in direct, indirect or cumulative impacts to City of Riverside. Further, the City of Riverside owns land and water facilities that are located in the southwestern portions of Colton. As such, City of Riverside staff has fully reviewed the DEIR and offers the following comments for your review and consideration.

1

Traffic

- The Traffic Impact Analysis (TIA) prepared in conjunction with the DEIR does not include an analysis of the traffic impacts that will result from the increase in land designated for industrial uses onto the City of Riverside. Specifically, the DEIR needs to include a traffic analysis that details the impacts this project would have on City of Riverside streets, including Riverside Avenue/Main Street, Agua Mansa Road/Market Street and La Cadena Drive, as well as identify and assess viable mitigation measures acceptable to the City of Riverside. 2

- The TIA prepared in conjunction with the DEIR only analyzed intersections within the City of Colton and does not include an analysis of the traffic impacts of intersections beyond the Colton city limits. The TIA needs to fully analyze and proposed mitigation if needed to include, at a minimum, one intersection beyond the Colton city limits for each arterial that extends through the City of Riverside. 3

- As described in the DEIR, Riverside Avenue is proposed to be widened to 6 lanes within the City of Colton only, narrowing to the existing 4 lanes at Main Street and the Riverside/Colton city limits. Similarly, Agua Mansa Road is proposed to be widened to 6 lanes within the City of Colton only, narrowing to the existing 4 lanes outside of the Colton city limits. This will create a bottleneck that could result in a Level of Service (LOS) F at the intersection of Main Street and Placentia Lane as well as Agua Mansa Road and Market Street. As such, the TIA needs to adequately analyze impacts to these intersections and propose mitigation if necessary. 4

- The DEIR does not fully analyze the impacts of truck traffic that will result from the increase in land designated for industrial uses. Specifically, the DEIR needs to fully analyze the distribution of truck traffic and proposed mitigation, if necessary, based on established truck routes and restrictions beyond the Colton city limits. 5

- With the proposed increase in land designated for industrial uses and the resulting increase in truck traffic congestion on the I-215 Freeway, passenger vehicles will use surface streets to avoid freeway congestion. The DEIR does not adequately analyze the impacts of overall traffic onto the surface streets adjacent to the I-215 freeway (including La Cadena Drive) that will result from the increase in truck traffic on the freeway. As such, the DEIR needs to adequately analyze this issue and propose mitigation as necessary. 6

- The projection figures provided in the DEIR for future build out of the General Plan in 2030 show many intersections and road segments, including those near the Riverside/Colton city limits with LOS A and B. These projections assume that all studied roads and intersections are fully improved by the year 2030. However, the DEIR does not provide any mitigation measures or implementation tools to assure that the required road improvements will be in place to accommodate the expected increase in overall traffic. As such, the DEIR needs to include mitigation measures and implementation tools to ensure that this issue is adequately addressed. 7

- The TIA prepared in conjunction with the DEIR utilizes passenger car equivalents to reflect truck traffic. However, this can result in a misrepresentation of the actual impacts associated with truck traffic. The TIA should be revised to better accurately represent the projected vehicular and truck traffic, the associated impacts and appropriate mitigation. 8
- The TIA prepared in conjunction with the DEIR utilizes 2008 traffic counts instead of 2011 counts since the 2008 counts are more conservative than those taken in 2011. However, utilizing the 2008 counts results in a misrepresentation of the actual traffic impacts because it reduces the percentage increase of overall traffic when compared to the future traffic projections. The DEIR needs to be corrected to include 2011 counts to accurately represent the increase in projected vehicular and truck traffic, the associated impacts and appropriate mitigation. 9

Water

- A portion of land south of La Loma Hills in the Pellissier Ranch area is owned by the City of Riverside. The City of Riverside intends to construct groundwater recharge basins on its property as mentioned in its 2010 Urban Water Management Plan and July 2011 Recycled Water Facilities Plan. The Pellissier Ranch area planned for the project is currently vacant land. The City of Colton plans to designate the project area to accommodate light industrial uses. In addition, the City of Riverside is also considering a solar project on this property. The DEIR needs to include a discussion on how the proposed land uses designations will affect the City of Riverside’s current and future planned facilities and infrastructure. 10
- The City of Colton is planning to designate existing vacant land near the City of Riverside’s Flume wells and future recharge facilities to accommodate heavy industrial uses. The area is located south of M Street, and southwest of the existing Colton Iron and Metal facility. Colton Iron and Metal is currently working with the City of Colton, the City of Riverside, and DTSC to assess contaminated soil from past operating practices. Contaminated soil has been documented to occur on the adjacent, vacant lot. The DEIR needs address how the proposed land use changes will affect the City of Riverside’s current and future planned facilities and infrastructure and ensure that any contamination in this area is addressed before future facilities are developed. In addition, changing the land use designation to heavy industrial may allow for high risk potential contaminating activities which may pose a threat to local groundwater supplies used for drinking water. Furthermore, the endangered Santa Ana Woolly-star has been documented to occur in this area, which is not properly addressed in Impact 4.4.A of the DEIR. As such, the DEIR needs to adequately analyze these issues and propose mitigation as necessary. 11
- Section 4.9.B of the DEIR describes Colton’s planned future groundwater production from local groundwater basins. The Colton Water Department plans to extract 21,000 acre-feet/year by 2030 from the San Bernardino Basin Area, Rialto-Colton, and Riverside North basins, which is a 7,800 acre-foot increase from current conditions. The DEIR states that groundwater overdraft and lowering of groundwater levels due to their pumping is less than significant. However, City of Riverside staff believes this is not the case as nearby wells 12

may be impacted by dropping groundwater levels as a result of this additional pumping. As such, the DEIR needs to adequately analyze this issue and propose mitigation as necessary.

- Although the City of Colton has an unlimited right to pump groundwater in these subbasins, it does not preclude the City of Colton from managing the basin responsibly. The Western-San Bernardino Judgment describes groundwater management obligations specific to the lowering of groundwater levels in the Rialto-Colton and Riverside North basins. If groundwater levels measured in index wells located in the Rialto-Colton and Riverside North basins drop below the minimum groundwater level of 822.04 feet above mean sea level, obligations in the Judgment are triggered to maintain this elevation. Should the 822.04 ft level be reached, the City of Riverside's groundwater production would be directly impacted. As of 2011, the Western-San Bernardino Watermaster reported that current groundwater levels are within 25 feet of the minimum groundwater level. As such, the DEIR needs to provide a discussion on this issue, adequately analyze any potential impacts and propose mitigation as necessary.

13

The City of Riverside wishes you the best on the adoption and implementation of the City of Colton General Plan Update and looks forward to continuing to work alongside City of Colton staff to address the concerns associated with this project. Should you have any additional questions regarding this letter or to schedule a meeting with staff, please contact Gus Gonzalez, Associate Planner at (951) 826-5277 or ggonzalez@riversideca.gov.

Sincerely,



Steve Hayes, AICP
City Planner

- c: William "Rusty" Bailey III, Mayor
Riverside City Council Members
Scott Barber, City Manager
Deanna Lorson, Assistant City Manager
Kristi Smith, Supervising Deputy City Attorney
Tom Boyd, Public Works Director/City Engineer
Steve Libring, City Traffic Engineer
Al Zelinka, Community Development Director
Emilio Ramirez, Community Development Deputy Director
David Wright, Public Utilities General Manager
Kevin Milligan, Public Utilities Assistant General Manager

G:\Planning Special Projects\General Plan\Agency Comments\Other_Cities\City_of_Colton\PSP12-0035_GP_Update_2012\DEIR Feb 2013

Response G – City of Riverside

G1. These comments are a summary of the following comments which are detailed further. No response is required.

G2. This comment and following comments raise issues regarding potential traffic impacts on intersections and roadways outside of the City of Colton's jurisdiction. In particular, this comment notes that impacts from increased industrial development are not adequately addressed in the DEIR, specifically impacts to City of Riverside streets and intersections.

Impacts to roadways outside of the City of Colton, included roadways in the City of Riverside, are addressed in Section 6.1 (Cumulative Impacts) of the DEIR. The City's cumulative analysis focused on those roads most likely to carry inter-city traffic. The analysis included in Section 6.1 determines impacts on regional-serving roadways and highways based on comparison to the Congestion Management Plan. The analysis concludes that cumulative impacts to regional arterials and freeways would be significant even with consideration of the mitigation measures included in Section 4.16 (Transportation and Traffic) of the DEIR. This analysis concluded that potentially significant impacts could occur to roadways outside of Colton's jurisdiction based on the anticipated roadway and intersection LOS. In particular, nine of the studied roadway segments would operate at LOS E or F with the proposed General Plan Update without mitigation, of which seven would have LOS F. Although mitigation in Section 4.16 of the DEIR is included to potentially address these deficiencies, the physical and financial feasibility of the improvements is uncertain at this time, and it cannot be assured that the mitigation will be accomplished. Thus, cumulative impacts on roadways and intersections outside of the City of Colton have been determined to be potentially significant and unavoidable. This potentially includes the intersections of Riverside Avenue/Main Street, Agua Mansa Road/Market Street and La Cadena Drive.

In addition, the impacts of the land designated Industrial in the City of Colton and associated truck traffic are reflected in the intersection and roadway segment analyses of the DEIR and the supporting traffic impact analysis. Counts conducted for the study intersection analysis included vehicle classification counts at major intersections within industrial areas or on major truck routes. For this classification, field data collection included the type and number of axles on each truck. Passenger vehicles were separated out. The level of service calculations include the passenger car equivalency (PCE) factors to estimate the total effect on traffic flow and delay of the truck volumes, which is a commonly accepted method for traffic analysis. Two-axle trucks (such as service vehicles, buses, and RVs), considered to be light duty trucks, were multiplied a factor of 1.5. Three-axle trucks were classified as medium duty trucks and were multiplied by a factor of 2.0, and heavy duty trucks by a factor of 3.0. This comment does not suggest any other alternative methodology or other new information that would invalidate the methodology utilized and the analysis included in the DEIR.

As a program-level planning document, the General Plan is intended to plan for the adequate sizing and design of roadways and intersections to accommodate the traffic anticipated to be generated by the land uses proposed by the General Plan land use plan. As such, the City of Colton only has jurisdiction to plan for the roadways and intersections within its incorporated jurisdiction and sphere of influence. Thus, the traffic analysis prepared for the General Plan focuses on the performance on those segments and intersections. Although the cumulative impact analysis identified potentially significant impacts to regional roadways, environmental analysis of individual development projects pursuant to the requirements of CEQA and the City's local procedures will include projected traffic generation impacts on roadways and intersections within proximity of the project, including those within or outside of the City. Mitigation for specific intersections both within and outside the City of Colton will be identified at that time, if necessary. To ensure that appropriate coordination with the City of Riverside occurs at the time projects in Colton are proposed that could affect roadways and intersections in Riverside, the City of Colton recommends that a joint fair-share fee program be established to address project-specific and cumulative impacts. This comports with the following policy in the Mobility Element:

Policy M-7.2: Require the provision of appropriate mitigation of traffic impacts in surrounding communities resulting from development in Colton. Work with surrounding communities to ensure that traffic impacts in Colton resulting from development outside the City are adequately mitigated.

This revision does not identify any new information as the additional mitigation measure shown below simply clarifies policy direction and intent already included in the draft Mobility Element and the analysis included in the DEIR.

