

3 RESPONSES TO COMMENTS

This chapter presents comment letters received during the public review period for the Draft EIR, which concluded on January 28, 2019, including transcribed comments received during the public hearing on January 10, 2019. In conformance with Section 15088(a) of the State CEQA Guidelines, this chapter also presents written responses to comments on the Draft EIR and any revisions to the text of the Draft EIR.

3.1 LIST OF COMMENTERS ON THE DRAFT EIR

Table 3-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

Table 3-1 List of Commenters		
Letter No.	Commenter	Date
AGENCIES		
A1	Chino Valley Fire District	January 2, 2019
A2	South Coast Air Quality Management District	January 22, 2019
A3	City of Chino Hills	January 23, 2019
A4	City of Chino	January 28, 2019
A5	Inland Empire Utilities Agency	January 28, 2019
A6	State of California Governor's Office of Planning and Research	January 29, 2019
INDIVIDUALS		
I1	Rachel Selleck	January 3, 2019
I2	Cristina Azevedo	January 4, 2019
I3	Patricia Yeates	January 5, 2019
I4	Karen Aguilar-Lee	January 7, 2019
I5	Susan Li	January 11, 2019
I6	Emma Li	January 11, 2019
I7	Daniel Merrill	January 11, 2019
I8	Kevin Chen	January 24, 2019
I9	lafayette9986@gmail.com	January 27, 2019
I10	lafayette9986@gmail.com	January 27, 2019
I11	Steven J. Elie	January 28, 2019
I12	Fernando Palacios	January 28, 2019
I13	Kim Briggs	January 28, 2019
I14	Brigid Bjerke	January 28, 2019
I15	Rita C. Chen	January 28, 2019
I16	Yi Wang	January 28, 2019
I17	Yong Jin	January 28, 2019
I18	Lu Jia Xu	January 28, 2019

Table 3-1 List of Commenters

Letter No.	Commenter	Date
I19	Alex Wong & Vickie Sun	January 28, 2019
I20	Annaliese Bille	January 28, 2019
I21	Adriana Titus	January 29, 2019
PUBLIC HEARING ON THE DRAFT EIR		
PH-1 – PH-6	Karen Comstock, Chief, Chino Police Department	January 10, 2019
PH-7 – PH-10	Kevin Mensen, Chino Police Department	January 10, 2019
PH-11	Gary George, San Bernardino County	January 10, 2019
PH-12 – PH-16	Nicholas Liguori, Director of Development Services for the City of Chino	January 10, 2019
PH-17 – PH-18	Kyle Collins, Deputy Chief, Chino Valley Fire District	January 10, 2019
PH-19 – PH-21	Donna Marchesi	January 10, 2019
PH-22 – PH-23	Yan-Bo Yang	January 10, 2019
PH-24 – PH-29	Mark Hargrove, Chino City Council	January 10, 2019
PH-30 – PH-31	Marc Lucio, Chino City Council	January 10, 2019
PH-32	Denise Powell	January 10, 2019
PH-33	Dr. Sekhon	January 10, 2019
PH-34 – PH-42	Steve Elie, Director, Inland Empire Utilities Agency	January 10, 2019
PH-43 – PH-44	Deb Baker	January 10, 2019
PH-45 – PH-46	Darian Venerable	January 10, 2019
PH-47	Pat Schaffer	January 10, 2019
PH-48 – PH-50	Maria Rodriguez	January 10, 2019
PH-51 – PH-54	Eunice Ulloa, Mayor, City of Chino	January 10, 2019

3.2 COMMENTS AND RESPONSES

The verbal and written comments received on the Draft EIR and the responses to those comments are provided below. The comment letters and verbal comments made at the public hearing are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying comment number in the margin of the comment letter.

3.2.1 Master Responses

Certain issues and topics that do not pertain to environmental impacts or the adequacy of the Draft EIR were made by multiple commenters. Rather than repeat the responses to comments in each individual comment letter, two “Master Responses” are provided below to respond to the two common issues raised in these comments. A reference to the relevant Master Response is provided, where applicable, in responses to the related individual comment.

- ▲ Master Response 1: Condition and maintenance of existing infrastructure
- ▲ Master Response 2: Public safety concerns related to possible escapes from the proposed MHCF or in transport

Master Response 1: Condition and maintenance of existing infrastructure

Several comments were received regarding the condition of existing infrastructure at CIM given the age of the existing buildings. Similar comments were provided on the Notice of Preparation and addressed in Draft EIR Section 2.3, “Scope of the EIR.” Comments on the Draft EIR cited an audit of CIM conducted in 2008 by the Office of the Inspector General (Audit), which identified a number of concerns about the operation of CIM including the condition of its existing facilities. The audit concluded that CDCR’s funding allocation to CIM for maintenance and repairs was inadequate to keep the institution in an acceptable state of repair. The Audit also outlined a number of other concerns such as staffing vacancies, training, weapons certification, facility operations, and the absence of coordinated facility and construction planning services. This is addressed further, below.

As it relates to CEQA, the condition of existing facilities at CIM is part of the baseline environmental conditions. As stated in Section 15125(a) of the State CEQA Guidelines, the environmental setting consists of those conditions in place at the time the notice of preparation is published (in the case of this EIR, July 2018), and those conditions “... will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” When a project involves ongoing operations, “the established levels of a particular use and the physical impacts thereof are considered to be part of the existing environmental baseline.” (*North Coast Rivers Alliance v. Westlands Water Dist.* (2014) 227 Cal.App.4th 832, 872.) The Audit pertains only to the condition of the existing infrastructure at CIM at the time the Audit was completed. Some of the infrastructure or the conditions (such as inmate population totals) affecting the infrastructure has been improved, some not. These are the baseline conditions against which the impacts of the proposed project are considered, where relevant (such as water and wastewater infrastructure).

The focus of the EIR is whether the proposed project—the construction of the new MHCF—would cause significant environmental impacts. This EIR evaluates the environmental impacts of building the proposed MHCF on the existing CIM facility, including an evaluation of the adequacy of existing utility infrastructure to serve the needs of the MHCF. Therefore, while CDCR acknowledges that CIM requires on-going maintenance/repairs, and CDCR must work within the funds allocated by the annual State Budget, this is an issue that is separate and apart from the proposed project (unless the project results in an adverse environmental effect on these facilities).

Nevertheless, CDCR will address the commenters’ concerns regarding the findings of the 2008 Audit and provide additional information on the changes that have occurred at CIM since that time. A majority of the concerns identified in the Audit have either been addressed and/or are issues the institution continues to work on (e.g., through budget requests, maintenance programs, etc.). One significant change since completion of the Audit is the reduction in population at CIM. At the time of the Audit, CIM’s inmate population was in excess of 7,000 inmates. As a result of sentencing law changes and orders imposed by the federal courts, CIM’s population has been reduced to approximately 3,700 inmates. This substantial reduction in population has had the positive effect of reducing demands on the prison’s infrastructure. For example, there has been a significant reduction in water and sewer demand, which has made capacity available in these systems (see discussion in Section 4.11 of the Draft EIR). As a reception center for CDCR’s Southern California Region, the reduction in inmate population also resulted in a significant reduction in traffic related to inbound/outbound County Sheriff and CDCR inmate transportation vehicles. (A reception center is a facility used to classify inmates after they are transferred to CDCR for incarceration).