Mitigation Measure 4.16-7. To implement Policy M-7.2 of the Mobility Element, the City of Colton shall attempt to enter into an agreement with the Cities of Riverside and/or Grand Terrace establishing a fair-share fee program for the purpose of funding necessary traffic improvements at any intersection immediately adjacent to the mutual boundaries of the Cities of Colton, Grand Terrace, and Riverside that is significantly impacted on a cumulative basis. Projects within each city shall be responsible for paying their fair share towards such improvements. In recognition that each city affects the other's roadway network, such fair share fee program shall cover improvements and intersections within all three cities. Such a fair share fee program shall be established after the commissioning of a traffic study and nexus study (jointly funded by the participating cities) to specifically identify the nature, location, timing, and cost of all improvements necessary in ensure that cumulative significant impacts are all adequately addressed and mitigated, and the fair share fee program shall require the implementation of identified improvements at the appropriate time.

G3. This comment also notes that general traffic impacts were not analyzed beyond the City of Colton's planning area. As discussed in Response G2, cumulative impacts to roadways beyond the City limits and freeways were analyzed and determined to be significant and unavoidable since the funding for identified

mitigation/improvements cannot be identified. At the time individual development projects pursuant to General Plan land use policy are proposed on sites where associated traffic could impact specific intersections in Riverside or other adjacent communities, the City will require detailed traffic analyses. Such analyses will identify project-specific traffic impacts requiring mitigation, and the City will require mitigation on a fair-share basis, including mitigation for intersections in adjacent jurisdictions that could be impacted. With regard to impacts in Colton, over the long term improvements will be funded as needed via scheduled Capital Improvement Program allocations, by developers as determined to be needed on a project-specific basis, and via Measure I funds for projects included in the Measure I program. *This response does not identify any new information.*

G4. This comment notes that potential bottleneck conditions could occur as a result of the transition from larger roadway designations for Riverside Avenue and Agua Mansa Road (6 lanes) in Colton to smaller roadway designations for Main Street and Agua Mansa Road (4 lanes) in Riverside. This condition will potentially result in unacceptable LOS at the intersections of Main Street and Placentia Lane, as well as Agua Mansa Road and Market Street in the cities of Riverside and Jurupa Valley. As discussed in Response G2, cumulative impacts to regional roadways and freeways were determined to be potentially significant, and the mitigation cannot be assured due to uncertainty of funding. The impacts potentially include the intersections of Main Street/Placentia Lane and Agua Mansa/Market Street. *This response does not identify any new information.*

G5. This comment notes that the impacts of truck traffic on surface streets are not adequately analyzed in the DEIR. As discussed in Response G2, the DEIR and the supporting Traffic Impact Analysis utilized a commonly acceptable methodology for determining truck traffic flow and volumes. This comment does not suggest any other alternative methodology or other new information that would invalidate the methodology utilized and the analysis included in the DEIR. Mitigation was included in the DEIR to address those intersections and roadway segments determined to result a potentially significant impact, which includes impacts from additional truck traffic. *This response does not identify any new information.*

G6. This comment notes that the impacts of truck traffic on surface streets as a result of freeway congestion are not adequately analyzed in the DEIR. As discussed in Responses G2 and G5, the DEIR and the supporting traffic impact analysis utilized a commonly acceptable methodology for determining truck traffic flow and volumes, as well as use of the East Valley Transportation Model (EVTM) based on the regional model produced by the Southern California Association of Governments. The model includes improvements to the freeway system needed to account for projected future increases in freeway traffic volumes, including truck traffic. This comment does not suggest any other alternative methodology or other new information that would invalidate the methodology utilized and the analysis included in the DEIR. Mitigation was included in the DEIR to address potentially significant impacts, which includes impacts from additional truck traffic. *This response does not identify any new information.*

G7. This comment notes that although the traffic analysis indicates that intersections and roadway segments will operate at LOS A and B with full implementation of the Circulation Plan, no guarantee is included for these improvements to be provided pursuant to the Circulation Plan and included mitigation. These concerns are fully addressed in Section 4.16 of the DEIR where traffic impacts were found to be significant and unavoidable, despite the proposed General Plan policies and mitigation measures for roadway and intersection improvements that would either be addressed by requirements on individual development or directly from the City, since “complete funding for all of the mitigation requirements cannot be identified at this point—and because the analysis indicates that not all identified intersection impacts can be fully mitigated based on the information available today—implementation of General Plan land use policy, combined with future growth on the regional road network from sources outside of Colton, are expected to result in unavoidable significant impacts”. *This response does not identify any new information.*

G8. This comment notes that the use of Passenger Car Equivalents (PCEs) in the traffic analysis misrepresents the impacts of truck traffic. The use of PCE is an engineering standard and industry-accepted method for estimating impacts of truck traffic. This comment does not identify why this method is unacceptable nor propose an alternative method for estimating impacts of truck traffic. *This response does not identify any new information.*

G9. This comment notes that the use of 2008 traffic counts instead of 2011 traffic counts misrepresents existing conditions. Work on the traffic study began in 2008 but was delayed due to continuing refinements to the proposed land use plan. At the time work of the traffic study was resumed in 2011, the traffic consultant compared the 2008 counts from selected locations to more recent data the City had reflecting 2011 conditions. One-third of the study intersection locations were reviewed for volume differences between the two years.

Based on the analysis, the City Engineer and traffic consultant determined together that traffic volumes between 2008 and 2011 had not increased to a degree warranting recounts at the study locations, as 2008 conditions were reflected in the sample 2011 counts analyzed. Many of the count locations had negligible increases in volumes and some had large decreases, indicating a general downturn in travel activity in the area.

The traffic counts were used to determine the intersection approach splits of model-generated traffic for future conditions. Existing conditions were analyzed directly as background information only, and the impacts analysis was not based on existing traffic volumes, but rather on corridor traffic levels during the analyzed buildout period, as defined by model runs for the future analysis scenarios. Prior to preparation of the General Plan traffic study, input was received from the City of Riverside on the methodology to be utilized for the incorporation of future traffic increases due to planned land use intensity changes. This input was considered; however, a more conservative data basis provided by the San Bernardino model was utilized and thus provided a more conservative basis for

future traffic levels than the methodology originally requested by the City of Riverside. *This response does not identify any new information.*

G10. This comment notes that proposed land uses in the La Loma Hills/Pellissier Ranch area may have the potential to conflict with planned groundwater recharge plans and land use plans within the City of Riverside. Although industrial in nature, with the implementation of existing regulations, monitoring, and practices (i.e. Resources Conservation and Recovery Act, Environmental Planning and Community Right-To-Know Act, Toxic Release Inventory, Federal Clean Water Act, NPDES, Porter-Cologne Water Quality Control Act, Santa Ana RWOCB Basin Plan) as noted in Sections 4.8 and 4.9 of the DEIR, industrial land uses would have a less than significant impact on groundwater resources and surrounding existing and planned land uses. As noted in these sections, these existing regulations and practices would be applied and analyzed on an individual project basis. With the implementation of these regulations, monitoring, and practices, these proposed land uses are not foreseen to impact the planned operations and land uses noted by the City of Riverside.

With regard to future City of Riverside facilities, these contemplated projects are not in place at this time. The City will need to comply with any and all land use regulations at the time project applications are filed. In addition, CEQA requires an analysis of effects on the future environment, not effects on future projects that have yet to be initiated and may not occur. This comment does not identify how the planned operations and land uses in the City of Riverside could be impacted beyond that analyzed in the DEIR. *This response does not identify any new information.*

G11. This comment indicates that there are contaminated soils within the City of Colton and that the EIR should address contamination before future development is proposed, particularly with reference to the Colton Iron and Metal Facility. As discussed in Section 4.8 of the DEIR and required by Mitigation Measure 4.8.D-1, analysis of potential impacts related to contaminated sites will be identified on a project-level basis through preparation of a Phase I Environmental Site Assessment (ESA) and mitigated, if necessary, in accordance with existing federal, state, and local regulations regarding the handling and disposal of hazardous soils and materials. *This response does not identify any new significant information.*

G12. This comment notes that the occurrence of the Santa Ana Woolly-star was not adequately addressed relative to the proposed land use change from Light Industrial to Heavy Industrial at the location south of M Street and westerly of Fogg Street. This area, designated for land use change, is indicated as Dry Herbaceous - Annual Grass/Forbs per Exhibit 4.4-1 of the DEIR and therefore development in this area would be subject to Mitigation Measure 4.4.A-1 requiring preparation of a biological resources assessment to identify the habitat types and quality, species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to the proposed project. *This response does not identify any new information.*

G13. These comments state the City of Riverside’s opinion that future groundwater production from the Colton Water Department is not adequately addressed as it relates to overdraft and lowering of groundwater levels. Pursuant to the Western-San Bernardino Judgment, purveyors are obligated to maintain groundwater levels of 822.04 feet above mean sea level (AMSL). As indicated in Section 4.9 of the DEIR, a safe yield limit to prevent overdrafting has been established via adjudication. Sections 4.9 and 4.17 of the DEIR note that water supplies will be adequate to serve the projected growth of the City as accommodated by the proposed General Plan. As is noted in Section 4.17 of the DEIR, the UWMP anticipates a demand and production capacity of 14,853 Acre Feet per Year (AFY) in 2035 and the anticipated population growth of the City to 67,182 in 2035 would only require 13,305 AFY. Thus water entitlements, which would not result in exceedance of safe-yield amounts and overdrafting, would be adequate to serve the projected growth of the City as accommodated by the General Plan. Most importantly, adherence to the adjudication and the safe yield limits would indicate that the groundwater basin is being maintained responsibly, as it is suggested by the comment that it would not be maintained responsibly.

In addition, if pumping did result in groundwater levels falling below the 822.04 AMSL level (even though the analysis included in the DEIR and supporting UWMP does not indicate it would), this would trigger already existing provisions in the adjudication to remedy this condition. Therefore, groundwater levels decreasing to below 822.04 AMSL itself would not constitute a significant impact on its own.

The comment does not provide any evidence to indicate that the proposed General Plan would result in a conflict with the safe-yield amounts or result in improper groundwater management. The City will comply with existing regulations and adjudications and water conservation measures to ensure sufficient water supplies are provided for the planning area without compromising safe yield limits. *This response does not identify any new information.*

Comment H – San Bernardino Associated Governments



San Bernardino Associated Governments

1170 W. 3rd Street, 2nd Floor San Bernardino, CA 92410-1715
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- San Bernardino County Transportation Commission
- San Bernardino County Transportation Authority
- San Bernardino County Congestion Management Agency
- Service Authority for Freeway Emergencies

February 28, 2013

Mr. Mark Tomich
City of Colton
659 N. La Cadena Drive
Colton, CA 92324



City of Colton General Plan Update: Land Use, Housing, and Mobility Elements – Draft Environmental Impact Report

Dear Mr. Tomich:

San Bernardino Associated Governments (SANBAG) has received your submitted Notice of Availability of Draft Environmental Impact Report (DEIR) No.2012031037 for the City of Colton. SANBAG appreciates the opportunity to comment on the DEIR and submits the following comment:

In 2006, the California legislature passed Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006 which establishes a limit on greenhouse gas (GHG) emissions for the state of California to reduce state-wide emissions to 1990 levels. In response to the initiative, SANBAG, in partnership with 21 cities, is in the process of compiling an inventory of GHG emissions and evaluating the reduction measures that could be adopted by the partnership cities of San Bernardino County.

The City of Colton is an active participant in the regional GHG reduction plan, and thus the EIR should reference the relationship between the two documents. The City has identified GHG reduction goals, calculations, and measures based on the update of the General Plan land use, housing, and circulation elements. The updated General Plan elements contain transportation and land use-related policies and actions to reduce vehicle-related GHG emissions throughout the SANBAG region. These elements support the goals of SB 375 and the Sustainable Communities Strategy (SCS) through a wide range of policies and actions.



1

Thank you for the opportunity to comment on the General Plan Update draft EIR. Please contact Josh Lee at 909-884-8276 or jlee@sanbag.ca.gov if you have any questions regarding the comment letter.

Sincerely,

Josh Lee
Transportation Planning Analyst
San Bernardino Associated Governments

Cities of: Adelanto, Barstow, Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Hesperia, Highland, Loma Linda, Montclair, Needles, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Twentynine Palms, Upland, Victorville, Yucaipa
Towns of: Apple Valley, Yucca Valley County of San Bernardino

Response H – San Bernardino Associated Governments

H1. This comment references existing adopted greenhouse gas (GHG) legislation and regulations as well as current efforts by SANBAG and member cities (including the City of Colton) to compile an inventory of GHG emissions and evaluation of reduction measures. The comment states that the EIR should reference both documents. The preparation of the General Plan and the DEIR predated these efforts by SANBAG, therefore these ongoing efforts are not referenced. The City of Colton is and will continue to actively participate in this SANBAG guided effort. In addition, as discussed in Section 4.7 of the DEIR, the City will continue to implement AB32, Southern California Association of Government’s Regional Transportation Plan/Sustainable Communities Strategy, and all other applicable GHG reduction plans to achieve the required GHG reductions. *This response does not identify any new information.*

Comment I – Santa Ana Regional Water Quality Control Board



Santa Ana Regional Water Quality Control Board

February 28, 2013

Mark Tomich, Director
City of Colton Development Services
659 North La Cadena Drive
Colton, CA 92324

DRAFT ENVIRONMENTAL IMPACT REPORT FOR CITY OF COLTON GENERAL PLAN UPDATE - CITY OF COLTON, SCH #2012031037

Dear Mr. Tomich:

Staff of the Regional Water Quality Control Board, Santa Ana Region (Regional Board), has reviewed the January 2013 Draft Environmental Impact Report (DEIR) for the update of the City of Colton (City) General Plan (Project). This proactive update will modify the Land Use Element of the General Plan (as well as the Mobility (Circulation) and Housing Elements) for optimum usage of remaining open space toward appropriate physical development of the City through 2030. The DEIR relates the CEQA checklist to these Elements. The Project will not change the existing Open Space and Conservation, Cultural Resources Preservation, Noise, Safety, or Model Air Quality Elements.

The 18.8-square-mile planning area is surrounded by the Cities of Rialto to the west and north, San Bernardino to the northeast, Loma Linda to the east, and Grand Terrace to the south. The City's southeastern portion extends into Reche Canyon (Box Springs Mountains). Colton's Sphere of Influence (SOI; 1.7 sq.mi.) comprises four unincorporated areas completely within the City's boundaries, including two such areas in Reche Canyon. The majority of the City has been built on the floodplain of the Santa Ana River, Reach 4 (SAR), and north of the major natural bend of the SAR through the center of the City. A major topographical feature is Slover Mountain in the western portion of the City (limestone aggregate mine). City history has been highly influenced by industry, served by associated transportation routes that include both the Burlington Northern Santa Fe and Union Pacific Railways, as well as two interstate freeways (I-10 and I-215).

The Draft Land Use Plan (DEIR Exhibit 3.0-3) projects the implementation of the Reche Canyon Specific Plan in the southeast, the West Valley Specific Plan north of the I-10 at the western "gateway" to the City, and the insertion of medium to very low-density residential projects south of the SAR bend (Pellissier Ranch, La Loma Hills and meadows).

Our following comments are most germane to the Land Use Element (overlapping Open Space and Conservation Element, p.4.10-9). We request that these comments be incorporated into the final EIR, so that future projects in the City/SOI are carried out in a manner that protects water quality standards (i.e., water quality objectives and beneficial uses) identified in the Water Quality Control Plan for the Santa Ana River Basin, 1995, as amended (Region 8 Basin Plan):

The DEIR commendably addresses such diverse water-quality related topics as sites enrolled under Regional Board and State Water Resources Control Board (SWRCB) permits (p.4.9-21, 3, etc.); riparian habitat for specified sensitive animal and plant species (p.4.4-3-14); Total

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CAROLE H. BESWICK, CHAIR | KURT V. BERGFELD, EXECUTIVE OFFICER

3737 Main St., Suite 500, Riverside, CA 92501 | www.waterboards.ca.gov/santaana

Maximum Daily Loads for pollutants causing impairment (TMDLs, p.4.9-20); hydromodification (p.4.9-27); cleanups of local brownfields (p.4.8-16, Exhibit 4.8-3); non-point source pollution and stormwater runoff permitting; and cumulative impacts of "orderly growth" (p.6-3, 6-25).

1

Regarding the topic of pathogen TMDLs under preparation for SAR Reach 4 and Lytle Creek, the DEIR should note that the Regional Board has adopted TMDLs for the Santa Ana River downstream of Colton (Reach 3 and its tributaries; "Middle Santa Ana River Watershed") for both pathogens (Resolution No. R8-2005-0001) and nitrates (Resolution No. R8-2006-0023). The DEIR should reflect that the City will take steps to prevent introduction of pathogens and nitrates into the Santa Ana River, given current pathogen impairment to Reach 4 and because releases from Colton could affect compliance with the TMDL already established downstream.

2. DEIR Section 4.9, Hydrology and Water Quality, lists on Table 4.8-5 beneficial uses for the Santa Ana River, Reach 4; Lytle Creek, which joins SAR Reach 4 within the planning area; and SAR Reach 5 upstream of the San Jacinto Fault in northeast Colton. Spawning, Reproduction, and Development (SPWN) is not a designated beneficial use of SAR Reaches 4 and 5 as listed in Table 4.8-5; Cold Freshwater Habitat (COLD) is not designated for Reach 5 and should be replaced with Warm Freshwater Habitat (WARM).

2

According to the "tributary rule," other tributaries to these waters not specifically listed in the Basin Plan have the same water quality standards as the waters to which they are tributary. Therefore, we suggest that Table 4.8-5 also list, at minimum, Reche Canyon Channel, Blue Mountain Creek, Prado Lane Creek, Cooley Channel, and Highgrove Channel. Section 4.9 should emphasize that all projects approved by the City must be planned in conjunction with those beneficial uses correctly listed on Table 4.8-5ⁱ and must avoid impacts to them to the maximum extent possible. The City should identify the opportunities for projects to implement restoration of native vegetation/other natural habitat attributes, and ways to enhance listed beneficial uses in these riparian areas. Local groundwater management zones (GMZ) are also listed on Table 4.8-5, including the Colton, Riverside-A, and Riverside-F GMZs that underlie Colton. Of these, the final EIR should reflect that the Colton GMZ has no assimilative capacity for additional Total Dissolved Solids (TDS) and Nitrate-Nitrogen (NO3-N).

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3. The final EIR should emphasize that an underlying, guiding premise for all future development is that impacts to water quality standards of all surface waters (including ephemeral drainages and alluvial fan slopewash) must first and foremost be avoided whenever possible. Unavoidable impacts to water quality standards must be minimized with generous, in-kind mitigation (beyond simply the acquisition of permits) that, at a minimum, replaces the full water quality function and value of the water quality standards that existed prior to impact and that results in no net loss of wetlands. Mitigation sites must be protected from other uses by conservation easements or other appropriate restrictive land use instruments.

6

4. A Clean Water Act (CWA) Section 401 Water Quality Standards Certification (Certification) must be obtained from the Regional Board for any project that causes material to be dredged from, or filled into, waters of the United States, i.e., surface waters or tributaries thereto, where these waters fall under the jurisdiction of the United States Army Corps of Engineers (USACOE) and a CWA Section 404 permit is required. **Early consultation with Regional Board staff concerning potential Certification issues is strongly suggested.** Where the USACOE determines that a surface water body is isolated and does not fall under the Section 404 permit program, and where filling or dredging of an isolated water body is proposed, the Regional

7

Mr. Mark Tomich

- 3 -

February 28, 2013

Board may determine that WDRs are necessary for protection of water quality standards of waters of the state. On DEIR p.4.1-6, we note that Item 6., Impact 4.1.B mentions the prevention of obstructing watercourses; be advised that any proposed fill to a drainage, diversion, or hydromodification, will require our review for either a Certification or WDRs.

Acceptable mitigation for unavoidable direct and cumulative impacts on water quality standards must be determined through consultation with the responsible agencies that likely will be issuing permits for the project, including USACOE (Section 404 permit), the Regional Board (Certification or WDRs), and/or the California Department of Fish and Wildlife (Fish and Game Code Section 1600 et. seq. Streambed Alteration Agreement). The Lead Agency for a project should not finalize its CEQA process until mitigation agreed to between the project proponent and all Responsible Agencies can be incorporated into the final CEQA document. Through the restoration of habitat and the facilitation of wildlife movement through riparian corridors, the Basin Plan's wildlife habitat beneficial uses are served (WILD, WARM, and Rare, Threatened, or Endangered Species habitat (RARE). To avoid impeding wildlife movement, roadways and pipelines should cross drainages by bridges or wide, "soft-bottomed" arched culvert systems.

7

- 5. The final EIR must reflect that the City, as a co-permittee, is incorporating into the General Plan the requirements of Order No. R8-2010-0036, NPDES Permit No. CAS618036, the Regional Board's "Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region, Area-Wide Urban Storm Water Runoff Management Program" also known as the San Bernardino County municipal separate storm sewer system, or "San Bernardino County MS4 permit." Appropriate Best Management Practices (BMPs; see MS4 permit p.72, etc.) and management measures must be implemented to control the discharge of point source and non-point source pollutants, both during construction and for the life of development projects. Post-construction BMPs must address all pollutant loads carried by dry weather runoff and first-flush storm water runoff from an entire project. All development must conform to the provisions of the Water Quality Management Plan (WQMP) required by the San Bernardino County MS4 permit.

8

The final EIR should encourage BMPs that utilize the principles of low impact development, or LID (MS4 permit p. 84, etc.) as part of a community-wide comprehensive system for protecting water quality standards.

If you have any questions, please contact Glenn Robertson of my staff at (951) 782-3259, or Glenn.Robertson@waterboards.ca.gov, or me at (951) 782-3234, or Mark.Adelson@waterboards.ca.gov

Sincerely,



Mark G. Adelson, Chief
Regional Planning Programs Section

Cc: State Clearinghouse

X:Groberts on Magnolia/Data/CEQA/CEQA Responses/ DEIR - City of Colton - General Plan Update.doc

Mr. Mark Tomich

- 4 -

February 28, 2013

ⁱ Agricultural Supply (AGR), Industrial Service Supply (IND), Groundwater Recharge (GWR), Municipal and Domestic Supply (MUN), Hydropower Generation (POW), Industrial Process Supply (PROC), Water Contact Recreation (REC1), Non-Contact Water Recreation (REC2), Warm Freshwater Habitat (WARM), and Wildlife Habitat (WILD).

Response I – Santa Ana Regional Water Quality Control Board

Note that Comment I references Tables 4.8-5; however, the DEIR has been revised to correct a typographical error and that table is no referenced as Table 4.9-5.