Staff at CIM have reported other improvements to the prison’s operation in response to the 2008 Audit, including a reduction in staff vacancies, an improvement in weapons certification, and on-going repairs/renovations of facilities and infrastructure. CDCR also notes that CIM was accredited in 2016 by the Commission on Accreditations for Corrections. Institutions seeking accreditation must undergo intensive evaluations by the American Correctional Association (ACA) that culminate in the accreditation audit, a comprehensive assessment that encompasses every area of prison management including administrative and fiscal controls, staff training and development, the physical plant, safety and emergency procedures,

conditions of confinement, rules and discipline, inmate programs, health care, food service, sanitation, and the provision of basic services affecting the life, safety and health of inmates and staff. Institutions seeking accreditation have to comply with 525 ACA standards and score 100 percent for 62 mandatory requirements and at least 90 percent on 463 non-mandatory requirements. Half of the mandatory standards address health care.

Regarding the condition of CIM facilities and infrastructure, CDCR has made substantial investment in the past five years in projects that improve health care facilities including new and renovated medical clinics, pharmacies, dental clinics, and related infrastructure including utility systems, roofs and walkways. Within approximately the last 5 years, the value of these investments has exceeded \$35 million. The proposed project would remove unused facilities within CIM (e.g., an unsafe chapel, sidewalks around the chapel, and a closed swimming pool). Removal of these facilities would eliminate the need to maintain these buildings and avoid their continuing deterioration. CDCR would design and build the infrastructure elements of the new facility to meet all current building codes, energy efficiency standards, and CDCR Design Criteria Guidelines.

The 2008 Audit identified a concern with CDCR's lack of an effective facility and construction planning office that could assist individual correctional facilities with oversight of long-term facility planning, provision of construction services (design, budgeting, assuring building code compliance, construction and facility management, etc.), and coordination of infrastructure repair/renovation. Since the audit, CDCR has supported the development of an enhanced centralized office that can provide a wide range of facility planning and construction services to correctional facilities throughout the state. CDCR's Division of Facility Planning, Construction and Management also has a regionalized facility management branch that provides assistance to facility maintenance staff at each state correctional facility for the purpose of budgeting/allocating special repair funds, establishing maintenance repair priorities, and assisting with emergency repairs of equipment.

Finally, comments also suggested that funding be re-allocated to repairing existing infrastructure at CIM as an alternative to constructing and operating the proposed 50-bed MHCF. Under the terms of the annual State Budget, CDCR has no authority to transfer any portion of the project funding for infrastructure repairs at CIM. This is not only infeasible but is unrelated to the proposed CIM project and would not meet any project objectives (see Chapter 2 of this document for a list of project objectives). As explained on pages 7-3 and 7-4 of the Draft EIR, the 2017/2018 State Budget Act specifically allocated funds for preparation of preliminary plans for a 50-bed MHCF at CIM, including environmental review. Re-allocating appropriated MHCF funds for repair and maintenance is not authorized by the Act. This concept is not a feasible alternative to development of the proposed MHCF, would meet none of the project objectives, and is, therefore, not considered in this EIR.

Master Response 2: Public safety concerns related to possible escapes from the proposed MHCF or in transport

Several comments were received regarding concerns about public safety related to escapes of inmate-patients from the proposed MHCF or in transport. Similar comments were provided on the Notice of Preparation and addressed in Draft EIR Section 2.3, "Scope of the EIR." The comments regarding public safety do not identify any environmental impact requiring review under CEQA. (*Saltonstall v. City of Sacramento* (2015) 234 Cal.App.4th 549, 585 [comments regarding public safety do not implicate a CEQA impact]; *Baird, et al. v. County of Contra Costa* (1995) 32 Cal.App.4th 1464, 1469, fn 2.) Pursuant to State CEQA Guidelines Section 15382 (as well as Section 15131), "An economic or social change by itself shall not be considered a significant effect on the environment." Because of CEQA requirements, and because the facility would be constructed to highly secure standards, this issue is not considered in this EIR. Moreover, under CEQA, a public safety issue would not result in a significant impact unless new facilities would need to be constructed (such as by the City of Chino) to maintain adequate service, and the construction would result in significant environmental effects (see State CEQA Guidelines, Appendix G, Initial

Study Checklist Item XIV, Public Services). In light of the fact that CDCR would design the project to avoid escapes, there is no substantial evidence to link the community's concerns regarding public safety to a physical environmental effect.

Nevertheless, a response is provided below with general information regarding the existing security features and protocols at CIM and in the new MHCF. Please note that CDCR cannot disclose details of its security features in a public document. Such details are confidential to protect the security of the facility. This response provides general information that supports the confidential information used in design and operation of facilities.

Inmate Transport to/from the Proposed MHCF. Several comments raised concern with public safety surrounding transport of inmates to and from the proposed MHCF. CDCR's transportation division is responsible for transport of CDCR inmates to the proposed MHCF, as well as their subsequent transport to another state prison for long-term housing once the treatment period (approximately 10 days) is completed. CDCR utilizes vans specifically outfitted with a secure holding enclosure. Inmate are fully secured within the security enclosure for the entire duration of the transport between correctional facilities. Only qualified and specifically trained CDCR correctional officers may operate these vehicles and/or provide security support. CDCR correctional officers operating transport vans are typically armed. Where inmate patients pose a higher security risk, CDCR transport will also provide a second vehicle to accompany the van with the inmate patient for the entire duration of the trip to/from the MHCF. Correctional officers operating the second vehicle are armed. Transport of all CDCR inmates between state correctional facilities is well coordinated with the affected institutions. Strict on-grounds security protocols assure the safe entry of transport vehicles through the main facility gate, the subsequent movement of the transport van through the prison's perimeter vehicular sallyport (a double gate system operated by correctional staff), and subsequently into the receiving area for the MHCF.

CDCR transport vans with inmates experiencing a mental health crisis (with and without back-up depending on the respective inmate patient) currently access CIM on a regular basis because of the existing 34-bed mental health crisis program operated within the prison's infirmary in Facility D. A photograph of a standard inmate patient transport van was added to Section 3.4.3 in Chapter 3, "Project Description" of the Final EIR. CDCR also transports other inmates to and from CIM on a regular basis as part of its typical operations.

MHCF Security and Additional Fencing. In addition to the well-established protocols for the secure movement of inmate patients in mental health crisis between state correctional facilities, the proposed MHCF has been designed to meet all CDCR Design Criteria Guidelines (DCG) for high security occupancy (e.g., Level IV classification). CIM inmates are lower security (levels I and II). CIM also serves as a Reception Center, meaning it evaluates newly committed inmates and determines their security classification; therefore, CIM may also temporarily house some higher security level inmates in the Reception Center before they are sent to their permanent institution. Inmates from other security levels (Level I through Level IV) may be transported to the proposed MHCF temporarily while they are in crisis. Therefore, the proposed MHCF will be constructed to meet the security needs of Level IV inmates. This level of security requirements assures the safe operation of the new MHCF regardless of an inmate's individual classification (Level I-IV).