I1. This comment requests that the DEIR note that the Santa Ana Regional Water Quality Control Board (RWQCB) has adopted Total Maximum Daily Loads (TMDLs) for the Santa Ana River downstream of Colton for both pathogens and nitrates. Section 4.9 of the DEIR has been revised to note as such. *This revision does not introduce new information and merely clarifies the analysis.*

I2. This comment requests correction to the noted Beneficial Uses of certain reaches of the Santa Ana River in Table 4.9-5. Table 4.9-5 has been revised as requested. *This revision does not introduce new information and merely clarifies the analysis.*

I3. This comment requests that tributaries be included in addition to the listed waterbodies in Table 4.9-5. The City recognizes that water quality standards applicable to a water body are also applicable to its tributaries and will be implemented through NPDES and other regulations to limit downstream pollutant loading. In addition, the intent of Table 4.9-5 is to list the beneficial uses for water bodies within the planning area, not water quality standards. *This response does not identify any new information.*

I4. This comment requests notation that all projects be planned consistent with the listed beneficial uses as well as identify opportunities for projects to implement the beneficial uses. As noted in Section 4.9.A and 4.9.F, development that implements the General Plan will be subject to existing RWQCB regulations and the City's local water quality control standards. *This response does not identify any new information.*

I5. This comment requests notation that the Colton groundwater management zone (GMZ) has no assimilative capacity for additional Total Dissolved Solids (TDS). This notation has been added to Section 4.9 of the DEIR. *This revision does not introduce new information and merely clarifies the analysis.*

I6. This comment requests notation that impacts from future development to water quality standards of all surface waters be avoided whenever possible. As noted in Section 4.9.A and 4.9.F, development that implements the General Plan will be subject to existing RWQCB regulations and the City's local water quality control standards. *This response does not identify any new information.*

I7. This comment identifies under what circumstances a Clean Water Act (CWA) Section 401 Water Quality Standards Certification is required and the details of its review and processing in coordination with design review, entitlement processing, and CEQA review. The City currently implements and will continue to implement

these requirements as required by federal law. *This response does not identify any new information.*

18. This comment requests notation of the City's status as a co-permittee under the County's MS4 permit as well as the appropriate Best Management Practices (BMPs). Section 4.9 of the DEIR (specifically page 4.9-13) already notes that the City is a co-permittee under the County's permit and discussion of the San Bernardino Countywide Stormwater Program and Colton Municipal Code expand on the basics of how it is implemented within the City. No response is required.

Comment J – City of Grand Terrace



Community Development Department

RECEIVED

MAR 07 2013

CITY OF COLTON
DEVELOPMENT SERVICES DEPARTMENT

March 5, 2013

Mr. Mark Tomich
Development Services Director
659 North La Cadena Drive
Colton, California 92324

Re: Draft Environmental Impact Report (EIR) General Plan Update: Land Use, Mobility and Housing Elements

Dear Mr. Tomich:

The City of Grand Terrace appreciates the opportunity to comment on the Draft EIR for the above-referenced General Plan Update. Our comments relate to the analysis of Transportation and Traffic impacts within the Draft EIR. Specifically, in our response to the Notice of Preparation (NOP) for the Draft EIR dated April 3, 2012, the City of Grand Terrace requested that the EIR analyze potential traffic impacts to roadways within Grand Terrace given our shared city boundaries and the potential for future development and build-out of the City of Colton to generate traffic onto Grand Terrace roadways.

The Draft EIR neglects to address the traffic-related comment included in our response to the NOP. The Draft EIR needs to address impacts outside of Colton and its Sphere of Influence due to the proposed General Plan Update, to determine if the Update will have impacts on the circulation systems of adjacent jurisdictions, including the City of Grand Terrace.

Additional trips on adjacent jurisdiction circulation systems due to the three primary components of the Colton General Plan Update including amendments to the Colton land-use, mobility, and housing elements need to be quantified in the Draft EIR.

In accordance with SANBAG Congestion Management Program (CMP) guidelines, the Traffic Impact Analysis prepared should identify where the General Plan Update will increase vehicle trips by more than 50 peak hour trips on all CMP roads and intersections in Grand Terrace. Mitigation measures should be identified where the Colton GPA will contribute to the City of Grand Terrace level of service (LOS) standards to be exceeded.

Should you have any questions related to our comments please feel free to contact Community Development Director Richard Shields at 909 430-2250.

Sincerely,

RICHARD SHIELDS
Community Development Director

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Y:\Colton General Plan Update_2013\Colton Draft EIR Comment Letter_3.5.2013.doc
22795 Barton Road, Grand Terrace, California, 92313-5295 909/824-6621 Fax 909/783-2600

Response J – City of Grand Terrace

J1. This comment raises questions about potential traffic impacts on intersections and roadways outside of the City of Colton’s jurisdiction and within the City of Grand Terrace, in particular analysis of impacts of 50 peak hour trips or greater on all Congestion Management Plan (CMP) roads and intersections. Impacts to the City of Grand Terrace are addressed in Section 6.1 (Cumulative Impacts) of the DEIR, which determined that cumulative impacts to regional arterials and freeways would be significant even with consideration of the mitigation measures included in Section 4.16 (Transportation and Traffic) of the DEIR. The analysis included in Section 6.1 determines impacts on regional serving roadways and highways based on comparison to the Congestion Management Plan. This analysis determined that potentially significant impacts could occur to roadways outside of the City’s jurisdiction based on the anticipated roadway and intersection LOS. In particular nine of the studied roadway segments would operate at LOS E or F with the proposed General Plan Update without mitigation, of which seven would have LOS F. Although mitigation is proposed in Section 4.16 of the DEIR to potentially address these deficiencies, the physical and financial feasibility of the improvements is uncertain at this time, and it cannot be assured that the mitigation will be accomplished. Thus, cumulative impacts on roadways and intersections outside of the City of Colton have been determined to be potentially significant and unavoidable. This includes intersections within the City of Grand Terrace.

As a program-level planning document, the General Plan is intended to plan for the adequate sizing and design of roadways and intersections to accommodate the traffic anticipated to be generated by the land uses proposed by the General Plan land use plan. As such, the City of Colton only has jurisdiction to plan for the roadways and intersections within its incorporated jurisdiction and sphere of influence. Thus, the traffic analysis prepared for the General Plan focuses on the performance on those segments and intersections. Although the cumulative impact analysis identified potentially significant impacts to regional roadways, environmental analysis of individual development projects pursuant to the requirements of CEQA and the City’s local procedures will include projected traffic generation impacts on roadways and intersections within proximity of the project, including those within or outside of the City. Mitigation for specific intersections both within and outside the City of Colton will be identified at that time, if necessary.

To ensure that appropriate coordination with the City of Grand Terrace occurs at the time projects in Colton are proposed that could affect roadways and intersections in Grand Terrace, the City of Colton recommends that a joint fair-share fee program be established to address project-specific and cumulative impacts. This comports with the following policy in the Mobility Element:

Policy M-7.2: Require the provision of appropriate mitigation of traffic impacts in surrounding communities resulting from development in Colton.

Work with surrounding communities to ensure that traffic impacts in Colton resulting from development outside the City are adequately mitigated.

This revision does not identify any new information as the additional mitigation measure shown below simply clarifies policy direction and intent already included in the draft Mobility Element and the analysis included in the DEIR.

Mitigation Measure 4.16-7. To implement Policy M-7.2 of the Mobility Element, the City of Colton shall attempt to enter into an agreement with the Cities of Riverside and/or Grand Terrace establishing a fair-share fee program for the purpose of funding necessary traffic improvements at any intersection immediately adjacent to the mutual boundaries of the Cities of Colton, Grand Terrace, and Riverside that is significantly impacted on a cumulative basis. Projects within each city shall be responsible for paying their fair share towards such improvements. In recognition that each city affects the other's roadway network, such fair share fee program shall cover improvements and intersections within all three cities. Such a fair share fee program shall be established after the commissioning of a traffic study and nexus study (jointly funded by the participating cities) to specifically identify the nature, location, timing, and cost of all improvements necessary to ensure that cumulative significant impacts are all adequately addressed and mitigated, and the fair share fee program shall require the implementation of identified improvements at the appropriate time.

In addition, as is noted in Section 6.1 of the DEIR, in accordance with Appendix C of the SANBAG CMP, a traffic impact analysis is required for all projects that generate 250 or greater peak hour trips on a CMP roadway or intersection. To clarify, Section 6.1 of the DEIR has been updated to note that projects that generate 50 or greater peak hour trips to a state highway require preparation of a traffic impact analysis. *This revision does not introduce new information and merely clarifies the analysis.*

3 Errata

This section identifies revisions to the Environmental Impact Report (EIR) to incorporate clarifications developed in response to comments on the EIR or minor errors corrected through subsequent review. It also identifies any insignificant corrections to the EIR. Additions to the text are underlined and deletions have been ~~stricken through~~.

Section 4.9 of the DEIR has been corrected to accurately title the individual table titles. Pursuant to Response E1, multiple changes throughout the DEIR have been made to accurately note the “unincorporated sphere of influence”. These changes occur throughout the DEIR and have not been specifically included in the following errata pages.

2.0 Executive Summary

Impact Summary (The numbers in the first column refer to the EIR sections where specific impact topics are addressed. The letters refer to the thresholds identified in Appendix G of the CEQA Guidelines.)		Mitigation Measures	Level of Significance with Mitigation Incorporated
<i>Biological Resources</i>			
4.4.A	Impacts to special status species and their habitat resulting from implementation of the General Plan Update will be less than significant with mitigation incorporated.	4.4.A-1 – A biological resources assessment shall be prepared for any land use plan or development proposal located on any undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities <u>or mapped Delhi sands habitat</u> . This assessment shall identify the habitat types and quality, <u>identify</u> species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to the a proposed project. <u>The reduction in impacts may include a redesign of the project. The compensation may include creating and/or preserving in perpetuity equivalent or better quality habitat at a minimum 1:1 ratio, as will be determined through project-specific analysis.</u> The biological <u>resources</u> assessment shall be <u>prepared by a qualified biologist and</u> submitted to the Development Services Director for review/approval <u>in consultation with the biologist in consultation with the biologist and other as appropriate to the project.</u> and <u>The biological resources assessment</u> shall be included in the CEQA compliance documentation for	Less than Significant

Impact Summary (The numbers in the first column refer to the EIR sections where specific impact topics are addressed. The letters refer to the thresholds identified in Appendix G of the CEQA Guidelines.)		Mitigation Measures	Level of Significance with Mitigation Incorporated
		<p>all such proposals.</p> <p>4.4.A-2 – A focused survey for burrowing owls shall be conducted by a qualified professional biologist for any new development project proposed on a vacant site of two acres or larger, with a landscape of annual and perennial grasslands, desert, or arid scrubland with low-growing vegetation <u>or agricultural use or vegetation</u>. The purpose of the survey is to determine if burrowing owls are foraging or nesting on or adjacent to the project site. If surveys confirm that the site is occupied habitat, mitigation measures to minimize impacts to burrowing owls, their burrows, and foraging habitat shall be identified. The results of this survey, including any mitigation recommendations, shall be incorporated into the project-level CEQA compliance documentation. Owl surveys and approaches to mitigation shall be in accordance with the Staff Report on Burrowing Owl Mitigation, issued by the California Department of Fish and Game on October 17, 1995 March 7, 2012.</p>	
<i>Cultural Resources</i>			
4.5.C	Impacts to paleontological resources will be less than significant with mitigation incorporated	4.5-1 - Future development proposals subject to environmental review pursuant to the California Environmental Quality Act (CEQA) are subject to the following provisions at the expense of the project proponent, as directed by the Development Services Director.	Less than Significant

3.0 Project Description

Background

Under California state law (Government Code Section 65300 et seq.), every city and county is required to have a general plan. The general plan is to be comprehensive and long-range in guiding the physical development of the incorporated city, plus any land outside city boundaries that has a relationship to the city's planning activities. To this end, the California Supreme Court has called the general plan "the constitution for all future development" within a given community.¹

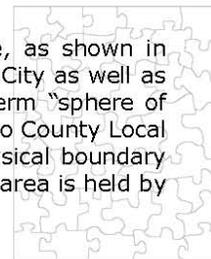
The project analyzed in this Environmental Impact Report (EIR) is the adoption and long-term implementation of the City of Colton General Plan's updated Land Use Element, Circulation Element, and Housing Element. The General Plan Update will serve as the blueprint for the City of Colton (City) and will establish goals, policies, and programs, for the long-term physical development and quality of life in the community. The General Plan Update will include a land use designation map that replaces the land use designation map associated with the 1986 General Plan. The City has established 2030 as the horizon year for the General Plan Update; in other words, the year by which the City would expect that policies and programs would be realized and further comprehensive review of the plan may be warranted.

This EIR is being prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA guidelines. This EIR is a Program EIR prepared in accordance with CEQA guidelines Section 15168. Section 15168 allows for the preparation of a Program EIR for a series of actions that can be characterized as a single project.

Project Location

The City of Colton is located in the extensively developed West Valley region of the southwestern portion of San Bernardino County. It is surrounded by the cities of Rialto, Grand Terrace, Loma Linda, San Bernardino, and Riverside (Exhibit 3.0-1 Regional Map). Major transportation facilities include Interstate 10 (I-10), Interstate 215 (I-215), Union Pacific Railway, and Burlington Northern Santa Fe (BNSF) Railway.

The 18.8-0 square mile area covered by the General Plan Update, as shown in Exhibit 3.0-2 (Planning Area), consists of the corporate limits of the City as well as lands within the City's unincorporated "sphere of influence". The term "sphere of influence" (SOI) applies to the area designated by the San Bernardino County Local Agency Formation Commission (LAFCO) as the probable, future physical boundary or service area of the City. Land use regulatory authority in the SOI area is held by



¹ Leshner Communications, Inc. v. City of Walnut Creek, 52 Cal.3d 531,540 (1990)

7. Safety Element
8. Model Air Quality Element
9. Cultural Resources Element
10. Implementation Plan

The bulk of the current City of Colton General Plan, including the Land Use Element, was adopted in 1986. The Circulation and Housing Elements were adopted in 1993 and 2002, respectively.

Proposed General Plan Update

The General Plan Update addresses three elements (land use, housing, and circulation) of the seven state mandated General Plan elements. The proposed Land Use Element establishes an overall development capacity for the City and serves as a policy guide for determining the appropriate physical development and character of the approximately 16.1 square miles that make up the City's jurisdiction proper and the additional 1.7-9 square miles located in the City's SOI. The development capacity of the proposed Land Use Plan is estimated at 22,800 dwelling units to house about 72,000 residents, and 26.1 million square feet of commercial and industrial space. The General Plan applies to all properties within the City of Colton and recommends policy for the City's SOI.

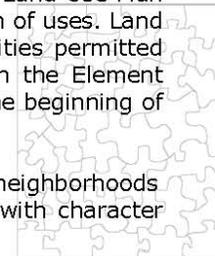
The Zoning Code serves as the primary tool to implement General Plan land use policy. Zoning districts that correspond to General Plan land use designations establish use regulations, development standards, and design criteria for all types of development in Colton. Following adoption of the updated General Plan, the City will undertake a comprehensive Zoning Code amendment to achieve consistency between the General Plan and the Zoning Code and thereby allow for consistent implementation of the General Plan.

The General Plan Update consists of the Elements detailed below. The following descriptions include highlights of the changes between the existing General Plan and the proposed General Plan.

Land Use Element

The proposed Land Use Element defines Colton's physical form and sets out a basic plan for how land in the City and unincorporated Sphere of Influence will be used over time. The Element sets forth the location, type, and intensity of development, and establishes the desired mix and relationship between uses. The Land Use Plan (see Exhibit 3.0-3, Draft Land Use Plan) identifies the planned pattern of uses. Land use designations identify the general categories of land-based activities permitted throughout the planning area. The goals and policies contained in the Element provide guidance to achieving the City's priorities as spelled out at the beginning of the Element, namely:

- Protecting and preserving established single-family residential neighborhoods
- Requiring all new development to be of high-quality design, with character that reflects Colton's rich history



Biological Resources 4.4

The Southern Riparian Scrub community (also known as Southern Alluvial Fan Scrub) is characterized as an open to moderately dense, broad-leaved, deep-rooted evergreen scrub approximately 1.5 meters in height. This community is generally dominated by scalebroom with various coastal sage scrub and chaparral species as subdominants. This community occupies approximately 91 acres in the Reche Canyon area. The northwestern San Diego pocket mouse has been reported near this natural community.

Delhi Sands Flower-Loving Fly

The Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) is a large fly with a tubular proboscis used to extract nectar from flowers. This species is listed as federally endangered. This fly has a very narrow habitat consisting of fine, sandy soils of the Delhi series with wholly or partially consolidated dunes. The range of this species has been reduced by over 97 percent due to past agricultural conversion and more recent urbanization. This species has been reported east of the West Valley Specific Plan (West Subarea), and south of Interstate 10, between Pepper Avenue and Riverside Avenue.

Busck's Gallmoth

Busck's gallmoth (*Carolella busckana*) is not a federally or State listed species. This species is a type of moth. No additional information on this species is available. A historical reference in the CNDDDB reported this species in the City of Loma Linda, east of the planning area.

Southwestern Willow Flycatcher

The southwestern willow flycatcher (*Empidonax traillii extimus*) is a federally and state listed endangered small bird that is found in the southwest United States, including portions of Southern California. The flycatcher is a summer breeder within its known areas within the United States and migrates to winter areas in Central America. Preferred habitat includes dense riparian tree and shrub communities typically associated with saturated soils, standing water, or nearby streams or pools are components of nesting habitat. Loss and degradation of dense riparian habitats are the primary habitat threat to the flycatcher. Although there are no occurrence records for the flycatcher within the planning area, it has been detected in the San Timoteo Creek, which is tributary to the Santa Ana River.¹²

San Bernardino Kangaroo Rat

The San Bernardino kangaroo rat (*Dipodomys merriami parvus*) is a federally endangered small, yellowish-brown, burrowing rodent that is a subspecies of Merriam's kangaroo rat that is found in San Bernardino and Riverside counties. Its preferred habitat includes alluvial floodplains and adjacent upland habitats which typically includes Riversidean alluvial fan sage scrub vegetation. Given the species preferred habitat location in floodplain areas, they are subject to natural loss as flooding occurs in areas where the species exists. In addition, channelization and development within floodplains that segment species populations and associated loss of vegetation are also threats to the species' habitat.

4.4 Biological Resources

**Table 4.4-1
CNDDB Species Occurrences**

Feature	Last Seen	Species	Status		
			USFWS	CDFG	CNPS
1	1930	Western Yellow-Billed Cuckoo	C	E	-
2	1998	Burrowing Owl	-	SSC	-
6-7	2000	Coastal California Gnatcatcher	T	-	-
9-10	2007	Least Bell's Vireo	E	E	-
13, 15	2000	Arroyo Chub	-	SSC	-
19-20	2000	Santa Ana Sucker	T	SSC	-
21	1992	Western Yellow Bat	-	SSC	-
24	1933	Western Mastiff Bat	-	SSC	-
27-28	2002	Los Angeles Pocket Mouse	-	SSC	-
31, 33	1988	Stephen's Kangaroo Rat	E	T	-
39	2001	Northwestern San Diego Pocket Mouse	-	SSC	-
41	1923	Southern Grasshopper Mouse	-	SSC	-
45	1992	Coast Horned Lizard	-	SSC	-
60	1985	Southern Cottonwood Willow Riparian Forest	-	-	-
64	1985	Southern Riparian Scrub	-	-	-
68	2001	Delhi Sands Flower-Loving Fly	E	-	-
70	-	Busck's Gallmoth	-	-	-
*	-	Southwestern Willow Flycatcher	E	E	-
35-37	**	San Bernardino Kangaroo Rat	E	-	-
71	1917	Los Angeles Sunflower	-	-	1A
74	1948	Smooth Tarplant	-	-	1B.1
77	1917	San Bernardino Aster	-	-	1B.2
83	1935	Gambel's Water Cress	E	T	1B.1
85	1941	Pringle's Monardella	-	-	1A
87	1882	Parry's Spineflower	-	-	1B.1
93-95, 98-99	2008	Santa Ana River Wollystar	E	E	1B.1
100	1888	Mesa Horkelia	-	-	1B.1
103	1967	Alvin Meadow Bedstraw	-	-	1B.2
104	1882	Bristly Sedge	-	-	2.1

Source: CDFG 2010

USFWS	CDFG
E Endangered	E Endangered
T Threatened	T Threatened
C Candidate Species	SSC Species of Special Concern

CNPS Categories

1A Plants presumed extinct in California
 1B Plants that are rare, threatened, or endangered in California and elsewhere
 2 Plants that are rare, threatened, or endangered in California but more common elsewhere
 3 Plants about which the CNPS needs more information. This is a review list.
 4 Plants of limited distribution. This is a watch list.

CNPS Threat Code Extensions

None Plant is lacking threat information .2 Fairly endangered in California
 .1 Seriously endangered in California .3 Not very endangered in California

* - [No record of the species is noted on the 2010 CDFG CNDDB USGS Quadrangle San Bernardino South](#)
 ** - [Although record of the species is noted on the 2010 CDFG CNDDB USGS Quadrangle San Bernardino South, no record is included within the planning area](#)

Biological Resources 4.4

**IMPACT
4.4.E**

No impact related to conflicts with the proposed General Plan Update and other existing policies, regulations, or standards would occur.

There are no existing County or City policies, regulations, or standards designed to protect biological resources applicable to the planning area; therefore, the proposed General Plan could not conflict with such policies, regulations, or standards. No impact could occur.

**IMPACT
4.4.F**

No impact related to conflicts between the proposed General Plan Update and existing Habitat Conservation Plans will occur.

The General Plan Update designates active Habitat Conservation Plans for the Delhi Sands flower-loving fly as open space and does not include land use changes or proposed circulation improvements within any other adopted Habitat Conservation Plan area; therefore, the General Plan Update will have no effect upon such conversation plans.

Mitigation Measures

**MITIGATION
4.4.A-1**

A biological resources assessment shall be prepared for any land use plan or development proposal located on any undeveloped land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as dry herbaceous, hardwood forest-woodland, shrub, or giant reed-pampas grass vegetation communities or mapped Delhi sands habitat. This assessment shall identify the habitat types and quality, identify species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to ~~the a~~ proposed project. The reduction in impacts may include a redesign of the project. The compensation may include creating and/or preserving in perpetuity equivalent or better quality habitat at a minimum 1:1 ratio, as will be determined through project-specific analysis. The biological resources assessment shall be prepared by a qualified biologist and submitted to the Development Services Director for review/approval in consultation with the biologist and other as appropriate to the project. ~~and~~ The biological resources assessment shall be included in the CEQA compliance documentation for all such proposals.

**MITIGATION
4.4.A-2**

A focused survey for burrowing owls shall be conducted by a qualified professional biologist for any new development project proposed on a vacant site of two acres or larger, with a landscape of annual and perennial grasslands, desert, or arid scrubland with low-growing vegetation or agricultural use or vegetation. The purpose of the survey is to determine if burrowing owls are foraging or nesting on or adjacent to the project site. If surveys confirm that the site is occupied habitat,

4.4 Biological Resources

mitigation measures to minimize impacts to burrowing owls, their burrows, and foraging habitat shall be identified. The results of this survey, including any mitigation recommendations, shall be incorporated into the project-level CEQA compliance documentation. Owl surveys and approaches to mitigation shall be in accordance with the Staff Report on Burrowing Owl Mitigation, issued by the California Department of Fish and Game on ~~October 17, 1995~~[March 7, 2012](#).