Incorporating security elements of the DCG is a critical element of the design process for Preliminary Plans of the proposed MHCF. The MHCF's conformance with the DCG is tracked and confirmed through the preparation of the final design plans. Inspection provided by CDCR and other inspection services assure these elements are clearly included in the completed facility. The building's design is also guided by compliance with State building codes, fire/life/safety codes and policies, and licensing requirements for a state-operated mental health treatment facility. Occupancy and activation of the new MHCF would not occur until there is confirmation that all of these requirements have been met.

In addition to the design of the proposed MHCF being in compliance with the high security standards of the DCG and related building codes, the new facility would be encircled with a separate 12-foot high cyclone fence topped with razor wire. This fence would provide an additional level of security including during the

arrival and departure of inmate patients. See Exhibit 2-4 (Proposed MHCF Site Plan – Preliminary Detail) in Chapter 2 of this Final EIR for details on the proposed MHCF's shape and security fencing.

As stated in Section 2.3 of the Draft EIR:

“The proposed 50-bed MHCF to be constructed within Facility D directly adjacent to the infirmary would not pose a public safety hazard to adjacent residences because it would be designed and built to provide a secure building envelope to prevent escapes. On top of the secure building design, the new MHCF would be encircled by a separate cyclone fence that would provide additional redundancy to the existing perimeter fencing and security systems of Facility D. Additionally, CIM recently improved security measures associated with the Facility D perimeter.”

“Finally, and as described in Chapter 3, “Project Description,” the proposed MHCF building would be built consistent with CDCR security standards and policies traditionally used for housing maximum security (Level IV) inmates. These enhanced design features include the design of all entrances (e.g., staff/visitor entrances), windows, ventilation and fire control systems, security access to roofs and observation posts. The additional security fencing that would encircle the proposed MHCF building would provide secure loading and unloading of inmates transferred to the proposed MHCF. CDCR designs its facilities to accommodate the highest security level that might possibly be required, even if a lower security level is more regularly needed at the facility.”

3.2.2 Agencies



Chino Valley Fire District

14011 City Center Drive
Chino Hills, CA 91709
(909) 902-5260 Administration
(909) 902-5250 Fax
Chinovalleyfire.org

Board of **Letter A1**

John

President

Harvey Luth

Vice President

Mike Kreeger

Sarah Ramos-Evinger

Winn Williams

Fire Chief

Tim Shackelford

January 2, 2019

Mr. Robert Sleppy
California Department of Corrections and Rehabilitation
Division of Facility Planning, Construction and Management
P.O. Box 942833
Sacramento, CA 94283-0001

SUBJECT: PROPOSED MENTAL HEALTH CRISIS FACILITY CALIFORNIA INSTITUTION FOR MEN

Dear Mr. Sleppy:

On July 26, 2018 at the Public Hearing for the proposed mental health crisis facility at the California Institution for Men (CIM) in Chino, I provided comments on behalf of the Chino Valley Independent Fire District (CVFD) opposing the project. Additionally, written comments (attached) were provided in a letter dated August 7, 2018. Subsequent to the Public Hearing and submission of written comments, I participated in a conference call on September 5, 2018 with Ms. Blair of Ascent Environmental where I presented detailed information regarding the impact of the proposed facility upon the Fire District. As of the date of this letter, the concerns that the Fire District has related to this proposed project remain unchanged.

A1-1

If you have any questions or comments please feel free to contact me via phone at (909) 315-8800 or via email at tshackelford@chofire.org.

Sincerely,

Tim Shackelford

cc: Letter dated August 7, 2018

Special Districts Leadership Foundation - District of Distinction Since 2008



Chino Valley Fire District

14011 City Center Drive
Chino Hills, CA 91709
(909) 902-5260 Administration
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Board of Directors

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Vice President
Ed Gray
Harvey Luth
Sarah Ramos-Evinger

Fire Chief
Tim Shackelford

August 7, 2018

Mr. Robert Sleppy
California Department of Corrections and Rehabilitation
Division of Facility Planning, Construction and Management
P.O. Box 942833
Sacramento, CA 94283-0001

SUBJECT: PROPOSED MENTAL HEALTH CRISIS FACILITY CALIFORNIA INSTITUTION FOR MEN

Dear Mr. Sleppy:

The Chino Valley Independent Fire District (CVFD) provides fire protection, rescue and emergency medical services to the City of Chino, the City of Chino Hills and the surrounding unincorporated area. Services to the 174,000 residents of the District are provided from seven fires stations strategically located throughout the 80 square mile service area. In 2017, personnel responded to over 12,400 calls for service which includes numerous emergency responses to the California Institution for Men (CIM) located in Chino.

The lack of maintenance and general state of disrepair at CIM is of great concern as it poses a risk to the safety of the community. In 2008, the Office of the Inspector General conducted an audit which identified several significant issues at the institution. To date, most of the issues remain uncorrected. While the CVFD is very concerned about the deteriorating conditions at the institution, our comments are focused on the operational impact that CIM currently has upon the Fire District as well as the unknown impact of the proposed mental health crisis facility.

In the Notice of Preparation Environmental Impact Report Proposed Mental Health Crisis Facility document under the bullet point labeled Public Services/Schools it states, ***"Because the proposed project would be located within the secure boundaries of an existing State correctional facility, public safety and fire protection would continue to be provided by CDCR personnel. Existing emergency community notification procedures would be maintained and continue to be coordinated with local public safety agencies. The proposed project is also not expected to increase demand for local school facilities. Based on existing information, CDCR does not expect to discuss these issues in detail in the Draft EIR."*** CIM has an onsite fire department that utilizes a combination of career personnel and inmate firefighters. This staffing configuration limits their capabilities which results in the CVFD routinely being called upon to assist them at the institution on fire calls. Additionally, CIM Fire Department personnel does not provide

A1-2

A1-3

Mr. Robert Sleppy, California Department of Corrections and Rehabilitation
Proposed Mental Health Crisis Facility CIM
Page 2

emergency medical care at the institution whatsoever. Although CIM has a staff of highly trained medical personnel that provide routine care to the inmate population, the CVFD is consistently called upon to provide all emergency medical services. In 2016, the Chino Valley Fire District responded to 196 incidents at CIM and in 2017, personnel responded on 174 incidents. When CVFD personnel respond to incidents at CIM, they are unavailable to serve the residents of the community who fund the services and depend upon the services we provide.

A1-3
cont.

The addition of a 50 bed mental health crisis facility will increase the service demand placed upon the CVFD as these additional inmates will have other medical issues unrelated to their mental health crisis that will necessitate care. Furthermore, providing emergency medical care to an inmate experiencing a mental crisis will be very challenging and dangerous for our personnel as these patients are often violent, unpredictable and a risk to themselves and others.

The CVFD respectfully requests that prior to giving consideration to the 50 bed mental health crisis facility, the CDCR address the issues identified in the 2008 audit by of the Office of the Inspector General. Additionally, the CVFD requests that information be provided regarding the impact on local first responders that similar mental health crisis facilities have had at other institutions in the State.

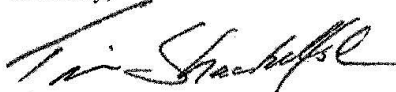
A1-4

The CVFD does not receive any funding or revenue from CIM and believes that local tax payers are unduly burdened by the numerous emergency responses to the institution. The addition of a 50 bed mental health crisis facility will increase this burden and further jeopardize the safety of the community. Until CDCR can adequately address the medical needs of the inmate population without impacting local emergency services, it is imprudent to consider moving forward with this project.

A1-5

If you have any questions related to our comments please feel free to contact me via phone at (909) 315-8800 or via email at tshackelford@chofire.org

Sincerely,



Tim Shackelford

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Letter A1	Chino Valley Fire District Tim Shackelford, Fire Chief 1/2/2019
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- A1-1 The comment provides introductory text regarding previous comments submitted during the scoping process. No response is necessary.
- A1-2 The comment provides additional introductory text and summarizes the comments that follow. No response is necessary. Also, see Master Response 1 regarding maintenance issues at CIM.
- A1-3 The comment correctly states that CIM's fire department personnel does not provide emergency medical care and that the Chino Valley Fire District (CVFD) responds to these calls at CIM. The comment also states that the CVFD will be called to provide emergency services for the proposed project. The need for additional fire services is not considered an environmental impact under CEQA. (*City of Hayward v. Trustees of Cal. State Univ.* (2015) 242 Cal.App.4th 833, 842-43; Guidelines, § 15131.) "An economic or social change by itself shall not be considered a significant effect on the environment." (*Id.*) Where a social or economic change has the potential to cause a significant effect on the environment, the EIR must evaluate the possible physical changes. (Guidelines, § 15131.) The comment has not identified any physical changes that may result in the increased use of CVFD fire services.
- CDCR sincerely appreciates the services provided by the District, notwithstanding the concerns expressed in CVFD's comment letter. As stated on page 4.9-5 of the Draft EIR, of the 12,400 incidents that CVFD responded to in 2017, 174 were at CIM. The District did not provide a breakdown of the areas and yards within CIM grounds where these calls originated. Using this general value for the entire prison, the calls to CIM represent 1.4 percent of CVFD's overall responses for 2017 and a rate of 0.05 calls to CVFD per person at CIM. Using the average overall call-out number to CVFD for CIM incidents in 2017, an increase of up to 50 inmate-patients as a result of the activation of the new MHCF is projected to result in 2.5 additional calls to CVFD annually. This increase is considered minimal and would not reasonably necessitate new or expanded fire or emergency facilities, which could result in physical environmental effects subject to further CEQA review. Please also see response to comment A1-4.
- A1-4 The comment requests that CDCR address the issues identified in the 2008 Audit before implementing the proposed MHCF; please see Master Response 1.
- CVFD also requests information regarding the impact on local first responders that similar mental health crisis facilities have had at other prison facilities. CDCR staff responsible for the operation of the existing mental health crisis facilities at CIM and the adjacent California Institution for Women report that there is a low occurrence of emergency ("911") call-outs to the local fire services. CDCR staff at these respective facilities believed that the presence of full-time nursing staff helped prevent life-threatening occurrences; similar full-time nursing staff would also be available at the new MHCF. Staff also observed that most inmate patients treated in these mental health crisis facilities do not have acute medical care issues.
- A1-5 The comment summarizes CVFD's letter, stating that the addition of a 50-bed MHCF will burden taxpayers and jeopardize the safety of the community. Please see response to comment A1-3.



South Coast Air Quality Management District

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

Letter
A2

SENT VIA E-MAIL AND USPS:

CDCRChinoMHCF@ascentenvironmental.com

Robert Sleppey, Special Assistant for Environmental Services
California Department of Corrections and Rehabilitation
Facility Planning, Construction and Management
9838 Old Placerville Road, Suite B
Sacramento, CA 95827

January 22, 2019

Draft Environmental Impact Report (Draft EIR) for the Proposed Mental Health Crisis Facility Project (SCH No. 2018072022)

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final EIR.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 12,420 square feet of existing buildings and construct a 47,000-square-foot mental health treatment facility with 50 beds on three acres. The Proposed Project is located at 14901 Central Avenue near the southeast corner of Central Avenue and Eucalyptus Avenue in the City of Chino.

A2-1

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis section, the Lead Agency quantified the Proposed Project's construction and operational emissions and compared those emissions to SCAQMD's recommended regional and localized air quality CEQA significance thresholds. Based on the analyses, the Lead Agency found that the Proposed Project's regional construction and operational air quality impacts would be less than significant. Based on the Localized Significance Thresholds (LSTs) Analysis, the Lead Agency found that localized PM10 emissions would be less than significant at 6 pounds per day (lbs/day)¹.

Recommended Mitigation Measure for Localized Air Quality Impacts from Construction

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. While the Proposed Project's localized PM10 emissions during construction (i.e., approximately 6 lbs/day) did not exceed SCAQMD's localized air quality CEQA significance threshold for two acres with sensitive receptors at 25 meters in Source Receptor Area 33 (Southwest San Bernardino Valley), they would be equal to the applicable LST, resulting in substantial localized emissions. Therefore, in order to further reduce the PM10 emissions resulting from the use of off-road diesel-powered construction equipment, and to ensure that nearby sensitive receptors are not adversely affected by the PM10 emissions from the construction activities that are occurring in close proximity, SCAQMD staff recommends that the Lead Agency incorporate the following mitigation measure into the Final EIR.

A2-2

Tier 4 Construction Equipment or Level 3 Diesel-Particulate Filters

To further reduce particulate matter emissions during construction and minimize their impacts on nearby residents, SCAQMD staff recommends that the Lead Agency require the use off-road diesel-powered

¹ Draft EIR, 4.2.3 Impacts and Mitigation Measures, Table 4.2-4 *Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Construction (Unmitigated)*, Page 4.2-12.

Robert Sleppy

January 22, 2019

construction equipment rated at 50 horsepower or greater that meets or exceeds the CARB and U.S. EPA Tier 4 off-road emissions standards. Such equipment will be outfitted with Best Available Control Technology (BACT) devices including a CARB certified Level 3 Diesel Particulate Filters (DPFs). Level 3 DPFs are capable of achieving at least 85 percent reduction in in particulate matter emissions². A list of CARB verified DPFs are available on the CARB website³. To ensure that Tier 4 or Level 3 DPF construction equipment or better will be used during the Proposed Project construction, SCAQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance. In the event that construction equipment cannot meet the Tier 4 engine certification, the Construction Contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by the Lead Agency before using Tier 3 emissions standards compliant construction equipment and/or other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, reduction in the number and/or horsepower rating of construction equipment, limiting the number of daily construction haul truck trips to and from the Proposed Project using cleaner vehicle fuel, and/or limiting the number of individual construction project phases occurring simultaneously.

A2-2
cont.

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the Lead Agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

A2-3

SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Assistant Air Quality Specialist, at amullins@aqmd.gov or (909) 396-2402, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:AM
SBC181212-02
Control Number

² California Air Resources Board. November 16-17, 2004. *Diesel Off-Road Equipment Measure – Workshop*. Page 17. Accessed at: https://www.arb.ca.gov/msprog/ordiesel/presentations/nov16-04_workshop.pdf.