Level of Impact with Mitigation Incorporated

Impact 4.4.A will be less than significant with incorporation of Mitigation Measures 4.4.A-1 and 4.4.A-2. All other impacts do not require mitigation.



Hydrology and Water Quality 4.9

The subbasin is divided into the Lytle, Rialto, and Colton GMZs, with the Lytle Creek and Rialto GMZs underlying portions of the City's planning area. The Lytle and Rialto GMZs are experiencing high nitrogen levels. Primary recharge areas include Lytle Creek in the northwest, Reche Canyon in the southeast, and the Santa Ana River in the south. The subbasin was adjudicated in 1961; however, the court decree is only in effect during times of drought. Management of the subbasin in the south has been adjudicated between the cities of San Bernardino, Rialto, and Riverside by the Western San Bernardino Watermaster.⁸

Lytle Creek serves as the principle recharge area for the northwestern part of the subbasin, while Reche Canyon provides recharge for the southeastern part and the Santa Ana River recharges the south-central portion. Percolation, underflow, and irrigation and septic returns provide recharge, to a lesser extent.

San Timoteo Subbasin (Basin No. 8-2.08)

The San Timoteo subbasin is located under a small portion of the southeast planning area in the Reche Canyon area. This subbasin is bound to the north and northeast by the Banning Fault and impermeable rocks of the San Bernardino Mountains, Crafton Hills, and Yucaipa Hills, on the south by the San Jacinto Fault, on the west by the San Jacinto Mountains, and on the east by a topographic drainage divide with the Colorado River Hydrologic Region. The City does not pump groundwater from this basin.⁹

Groundwater is replenished by subsurface inflow and percolation of precipitation, runoff, and imported water. Runoff and imported water are delivered to streambeds and spreading grounds for percolation.

Hydrologic Hazards

Flooding

Flooding can lead to property damage and personal injury. The Santa Ana River represents the primary threat of flooding within the planning area, with lesser risk associated with Lytle Creek, Reche Canyon, and Prado Lane Creek. Under the direction of the Federal Emergency Management Agency (FEMA) through the National Flood Insurance Program (NFIP), flood-prone areas have been mapped throughout the country.

The most common flood hazard zone in the NFIP is Zone A, indicating that the area is subject to 100-year flooding. This means that under the strongest storm anticipated within a 100-year span, the area will flood. This can also be interpreted as being subject to a one percent annual chance of flooding. Another common flood zone is Zone X, indicating that the area is ~~not either~~ subject to moderate flooding (X shaded) or is an area of minimal flood hazard (X unshaded). Zone D indicates that flood potential for the area has not been determined but is possible. Zone AE is designated to those areas subject to 100-year floods and also have had base flood elevations (BFE) established. BFE indicates the anticipated height of floodwaters during the 100-year storm event. This becomes important when

**Table 4.89-5
Beneficial Uses**

Water Body	Beneficial Uses											
	AGR	COLD	IND	GWR	MUN	POW	PROC	RECI	RECE	SPWN	WARM	WILD
<i>Surface Waters</i>												
Lytle Creek	X	X	X	X	X	X	X	X	X			X
Santa Ana River (Reach 4)				X				X	X	✗	X	X
Santa Ana River (Reach 5)	X	✗		X	X	X		X	X	✗	X	X
<i>Groundwater Management Zone</i>												
Bunker Hill A	X		X		X		X					
Bunker Hill B	X		X		X		X					
Colton	X		X		X		X					
Chino 3	X		X		X		X					
Lytle	X		X		X		X					
Rialto	X		X		X		X					
Riverside A	X		X		X		X					
Riverside B	X		X		X		X					
Riverside F	X		X		X		X					
San Timoteo	X		X		X		X					

Source: Santa Ana RWQCB 2008

Water Quality Objectives: The Porter-Cologne Water Quality Act states in Section 13241 that:

“Each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses as the prevention of nuisance; however, it is recognized that it may be possible for the quality of water to be changed to some degree without unreasonably affecting beneficial uses. Factors to be considered by a regional board in establishing water quality objectives shall include, but not necessarily be limited to, all of the following:

- Past, present, and probable future beneficial uses of water.
- Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area.
- Economic considerations.
- The need for developing housing within the region.
- The need to develop and use recycled water.”

The Basin Plan sets general objectives based on type of waterbody and also sets specific objectives based on existing or potential beneficial uses. Objectives are adopted as both a narrative objective and a numerical objective.

4.9 Hydrology and Water Quality

waterbody has been placed on the 303(d) list of impaired waters, states are required to develop a Total Maximum Daily Load (TMDL) to address each pollutant causing impairment. A TMDL defines how much of a pollutant a waterbody can tolerate and still meet water quality standards. Each TMDL must account for all sources of the pollutant, including: discharges from wastewater treatment facilities; runoff from homes, forested lands, agriculture, and streets or highways; contaminated soils/sediments, legacy contaminants such as on-site disposal systems (septic systems) and deposits from the air. Federal regulations require that the TMDL, at a minimum, account for contributions from point sources (permitted discharges) and contributions from nonpoint sources, including natural background.

California state law (Porter-Cologne Water Quality Control Act, California Water Code Section 13000 et seq) requires the Regional Board to formulate and adopt water quality control plans, or Basin Plans, for all areas within its region. The Basin Plans must include an implementation plan that describes how the water quality standards established in the Basin Plan will be met. TMDLs, with their associated implementation plans, are adopted into the Basin Plans through the Basin Planning process. Lytle Creek and Reach 4 of the Santa Ana River are both impaired due to pathogens and are currently in the process of having TMDLs prepared. Both TMDLs are anticipated to be completed in 2019. [TMDLs for both pathogens and nitrates for Reach 3 of the Santa Ana River and downstream of Colton have been adopted.](#)

- *Watershed Management Initiative:* The Watershed Management Initiative (WMI) is developed by each regional water quality control board to prioritize water quality issues to better allocate time and resources. The WMI has established primary water quality concerns for the Upper Santa Ana River Watershed Management Area (WMA) as follows:
 - Wastewater reclamation due to TDS and nitrogen issues
 - Groundwater recharge and water level management
 - Invasive plant eradication

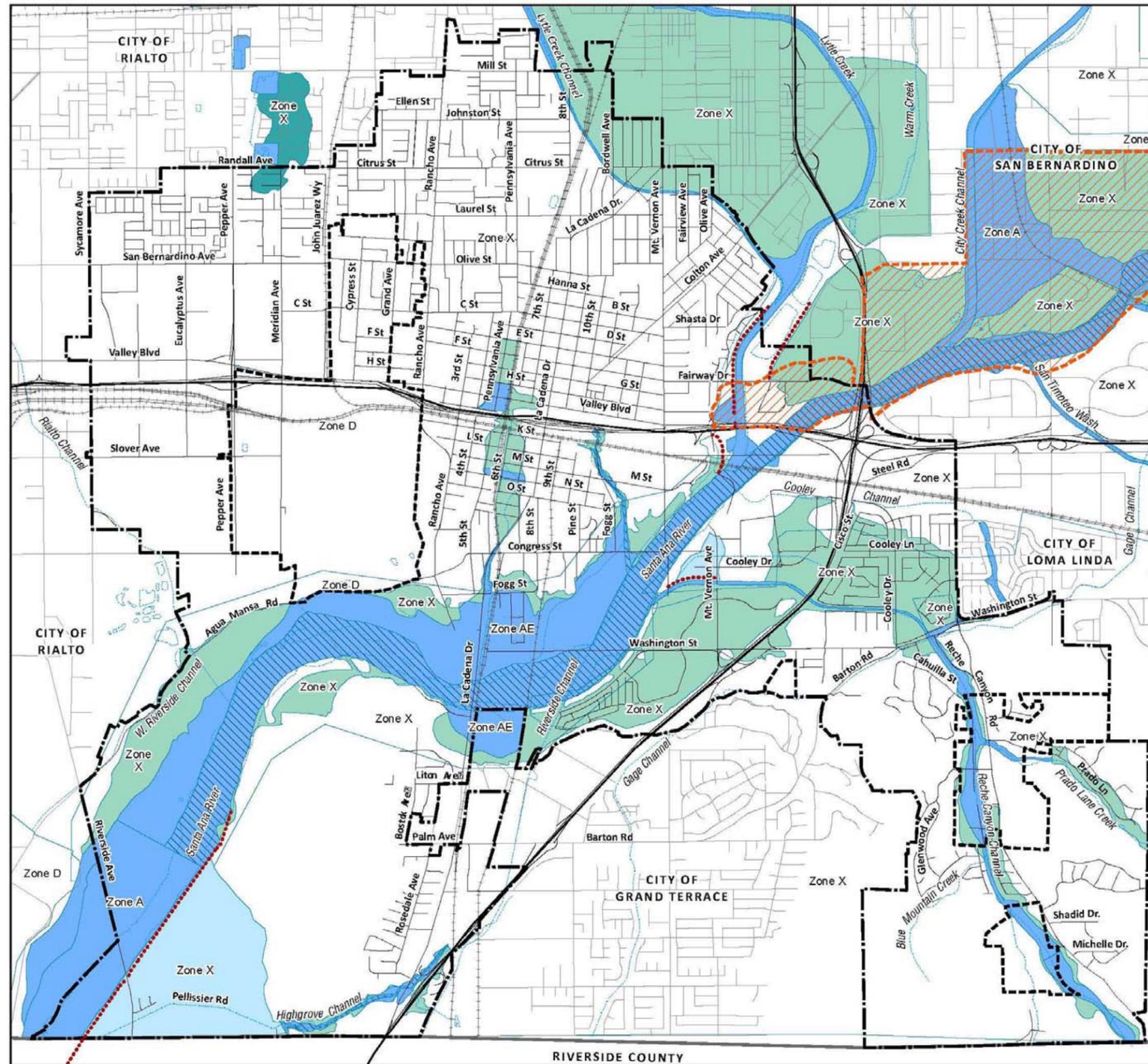
In order to address these primary concerns, the WMI has established the following priority activities to be initiated by the RWQCB:

- Santa Ana River monitoring at Prado Dam
- Participation in the Nitrogen/TDS task force
- Development of TMDLs for nutrients, pathogens, and suspended solids
- Participation in the Storm Water Quality Task Force evaluating application of REC1 beneficial use to inland waterbodies

Priority activities are meant to be implemented solely by the board and do not require any specific action by local agencies, including the City. [The Colton groundwater management zone has no assimilative capacity for additional TDS or Nitrate-Nitrogen.](#)

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Exhibit 4.9-3 Hydrologic Hazards



SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard are indicated by Zones A, AE, AH, and AO. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A No Base Flood Elevation determined.
- ZONE AE Base Flood Elevation determined.
- ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); Base flood elevation determined.
- ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.

FLOODWAY AREAS IN ZONE AE
The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

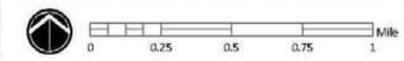
- #### Other Flood Areas
- ZONE X Areas of 0.2% annual chance flood.
 - ZONE X Areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile.
 - ZONE X Areas protected by levees from 1% annual chance flood.