³ *Ibid*. Page 18.

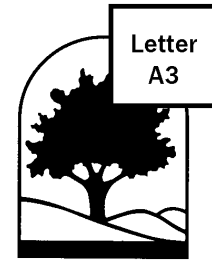
Letter A2	South Coast Air Quality Management District Lijin Sun, J.D., Program Supervisor, CEQA IGR 1/22/2019
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- A2-1 The comment provides introductory text and correctly summarizes Section 4.2, “Air Quality,” of the Draft EIR. No response is necessary.
- A2-2 The comment recommends the incorporation of mitigation to further reduce respirable particulate matter (PM₁₀) emissions generated by the project during construction despite the project not exceeding SCAQMD’s localized air quality CEQA significance threshold for two acres with sensitive receptors at 25 meters in Source Receptor Area 33. Specifically, the comment suggests requiring the use of Tier 4 construction equipment outfitted with Best Available Control Technology devices including California Air Resource Board-certified Level 3 Diesel Particulate Filters. The comment recommends that CDCR include these requirements in applicable bid documents, purchase orders, and contracts, require that contractors demonstrate the ability to supply compliant construction equipment, ensure periodic report for compliance, or otherwise employ alternative applicable mitigation strategies such as limiting daily construction haul truck trips and reducing the number and/or horsepower rating of construction equipment.
- The Draft EIR evaluated the project’s potential PM₁₀ emissions, both during construction and operation (see pages 4.2-11 through 4.2-14 of the Draft EIR). As stated in the Draft EIR, PM₁₀ emissions during construction would be 6 pounds/day (lb/day) during the site preparation phase and less during other phases. This does not exceed the 6 lb/day threshold of significance (and hence mitigation was not recommended). However, this is based on construction of a 61,000 gross square foot (gsf) project. Operational PM₁₀ emissions would be less than 1 lb/day (the threshold is 2 lb/day).
- As described in Chapter 4 of this document, “Revisions to the Draft EIR,” the MHCF will require approximately 69,000 gsf; thus, the Final EIR evaluated the increase in emissions attributable to the additional square footage. PM₁₀ emissions for a 69,000 gsf project will exceed the 6 pounds per day localized threshold of significance (slightly) by generating 6.1 lb/day of PM₁₀ during site preparation. Therefore, the impact is significant and requires mitigation, as suggested in this comment.
- The recommended mitigation measures provided in the comment have been incorporated into the EIR, Impact 4.2-2, “Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation During Construction.” Implementation of Mitigation Measure 4.2-2, “Apply Tier-4 Emission Standards and Level 3 Diesel Particulate Filters to all Diesel-Powered Off-Road Equipment,” would reduce PM₁₀ emissions associated with site preparation during project construction (the most PM₁₀-intensive phase) to 4.7 lb/day, which is below SCAQMD’s localized significance threshold of 6 lb/day. As such, mitigated PM₁₀ emissions would not cause or contribute to an exceedance of the most stringent applicable federal, state, or local ambient air quality standards and would not result in deleterious health impacts associated with human exposure to PM₁₀.
- In the context of the State CEQA Guidelines Section 15088.5, this recalculation does not constitute significant new information requiring recirculation of a Draft EIR. “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on...a feasible way to mitigate or avoid [a new significant effect] that the project’s proponents have declined to implement.” Recirculation is required where “[a] substantial increase in the severity of an environmental impact would result unless mitigation measure are adopted that reduce the impact to a level

of insignificance.” (Guidelines, § 15088.5(a)(2).) Here, CDCR will implement the suggested mitigation measure, and the measure will clearly reduce the potential PM₁₀ impact to less than significant.

A2-3

The comment provides summary text and requests that CDCR provide SCAQMD staff with written responses to SCAQMD’s comments before the certification of the Final EIR. Pursuant to State CEQA Guidelines § 15088(b), CDCR will provide responses to commenting agencies at least 10 days before certification of the EIR.



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January 23, 2019

California Department of Corrections and Rehabilitation Division of Facility Planning,
Construction and Management
Attention: Robert Sleppy
P.O. Box 942833
Sacramento, California 94283-0001
E-mail: CDCRChinoMHCF@ascentenvironmental.com

Re: Proposed 50-Bed Mental Health Crisis Facility (MHCF) Project at the California
Institution for Men in Chino, California (CIM)
- Draft Environmental Impact Report

Dear Mr. Sleppy:

Thank you for forwarding us the Notice of Availability (NOA) of the Draft Environmental Impact Report (EIR) for the proposed MHCF at the CIM. In a letter dated August 13, 2018, the City of Chino Hills raised concerns with the California Department of Corrections and Rehabilitation (CDCR) proposal for the MHCF and the potential health and safety problems it could bring to the Chino Hills community.

A3-1

Primary concerns raised in our letter are related to the location of the CIM, which is in close proximity to a Chino Hills residential community and elementary school. Because of this proximity, the Chino Hills community is at risk from prisoner escapes, the most recent having occurred in January of 2018. The MHCF would add prisoners in mental health crisis to the CIM, many of which may represent greater security risks than the current prison population. Added to this is the declining condition of the CIM which is already in a serious state of disrepair. The opportunity for prisoners to escape will increase as this disrepair goes uncorrected, and with the MHCF potential escapes, could be more dangerous to the Chino Hills community.

A3-2

Regarding the location of the proposed MHCF, State CEQA Guidelines Section 15126.6(a) requires EIRs to describe a range of reasonable alternatives to the project including alternatives to the location of the project. The EIR limits its discussion of feasible alternatives to the southern California area but does not present evidence as to why the location is limited to southern California. The EIR mentions the mental health crisis facilities being planned within the R. J. Donovan Correctional Facility in San Diego County

A3-3

City Council: Art Bennett ▪ Brian Johsz ▪ Ray Marquez ▪ Cynthia Moran ▪ Peter J. Rogers

California Department of Corrections and Rehabilitation
Proposed 50-Bed Mental Health Crisis Facility (MHCF) Project – Draft EIR

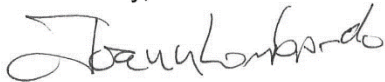
1/23/19
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but doesn't discuss why this location can't be expanded or is not sufficient to fulfill the mandate set by the Coleman v. Brown class-action lawsuit. Rather the EIR limits its alternatives discussion to other sites within the CIM and attempts to justify this limited scope by stating that the EIR does not identify significant project impacts. However, the EIR does support this justification with a reasoned evaluation of alternative locations and the comparative merits of such alternatives.

A3-3
cont.

During the Notice of Preparation and EIR process for the project, the public provided substantial input regarding the CIM state of disrepair and the public safety risks related to intensifying the inmate population within a declining facility. To address these fair arguments raised by the public, the City of Chino Hills requests that an expanded evaluation of alternative locations be provided within the EIR.

Sincerely,



Joann Lombardo
Community Development Director

cc. Konradt Bartlam, City Manager, City of Chino Hills

Letter A3	City of Chino Hills Joann Lombardo, Community Development Director 1/23/2019
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A3-1 The comment provides introductory text. No response is necessary.

A3-2 The comment expresses concern related to the safety of the community. The commenter's statement that "[p]rimary concerns raised in our letter are related to the location of CIM, which is in close proximity to a Chino Hills residential community and elementary school," needs to be placed in context. As described on pages 2-1 and 2-2 of the Draft EIR, CIM was opened in 1941, with its primary facilities (in addition to the original 1941 buildings) added in the 1950s, 60s and 70s. As described on the City of Chino Hill's website, the city was predominantly rural until the Chino Hills Specific Plan was approved by San Bernardino County in 1982, after which it urbanized and was later incorporated in 1991 (City of Chino Hills 2019). Much like the City of Chino, the City of Chino Hills grew up around an existing prison and has approved the land uses that surround the prison (in the case of City of Chino) or the land uses that are now of "concern" due to proximity (in the case of the City of Chino Hills). CDCR has operated the prison since 1941 and has never indicated a plan to do anything but continue (and enhance) its operations. This context is important in light of the comments suggesting an incompatibility between the longstanding operations at CDCR and the urban uses that have been subsequently developed.

Please see Master Response 2 regarding the safety and security of the proposed project. The comment does not address the adequacy of the Draft EIR's analysis and does not raise an environmental impact subject to CEQA review. No further response is necessary.

A3-3 The comment states that the Draft EIR does not evaluate a reasonable range of alternatives and should look at locations outside of Southern California. As described on pages 7-1 through 7-3 of the Draft EIR, State CEQA Guidelines Section 15126.6(a) requires that alternatives to the proposed project must feasibly attain most of the basic objectives of the project and avoid or substantially lessen any of the significant effects of the project. There are no alternatives that could avoid or substantially lessen (unmitigated) significant effects of the proposed project, and the alternatives evaluated in the Draft EIR are presented to satisfy CEQA's requirement to identify a range of potentially feasible alternatives (State CEQA Guidelines Section 15126.6(a)). Moreover, the potential for locating the project at alternative locations was considered in the alternatives analysis; please see the discussion on pages 7-8 through 7-10 of the Draft EIR regarding the feasibility of alternative locations.

Two of the five objectives for the proposed project are related to locating the MHCF in Southern California, specifically to quickly place inmate-patients in mental health crisis treatment in this area. As stated on page 2-5 of the Draft EIR, "the 24-hour clock by which an inmate must be transferred to a mental health crisis bed begins with diagnosis and ends when the inmate-patient is physically placed in the mental health crisis bed." Compliance with this mandate, in part, requires providing mental health crisis beds distributed throughout the State, and throughout Southern California to avoid delays in treatment. As stated on page 7-2 of the Draft EIR, the proposed 50-bed MHCF at RJD is needed in addition to the proposed MHCF at CIM.

Regarding the "state of disrepair" at CIM, please see Master Response 1. Regarding safety risks, the MHCF will be a stand-alone facility with its own security systems; please see Master Response 2.

**Letter
A4**

EUNICE M. ULLOA
Mayor

TOM HAUGHEY
Mayor Pro Tem



CITY of CHINO

MARK HARGROVE
MARC LUCIO
PAUL A. RODRIGUEZ Ed.D.
Council Members

MATTHEW C. BALLANTYNE
City Manager

January 28, 2019

VIA EMAIL AND U.S. MAIL

CDCRChinoMHCF@ascentenvironmental.com

California Department of Corrections and Rehabilitation
Division of Facility Planning, Construction and Management
Attn: Robert Sleppy
PO Box 942833
Sacramento, CA 94283-0001

SUBJECT: California Institution for Men (CIM) Mental Health Crisis Facility Project
State Clearinghouse No. 2018072022
Comments on Draft Environmental Impact Report

Dear Mr. Sleppy:

Thank you for the opportunity to comment on the Draft EIR for the proposed Mental Health Crisis Facility (MHCF) at CIM in the City of Chino. As you are aware, the City is opposed to the citing of the MHCF at CIM. This comment letter is directed primarily at the Draft EIR for the MHCF, but addresses other issues as well, as there may be no other avenue provided for presenting the City's position on these issues.

A4-1

Project Baseline

The proposed project must be viewed in light of the existing conditions at CIM, as well as existing conditions in the environment generally. As you are no doubt aware, existing conditions at CIM are abysmal. In November 2008, the CDCR Inspector General issued a report entitled "California Institution for Men, Quadrennial and Warden Audit."¹ The Inspector General's November 2008 audit highlighted several significant issues that include the following:

A4-2

- CIM's most significant problems include an ineffective water treatment system, failing plumbing, dilapidated housing units, leaking roofs, and hazardous materials in need of removal.

¹

<https://www.oig.ca.gov/media/reports/ARCHIVE/BOA/Audits/Quadrennial%20and%20Warden%20Audit%202008-11%20CA%20Institution%20for%20Men.pdf>



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California Department of Corrections and Rehabilitation
 Re: CIM Mental Health Crisis Facility Project (State Clearinghouse No. 2018072022)
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- The department and state Legislature are aware that CIM has fallen into an unacceptable state of repair due to years of neglect. However, the department received \$96 million in fiscal year 2007/08 for maintenance and special repairs for all its facilities, and it only allocated an average of \$4 million a year for maintenance and special repairs at CIM. An outside consultant hired by the department estimates that seven times that amount, \$28 million annually, is needed to maintain CIM in its present "poor" condition, neither improving it nor allowing it to degrade further.
- The consultant's data shows that if funding is not dramatically increased, CIM's condition would reach such a level of degradation by 2014 that independent facilities management experts throughout the industry would recommend demolishing and replacing the entire institution.

In light of this audit, the Draft EIR must address in greater detail whether any significant changes have been made from 2008 to 2018, what additional work remains to be done, and how that affects the impacts of the MHCF on the environment and the surrounding communities. If these issues are to be addressed along with the MHCF project, the impacts of addressing those issues must be addressed in the Draft EIR as well.

The Draft EIR states on page 2-9 that "Substantial investment has been made during the past five years for projects that improve health care facilities including new and renovated medical clinics, pharmacies, dental clinics, and related infrastructure including utility systems, roofs and walkways." However, from the description of the referenced work, it does not appear that CDCR has made any significant effort to address the issues identified in the Inspector General's November 2008 report, many of which will affect the impact the MHCF will have on the environment.

A4-2
cont.

In addition, just a few days before the January 10, 2019 public meeting regarding this project, the Inspector General issued a new report on Medical Inspection Results Cycle 5 which concludes the overall rating of general medical service provided to inmates at CIM is "Inadequate."² Even more disheartening, this a worse rating than the report on Cycle 4,³ which found services to be "Adequate." Matters are getting worse rather than better. In light of the need for CIM to address problems with the provision of medical services in general, CIM Chino is not a viable location for an additional health facility, particularly one involving critical mental health care services.

Additional information regarding any efforts that have been made to address the issues identified in the Inspector General's November 2008 report must be provided and a revised Draft EIR must be recirculated in order to allow the public and the decision makers at CDCR to fully understand the baseline conditions for this project.