- #### OTHER AREAS
- ZONE X Areas determined to be outside the 0.2% annual chance floodplain.
 - ZONE D Areas in which flood hazards are undetermined, but possible.

- Dam Inundation Area
- Flood Control Levees
- City Boundary
- Sphere of Influence
- County Boundary
- Freeway
- Street
- Railroad
- Surface Water

Use constraints:
This is not an official map but for reference use only. The data was compiled from the best sources available, so various errors from the sources may be inherent on the map. All boundaries and features therein should be treated as such. For official boundary information, the appropriate Agency or Municipality should be contacted. This map is a representation of ground features and is not a legal document of their locations. The scale represents an approximation so this is NOT a survey or engineering grade map and should by no means be used as such. This map is not intended for all uses. Hogle-Ireland Inc. is not responsible or liable for any derivative or uses of this map.

Source: Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps (FIRM), Effective Date 8/28/2008; FIRM - Revised to Reflect LOMR, Effective Date 11/15/2010; Department of Water Resources, Division of Flood Management, Floodplain Management Branch, 2/2/2010.



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development, the City will provide advanced corridor signal synchronization. Funding sources will include SANBAG¹, developer mitigation fees, and available state and federal grants.

The physical or financial feasibility of implementing these improvements has not been investigated in detail due to the complexities inherent in the implementation of long corridor improvements (both in terms of infrastructure and potential new adjacent development) over an extended time period. Capacity enhancements would need to be implemented on these roadways within the General Plan timeframe in order to provide operations at non-deficient level of service values.

If widening is not physically or financially feasible within the General Plan timeframe, the City will pursue efforts within these corridors to implement alternative capacity enhancements, with the key strategy consisting of corridor traffic signal synchronization programs tied to Intelligent Transportation Systems (ITS) technologies. Traffic benefits appear in the form of less congestion and fewer delays and stops at the included roadway intersections. Improvements within Colton could build upon the first phases of the San Bernardino Valley Coordinated Traffic Signal System Plan.

Traffic signal corridor synchronization and adaptive traffic signal control will be utilized if widening or restriping and removal of other roadway aspects such as on-street parking, medians, or service/frontage roads is deemed infeasible. If traffic signal improvements are utilized to mitigate the impacts to the designated roadway segments rather than widening, a letter grade improvement in level of service would result. The system would also only work if closely spaced traffic signals are linked together over a long distance, and across adjacent jurisdictions such as the City of Grand Terrace. This could take place through regional traffic/signalization improvement programs.

Traffic Impacts Outside of Colton

Mitigation Measure 4.16-7

To implement Policy M-7.2 of the Mobility Element, the City of Colton shall attempt to enter into an agreement with the Cities of Riverside and/or Grand Terrace establishing a fair-share fee program for the purpose of funding necessary traffic improvements at any intersection immediately adjacent to the mutual boundaries of the Cities of Colton, Grand Terrace, and Riverside that is significantly impacted on a cumulative basis. Projects within each city shall be responsible for paying their fair share towards such improvements. In recognition that each city affects the other's roadway network, such fair share fee program shall cover improvements and intersections within all three cities. Such a fair share fee program shall be established after the commissioning of a

¹ San Bernardino Associated Governments. Congestion Management Plan, Appendix K (Nexus Study Attachment 1 - Arterial Project List). <http://www.sanbag.ca.gov/planning/cmp/NexusStudyArterial2011Update.pdf> [January 2, 2013]

4.16 Transportation and Traffic

traffic study and nexus study (jointly funded by the participating cities) to specifically identify the nature, location, timing, and cost of all improvements necessary in ensure that cumulative significant impacts are all adequately addressed and mitigated, and the fair share fee program shall require the implementation of identified improvements at the appropriate time.

Complementary Transit and Bicycle Improvements

Omnitrans BRT Line Implementation

Establishment of the proposed Omnitrans Bus Rapid Transit line through the City of Colton along San Bernardino Avenue, Pepper Avenue, Valley Boulevard, Colton Avenue, and Mount Vernon Avenue will provide new opportunities for local residents and employees to make local and regional trips via transit. For discretionary riders (those that own vehicles but choose to take transit for specific trips), new trips on the BRT service that are diverted from personal vehicles will help to reduce demand on the roadway system.

This new transit service, and other incremental transit service improvements into the future, will provide new trip mode choices and will offset some of the new demand for vehicle trips generated by the intensification of land uses over time within Colton and the surrounding areas.

Bicycle Network Implementation

Implementation of the planned bicycle facility network within Colton, with expanding linkages to regional facilities such as the Santa Ana River Trail, will also help to provide another mode choice for local and sub-regional trips. Trips made by bicycle will offset vehicle trips on the local roadway network.

Level of Significance with Mitigation Incorporated

Because complete funding for all of the mitigation requirements cannot be identified at this point—and because the analysis indicates that not all identified intersection impacts can be fully mitigated based on the information available today—implementation of General Plan land use policy, combined with future growth on the regional road network from sources outside of Colton, are expected to result in **unavoidable significant impacts** at the following **intersection locations**:

- Colton Avenue/10th Street-G Street – LOS E during both the a.m. and p.m. peak hours
- Mt. Vernon Avenue/I-10 Eastbound Ramps – LOS F during the a.m. peak hours

With regard to impacts on **roadway segments**, the residual impacts were not calculated. Because funding sources have not been identified at this time for road widening or signal synchronization, impacts will be **significant and unavoidable**.

Utilities and Service Systems 4.17

This section examines the potential impacts involving expansions of utilities and service systems resulting from adoption and long-term implementation of the updated General Plan. This section examines the following systems:

- Water Supply
- Wastewater Collection and Treatment
- Storm Drainage
- Solid Waste Disposal and Diversion

Various sources of information were utilized in preparation of this section, including adopted plans and standards and personal communication with utilities and services providers. Key plans include the Colton Water Department Urban Water Management Plans (UWMP), the Colton Public Works Capital Improvement Program, and the California Department of Resources Recycling and Recovery (CalRecycle) waste stream profiles. Comments related to utilities and service systems were submitted by the San Bernardino County Public Works Department, the City of Riverside, and Mr. John Anaya during circulation of the Notice Preparation. These comments are addressed herein.

Existing Conditions

Water

Water supply services are provided to the planning area by four separate water agencies: City of Colton Water Department, West Valley Water District, Terrace Water District, and the Riverside Highland Water Company.

Colton Water Department

The Colton Water Department provides water service to the majority of the planning area (approximately 90 percent of the City of Colton), including domestic consumption, fire protection, and irrigation. Colton's water supply is comprised entirely of groundwater extracted from the San Bernardino Basin Area (Bunker Hill Basin portion), the Rialto-Colton Basin, and the Riverside Basin (Riverside North Basin portion). Colton does not currently import water in order to meet the demands of its service area.¹

The Colton Water Department's existing potable water system consists of 15 wells, five main booster pumping plants, nine water storage reservoirs, two pressure reducing facilities, and over 120 miles of transmission and distribution pipelines. All water provided by the Water ~~District~~Department is pumped from the Rialto-Colton, Bunker Hill, and North Riverside groundwater basins. The Water ~~District~~Department also has emergency connections with the City of San Bernardino, the Riverside Highland Water Company, West Valley Water District, and the City of Riverside that can be activated, if necessary.²

According to the San Bernardino Valley Regional Urban Water Management Plan, Colton Water ~~District~~Department delivered 10,402 acre-feet (AF) in 2009 to

4.17 Utilities and Service Systems

- Description of current and planned projects and programs designed to meet the service needs of the customer base
- Description of opportunities for use of desalinated water
- Preparation of a staged water shortage contingency plan for up to a 50 percent shortage over three years
- Information on use and opportunities for use of recycled water

The 2010 San Bernardino Valley Regional UWMP serves eight retail water purveyors, including the City of Colton Water Department, San Bernardino Municipal Water Department, and West Valley Water District. These three retail water purveyors service the majority of the planning area under the San Bernardino Valley Regional UWMP. The Riverside Highland Water Company and Terrace Water Company also service a portion of the planning area, but they are not a participant in the San Bernardino Valley Regional UWMP. The UWMP provides a summary of anticipated supplies and demands for the years 2010 to 2035.

Wastewater Discharge Requirements

Wastewater Discharge Requirements (WDRs) are issued to facilities discharging wastewater directly into receiving surface waters. Such facilities are required to be permitted whether individually or under a general permit. In the City of Colton, the Colton Wastewater Reclamation Facility and the Colton Wastewater Treatment Facility are both subject to individual WDRs. WDRs also establish wastewater treatment requirements. Treatment requirement orders regulate operations of the facility by limiting constituents in wastewater effluent, setting prohibitions on certain operations and activities, establishing specifications for facility design and maintenance, and provisions for reporting and monitoring.

Connections to Local Wastewater and Storm Drain Systems

Connections to the City's water and sewer system are generally regulated by Title 13 (Utilities) of the Municipal Code. Chapter 13.04 (Water Rates) establishes water service connection and user fees for the Colton Water ~~District~~Department. Chapter 13.08 (Wastewater System) establishes limits and prohibitions on discharges to the City's sewer system and establishes a permitting process for connection to the sewer system. Chapter 13.16 (Sewer Service Charges) establishes user fees to support the operation, maintenance, expansion, and upgrade of the wastewater collection and treatment system.

Title 14 (Storm Drains and Floodplain Management) regulates permitted and illicit connections to the City's storm drain system as part of the implementation of the City's National Pollution Discharge Elimination System (NPDES) permit. Additional information regarding water quality standards can be found in the Hydrology and Water Quality section above.

AB 939

The California Integrated Waste Management Act of 1989 regulates solid waste management and implements priorities in source reduction, recycling and composting, and environmentally safe transformation and land disposal. The

Utilities and Service Systems 4.17

approximately 13,305 AFY in the year 2035. This is below the year 2035 projection in the UWMP.

The City Water Department anticipates pumping 14,853 AF in 2035, or more than enough needed to serve the projected population. Based on these estimates, there will be sufficient water to meet the long-term demand of the City.

The proposed General Plan Update does not contain policies or programs that would conflict with existing policies and standards designed to conserve water, such as the Water Conservation in Landscaping Act. The proposed General Plan Update includes policies supporting green building and sustainable building practices that will support water conservation efforts (see Goal LU-14). Based on existing water supplies and existing and proposed water conservation efforts, impacts related to the need for new or expanded water supplies will be less than significant.

Scoping Comment, Mr. John Anaya

Mr. Anaya expressed concern regarding the taste of Colton Water District Department tap water during the project Scoping Meeting and requested information regarding regulations protecting water supply. Water supply quality is regulated by the Safe Drinking Water Act of 1974. The City Water Department is required to report water quality conditions annually and to comply with state and federal water quality standards.

**IMPACT
4.17.E**

Impacts related to insufficient wastewater treatment capacity will be less than significant with implementation of existing standards and regulations.

The proposed General Plan Update will not require expansion of existing wastewater treatment facilities because no development or other land altering activity is proposed. Future development accommodated under the General Plan Update could require expanded wastewater infrastructure in order to meet future needs when considered in light of existing demand. Localized environmental impacts associated with the future expansion of facilities are subject to project-level environmental review pursuant to CEQA. Impacts associated with a lack of wastewater treatment capacity include accelerated deterioration of existing facilities, the potential for health hazards due to wastewater backup, and discharges of untreated wastewater into the environment.