Project Description and Piecemealing the Project

The project description in the draft EIR is woefully inadequate. In fact, it appears that there are significant aspects of the project that have not been finalized, as reflected in statements you made at the January 10, 2019 public meeting, to the effect it has not yet been determined whether the

A4-3

² https://www.oig.ca.gov/media/reports/MIU/CYCLE5/CIM_Medical_Inspection_Report_Cycle_5.pdf

³ https://www.oig.ca.gov/media/reports/MIU/CYCLE4/CIM_Medical_Inspection_Report_Cycle_4.pdf

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building will be one story or two. It appears this Draft EIR was issued before the plans for the MHCF were completed. If that is in fact the case, no analysis of any of the impacts can be relied on.

An EIR must contain sufficient detail to enable those who did not participate in its preparation to understand and to consider meaningfully the issues the proposed project raises, the impacts of the project, and the proposed mitigation. The Draft EIR states that the document was prepared in connection with preliminary plans for the MHCF, but not even those preliminary plans have been disclosed. Final, detailed plans apparently do not exist yet; perhaps the preliminary plans do not exist either, but this is unclear from the Draft EIR. Without detailed plans, there is no way to ascertain the actual size of the facility or the project, no way to determine the real impacts of the project, and no way to know whether mitigation of an impact is required or not.

The Draft EIR provides only the most general footprint of the project in Exhibit 3-1. The plans are not provided as part of the Draft EIR, not even a detailed site plan of the area marked "MHCF" on Exhibit 3-1. The result is that it is impossible for a reader of the Draft EIR to determine the accuracy of anything said in the Draft EIR regarding the project or its impacts.

A4-3
cont.

For example, the Draft EIR states generally on page 3-3 that the proposed project includes improvements to the existing pedestrian pathway between the administration building and the MHCF site and also improvements to a parking lot to comply with ADA requirements, along with a new 360-space parking lot. But the way in which this information is provided makes it impossible to evaluate statements in the Draft EIR about how much additional impervious surface there will be after the project is constructed, which affects the analysis and conclusions regarding impacts on groundwater and storm water runoff.

It is also impossible to judge the accuracy of statements in the Draft EIR about traffic and parking when the location of parking lots is shown, but no parking lot layout is provided that would disclose whether the proposed parking areas are in fact large enough to accommodate the 360 parking spaces referenced on page 3-3 of the Draft EIR or whether the parking lots might actually accommodate more or fewer spaces.

On page 1-2, in section 1.2.3 under the heading of "Characteristics of the Project" and repeated on page 3-1, there is a statement that "the building will also be designed to allow the provision of other levels of mental health care in addition to crisis." What these other levels of mental health care are, and how the addition of those levels of mental health care will affect the numbers of inmates in the facility, the staffing of the facility, and resulting impacts, is not disclosed in the Draft EIR.

A4-4

This rather mysterious statement about other mental health care services also indicates there is more to this project than is being revealed in this Draft EIR, that in fact there is a larger project which is being analyzed in a piecemeal fashion in order to make impacts appear less significant. In addition, pending legislation that would provide funding for an air cooling facility and primary care clinic facilities (AB 190 and SB 73) also raises the question whether such projects should be analyzed together with the MHCF so that their cumulative impacts are taken into account. Dividing projects into smaller pieces to minimize impacts is contrary to CEQA.

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The deficiencies at CIM noted in the Inspector General's November 2008 report also beg the question whether, at some point, work addressing those deficiencies could be included in the project, which could result in some impacts being swept under the rug as less than significant in this Draft EIR.

A4-4
cont.

The project description in the Draft EIR must be revised to include detailed information that makes it possible for a reader of the EIR who was not involved in its preparation to understand the project, understand the analysis of the impacts and assess the accuracy of the EIR. Such a project description would include the plans for the MHCF. A revised Draft EIR with an adequate project description must be prepared and recirculated.

Project Alternatives and Predetermination of Outcome

The statement of project objectives on pages 3-2 to 3-3 of the Draft EIR, concentrates excessively on provisions of the 2017-2018 Budget Act for the preparation of preliminary construction plans for a 50-bed mental health crisis facility **at CIM**. The adoption of the referenced provision in the Budget Act, as a financing mechanism, was not subject to review under CEQA. As a result, the foundational decision to place this facility at CIM escapes any real CEQA review. The Budget Act provision is used in the Draft EIR as the basis for rejecting, indeed, not even analyzing, possible alternative locations for the MHCF.

A4-5

The decision not to consider locating the MHCF at the California Rehabilitation Center at Norco was based on two justifications. One is that it is not CIM. The other is not really a determination this location would be infeasible, but that it was "potentially infeasible" due to the need to coordinate with the State Historic Preservation Office. (Draft EIR, page 7-9.) No research was done on whether such coordination might be successful, simply because the Norco location is not CIM. The assumption that this alternative is infeasible, without any research into the subject, renders the analysis of this alternative inadequate.

California State Prison at Lancaster was rejected as a possible location for the MHCF not only because it is not CIM, but also because ostensibly its location would not facilitate recruitment of necessary medical professionals. (Draft EIR, page 7-10.) The Draft EIR does not state any research was actually done on the question whether recruitment of medical professionals to an Antelope Valley location would be a problem. In fact, the Antelope Valley is home to approximately half a million people and enough medical professionals live in the vicinity, or are willing to commute to the area, to support two major medical facilities, Antelope Valley Hospital and Palmdale Regional Medical Center.⁴ In fact, the EIR admits this alternative is feasible, but does not analyze the alternative because it is not CIM. The analysis of this alternative is inadequate.

A4-6

The so-called alternatives analysis reflects a pre-determination that this facility will be located at CIM that is completely inappropriate. That the decision to locate the MHCF at CIM Chino had

⁴ https://en.wikipedia.org/wiki/Antelope_Valley#Demographics
<https://laedc.org/wtc/chooselacounty/regions-of-la-county/antelope-valley/>
<https://socalleadingedge.org/our-region/>
<https://www.avhospital.org/>
<https://www.palmdaleregional.com/>

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been made before any work began on the EIR is also reflected in statements made by CDCR Secretary Scott Kernan to the City Manager and the City's elected officials that the MHCF is going to be built at CIM, no matter the environmental consequences and no matter what objections anyone might raise. That this decision was, in effect, made before the Draft EIR was even started, renders the decision to build the MHCF at CIM an abuse of discretion.

As part of the alternatives analysis, a comprehensive plan for the entire CIM campus should be examined, with options for alternative land uses that could generate revenue for the State, allowing repairs and maintenance issues to be completed prior to the construction of the MHCF.

A4-6
cont.

The decision not to analyze alternative locations or projects is not supported by substantial evidence that fewer environmental impacts would result at those other locations, nor would it support a statement of overriding considerations regarding why CIM is an acceptable location in spite of significant impacts that cannot be mitigated. A revised Draft EIR that contains real consideration of alternatives must be prepared and recirculated for public review and comment.

Public Services and Security Issues

The Draft EIR does not analyze the security issues at CIM that will be exacerbated by the MHCF. The intention appears to be to place a Level IV facility inside a Level II facility and hope for the best. The security issues related to transporting inmates to and from the MHCF – apparently in a vehicle occupied by persons not carrying weapons, followed by a vehicle staffed with armed officers – and the potential impact on traffic, as well as security, is not identified in the Draft EIR as having sufficient impact to require the City to engage additional law enforcement officers. Failure to analyze an issue will reliably lead to conclusions of this type, but it does not mean they are defensible conclusions.