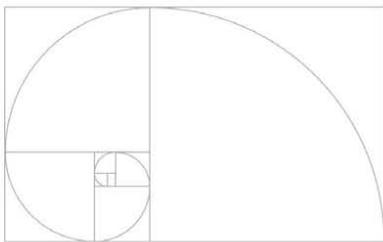
The City has prepared a Wastewater System Master Plan that identifies long-term programs designed to maintain and expand wastewater treatment facilities to accommodate existing and future growth. Incremental expansion of facilities in accordance with the Wastewater System Master Plan is achieved through collection of Public Improvement Fees. Facilities may be expanded by development project proponents as well to ensure that adequate facilities are available to serve new development needs. The General Plan does not include policies that will interfere with the implementation of the current or future CIP or the collection of Public

6.0 Analysis of Long Term Effects

The Performance Element provides a basis on which to objectively assess the relative merits among available modal alternatives and a framework for selecting appropriate alternatives.

The Land Use/Transportation Element addresses the impacts of land use decisions made by local jurisdictions on regional transportation systems including the estimate of costs related to those impacts. The CMP defines roles for local jurisdictions to implement the goals and objectives of the plan. This element requires preparation of Traffic Impact Analysis (TIA) Reports for local projects that will affect CMP facilities. A TIA Report is required to be prepared if a project is modeled to add 250 or more two-way peak hour trips (1,000 or more two-way peak out trips for retail uses) [or 50 or more peak hour trips to a state highway](#). These reports are reviewed by SANBAG and other local jurisdictions. This element also requires development of fair-share mitigation programs to address impacts to CMP facilities. Local jurisdictions are also required to participate in the development of the CMP capital improvement program to address cumulative impacts to CMP facilities over the long-term.

The Travel Demand Management Element includes strategies that are consistent with achieving air quality goals including reductions in trip making, trip length, and travel demand, as well as increasing the availability of modal alternatives.



Notice of Availability

PUBLIC NOTICE
CITY OF COLTON
DEVELOPMENT SERVICES DEPARTMENT

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT NO. 2012031037 FOR THE CITY OF COLTON GENERAL PLAN UPDATE

Draft Environmental Impact Report No. 2012031037 for the City of Colton General Plan Update

The City of Colton has prepared a Draft Environmental Impact Report (DEIR) No. 2012031037 for the proposed General Plan Update. The DEIR includes an analysis of potential environmental impacts associated with the long-term implementation of the General Plan Update. Unavoidable significant impacts have been identified in regards to air quality, greenhouse gas emissions, recreation, and transportation and traffic. Sites exist within the City that are listed as hazardous waste facilities, hazardous waste properties, and/or hazardous waste disposal sites as enumerated under California Government Code 65962.5.

The DEIR will be available for review and comment for forty-five (45) days commencing Monday, January 21, 2013 8:00 am and ending Wednesday, March 6, 2013 at 6:00 pm. Any person wishing to comment on the DEIR may provide written comments to Mark Tomich, Development Services Director, 659 North La Cadena Drive, Colton, California 92324 by February 28, 2013 at 6:00 pm. The DEIR is available at:

- 1) Development Services Department, 659 North La Cadena Drive, Colton, California 92324
- 2) Colton Main Library, 656 9th Street, Colton, California 92324

Project Description

The project consists of the adoption and implementation of updated Land Use, Mobility, and Housing Elements of the City of Colton General Plan. The Environmental Impact Report (EIR) prepared for the project will also analyze anticipated subsequent amendments to Title 18 (Zoning) of the Colton Municipal Code that may be required to implement the updated General Plan elements. The updated Land Use Element establishes overall development capacity for the City and surrounding areas, and serves as a policy guide for determining the appropriate physical development and character of the City. The updated Mobility Element provides for a circulation system in balance with the Land Use Plan, and addresses City goals to provide "complete streets" consistent with State law. The Housing Element has been updated to address the 2008-2014 planning period for jurisdictions within the Southern California Association of Governments (SCAG) region.

The updated elements and the General Plan as a whole apply to all properties within the City of Colton and its sphere of influence.

At this time, no changes are proposed to the remaining General Plan elements: Noise, Open Space and Conservation, Safety, Model Air Quality, and Cultural Resources Preservation.

At this time, no date has been set for a public hearing on the project. For further information on public hearings please contact Mark Tomich at 909-370-5079 or at mtomich@ci.colton.ca.us.

Distribution List

California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Riverside County Flood Control District
1995 Market Street
Riverside, CA 92501

City of Grand Terrace
Community and Economic Development
22795 Barton Road
Grand Terrace, CA 92313

Kinder Morgan
1100 Town and Country Road
Orange, CA 92868

Colton Area Museum
380 N. La Cadena Drive
Colton, CA 92324

City of Rialto
Planning Division
150 S. Palm Avenue
Rialto, CA 92376

Metrolink
One Gateway Plaza, 12th Floor
Los Angeles, CA 90012

San Bernardino MSC
1900 W. Redlands Blvd.
San Bernardino, CA 92403-9334

City of Riverside
Planning Division
3900 Main Street, 3rd Floor
Riverside CA 92522

SANBAG
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410

Metropolitan Water District of Southern
California
Infrastructure and Facilities Division
700 North Alameda Street
Los Angeles, CA 90012

Colton Disposal
2059 E Steel Road
Colton, CA 92324

San Bernardino County
County Geologist
385 N. Arrowhead Avenue
San Bernardino, CA 92415

San Bernardino County
Solid Waste Management Division
222 W. Hospitality Lane, 2nd Floor
San Bernardino, CA 92415

Colton Joint Unified School District
Darryl Taylor
Director of Facilities Planning &
Construction
1212 Valencia Drive
Colton, CA 92324

City of San Bernardino Municipal Water
Department
300 N. D Street, 5th Floor
San Bernardino, CA 92418

Endangered Habitats League
8424 Santa Monica Blvd., #A592
Los Angeles, CA 90069

County of San Bernardino
Land Use Services - Planning
385 N. Arrowhead Avenue
San Bernardino, CA 92415

City of San Bernardino
Planning Division
300 N. D Street
San Bernardino, CA 92418

Burlington Northern Santa Fe Railroad
740 East Carnegie Drive
San Bernardino, CA 92408

Department of Water Resources
Division of Engineering/Real Estate Branch
1416 9th Street
Sacramento, California 95814

City of Loma Linda
Planning Division
25541 Barton Road
Loma Linda, CA 92354

CA Dept of Fish & Wildlife
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764

Time Warner Cable
1500 South Auto Center Drive
Ontario, CA 91761

County of Riverside
Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

California Native American Heritage
Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Rialto Unified School District
Facilities Planning
625 West Rialto Avenue
Rialto, CA 92376

City of Riverside Public Utilities
Water and Power Engineering Services
3901 Orange Street
Riverside, CA 92501

CalTrans, District 8
Planning Division
464 W. 4th Street
San Bernardino, CA

Riverside-Corona Resource Conservation
District
4500 Glenwood Drive, Building A
Riverside, CA 92501

San Bernardino City Unified School
District
Facilities/Operations Division
777 North F Street
San Bernardino, CA 92410

San Bernardino County LAFCO
215 N. D Street, Suite 204
San Bernardino, CA 92415

United States Army Corps of Engineers
915 Wilshire Boulevard, Suite 1101
Los Angeles, CA 90017

San Bernardino County Fire Department
Hazardous Materials Division
620 South "E" Street
San Bernardino, CA 92415

Union Pacific Railroad
19100 Slover
Bloomington, CA 92316

U.S. Fish and Wildlife Service
Palm Springs Office
777 E. Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

SBC/AT&T
3939 E Coronado Street, 2nd Floor
Anaheim, CA 92807

San Bernardino County Flood Control
Planning Division
825 East Third Street
San Bernardino, CA 92415

City of Moreno Valley
Planning Department
Moreno Valley City Hall
14177 Frederick Street
Moreno Valley, CA 92552

Department of Housing & Urban Dev.
611 West Sixth Street, Suite 801
Los Angeles, CA 90017

Southern California Gas Company
570 4th Street
San Bernardino, CA 92408

City of Redlands
Development Services Department
35 Cajon Street
Redlands, CA 92373

West Valley Water District
855 W. Baseline Road
Rialto, CA 92377

Santa Ana Regional Water Quality Control
Board
3737 Main Street, Suite 500
Riverside, CA 92501

City of Fontana
Planning Division
8353 Sierra Ave.
Fontana, CA 92335

Riverside Highland Water Company
12374 Michigan Street
Grand Terrace, CA 92313

South Coast Air Quality Management
District
21865 Copley Dr.
Diamond Bar CA 91765

County of Riverside
Planning Department
County Administration Center
4080 Lemon St.
Riverside, California 92501

Omnitrans
1700 W Fifth St
San Bernardino, CA 92411

Southern California Edison
14799 Chestnut Street
Westminster, CA 92683

City of Jurupa Valley
8304 Limonite Avenue, Suite "M"
Jurupa Valley, CA 92509

Southern California Edison
Real Estate Operations
14803 Chestnut Street
Westminster, CA 92683

Southern California Edison Co.
Land Rights Section, Room 515
P.O. Box 410
Long Beach, CA 90801

Notice of Completion

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2012031037

Project Title: City of Colton General Plan Update
Lead Agency: City of Colton **Contact Person:** Mark Tomich
Mailing Address: 659 North La Cadena Drive **Phone:** 909-370-5079
City: Colton **Zip:** 92324 **County:** San Bernardino

Project Location: County: San Bernardino City/Nearest Community: Colton
 Cross Streets: Mt Vernon Avenue at Colton Avenue Zip Code: 92324
 Longitude/Latitude (degrees, minutes and seconds): 34 ° 4 ' 27 " N / 117 ° 18 ' 49 " W Total Acres: 12,032
 Assessor's Parcel No.: Multiple Section: -- Twp.: 1S Range: 4W Base: SBBM
 Within 2 Miles: State Hwy #: I-10, I-215 Waterways: Santa Ana River, Lytle Creek, Warm Creek
 Airports: N/A Railways: UPRR, BNSF Schools: Multiple

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: N/A - No Development Authorized

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Climate Change

Present Land Use/Zoning/General Plan Designation:

Urban/1997 Zoning Districts (As Amended)/1987 Land Use Plan (As Amended)

Project Description: (please use a separate page if necessary)

The project consists of the adoption and implementation of updated Land Use, Mobility, and Housing Elements of the City of Colton General Plan. The Environmental Impact Report (EIR) prepared for the project will also analyze anticipated subsequent amendments to Title 18 (Zoning) of the Colton Municipal Code that may be required to implement the updated General Plan elements. The updated Land Use Element establishes overall development capacity for the City and surrounding areas, and serves as a policy guide for determining the appropriate physical development and character of the City. The updated Mobility Element provides for a circulation system in balance with the Land Use Plan, and addresses City goals to provide "complete streets" consistent with State law. The Housing Element has been updated to address the 2008-2014 planning period.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2010

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #8 | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB #8 |
| <input checked="" type="checkbox"/> Caltrans Planning | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region #5 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | |
| <input type="checkbox"/> Health Services, Department of | Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | Other: _____ |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date January 15, 2013 Ending Date February 28, 2013

Lead Agency (Complete if applicable):

Consulting Firm: <u>Hogle-Ireland</u>	Applicant: <u>City of Colton</u>
Address: <u>1500 Iowa Avenue, Suite 110</u>	Address: <u>659 North La Cadena Drive</u>
City/State/Zip: <u>Riverside, CA 92507</u>	City/State/Zip: <u>Colton, CA 92324</u>
Contact: <u>Christopher Brown</u>	Phone: <u>909-370-5079</u>
Phone: <u>951-787-9222</u>	

Signature of Lead Agency Representative: _____ Date: 01/14/2013

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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