A4-7

Although the number of inmates proposed to be treated annually is not stated in the Draft EIR (another way in which the project description is defective), it is the City's understanding the proposed MHCF is anticipated to treat approximately 1,800 inmates each year. This means these 1,800 inmates will be transported through the City, to and from the facility. This adds an increase in risk to the community when inmates are taken out of a facility and driven through a community and the manner in which they are proposed to be transported has the potential to affect traffic. The traffic impacts of inmate transportation are not analyzed in the Draft EIR or the traffic impact analysis.

A4-8

Because the impact of inmate transportation to and from the MHCF has not been studied or analyzed, the conclusion there is no impact on public safety or need for the City to hire additional law enforcement officers is not based on reality. This issue must be studied before it can be declared to be an insignificant impact on traffic and security.

CIM's track record on security in general is unimpressive, in part due to the general neglect of the facility as a whole.

A4-9

In January of 2018, the Chino Police Department assisted CIM with an inmate that had escaped from the Level I facility. The inmate scaled a perimeter fence and was ultimately able to flee the property through a drainage culvert where he contacted an employee at a nearby business to

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steal his car. A dangerous high-speed pursuit ensued where the inmate was able to avoid apprehension. He was located the next day, 90 miles away in Encinitas.

In the aftermath of the escape, City Staff conducted tours of the facility and saw firsthand the state of neglect of the prison. There were security features not properly working at the time that could have prevented the inmate from escaping. There are outbuildings, light poles and other infrastructure throughout CIM that are unusable, however they cannot be demolished or removed because of the environmental regulations. These light poles are along a perimeter fence, in the area where an inmate has already escaped, and could be used to assist an inmate in scaling a fence to escape. The abandoned outbuildings throughout the secured area of the facility provide areas for inmates to hide and avoid correctional officers. In March 2018, an inmate hid for several hours next to an abandoned building which activated a large-scale response by personnel from both CIM and the Chino Police Department.

A4-9
cont.

Because the plans for the MHCF have not been provided as part of the project description in the Draft EIR, it is unclear whether the plans call for an electrified fence around the proposed MHCF. However, the State will be sending inmates to the proposed MHCF that range from Level I classification to the maximum level being a Level IV. The proposed MHCF is proposed to be built within a Level II area of the prison which does not meet the standards for housing maximum security inmates.

A4-10

Aesthetics/Light and Glare

The new facility will most likely have nighttime lighting which may affect residential neighborhoods, commercial areas, and open space areas and may have some visibility from neighboring properties. While the Draft EIR purports to contain some analysis of this issue, in the absence of a determination whether the MHCF will be one story or two, that analysis is sheer speculation. When the project description has been corrected, the aesthetics and light and glare analysis need to be redone to be consistent with the project as planned.

A4-11

Transportation/Traffic

The traffic impact analysis and conclusions regarding impacts on traffic are based on vehicle miles traveled, but the San Bernardino County Transportation Commission has not yet finalized parameters for reviewing such analysis. In addition, the traffic analysis considers only traffic generated by CIM staff, and does not consider traffic generated by deliveries, guests, and transportation of inmates to and from the MHCF. As noted above, while the MHCF reportedly will have 50 beds, it is our understanding as many as 1,800 different inmates will occupy it in the course of a year. As a result, the particular impacts of trucks and other large vehicles (such as those that would transport inmates), and the two-car inmate transport plan is not considered. In addition, traffic at the intersection of College Park Avenue and Central Avenue should have been included in the Traffic Impact Assessment. Additional analysis of these issues is necessary to meet the requirement that the EIR serve as an informational document. Moreover, because this information was not included in the Draft EIR, a revised draft must be recirculated and a new public comment period provided.

A4-12

While the environmental review process has been pending, the California Supreme Court has issued a new opinion requiring a different level of analysis of air quality impacts. In *Sierra Club*

A4-13

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v. County of Fresno, California Supreme Court Case No. S219783, opinion issued December 24, 2018, the Supreme Court has stated an EIR must make a reasonable effort to substantively connect a project's air quality impact to likely health consequences. Such an analysis must be performed, and impacts and mitigation considered, and the Draft EIR must be revised and recirculated to reflect that analysis.

A4-13
cont.

The additional traffic that will be generated by the MHCF staff, inmates, correctional officers and visitors require improvements to perimeter streets. The following items are needed based on the Chino General Plan and existing traffic patterns:

1. Dedicate right-of-way and construct improvements for the intersection of Kimball at El Prado Road to improve the LOS. Add second west-bound to north-bound right turn lane.
2. Dedicate right-of-way on El Prado Road from Kimball to Central Avenues consistent with the City's General Plan as well as intersection turning movements.
3. Remove the entrance to shooting facility on El Prado Road, as it creates a traffic hazard.
4. Improve the intersection of Central at Manuel Gonzales (CIM entrance). Add a north-bound right turn lane and appropriate ADA improvements.
5. Install sidewalk along CIM frontage on Central Avenue, El Prado Road and Kimball Avenue.

A4-14

Utilities/Infrastructure

The infrastructure that serves CIM is also in very poor condition because of either capacity issues or deferred maintenance. The Draft EIR states in Section 3.4.2 on pages 3-3 and 3-5 that the MHCF will have separate service lines to existing domestic water and sanitary sewer lines located within Facility D. The reference to a sanitary sewer is practically a joke, as CIM is not on a sewer system, but a septic system which is performing so poorly already that it is a health hazard. Other utilities will connect to inadequate or degraded existing service lines as well.

The project, as described in the Draft EIR, does not include addressing these deficiencies. Thus, the deficiencies of the existing systems, which are already overloaded, will be perpetuated and the deficiencies will be exacerbated by the additional load on these systems. No city or county would allow new construction, relying on old, inadequate infrastructure, to be built in this fashion. It shocks the conscience that the State apparently intends to proceed in a manner that no local agency would allow, compounding existing problems. The scope of this project needs to be reconsidered and revised to address these issues.

A4-15

There are limited existing connections to the City's sanitary sewer system to accept CIM property generated wastewater (domestic sewage). The East Facility at CIM (located east of the Cypress Channel and west of the Youth Authority Facility) is the sole existing portion of the property that is connected. The City is concerned with the current on-site septic system and its capacity to handle additional wastewater. An analysis of the wastewater system for the entire facility should be conducted. Due to the inadequate project description, it is impossible to determine whether

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the MHCF will be connected to the on-site septic system or whether it will be connected to the City/IEUA sewer system.

Additional City/IEUA sewer service to the CIM property for the MHCF has not been evaluated in the Draft EIR. The same is the case with regard to the pretreatment of the wastewater that may be necessary (e.g. grease interceptor, grinder, etc.). Additional wastewater service to portions of the CIM property not already served (by City/IEUA) shall be evaluated as wastewater generated within the City for purposes of adjusting the City's regional (IEUA) water treatment and disposal entitlement. None of these impacts have been considered.

CDCR's track record on addressing wastewater issues leaves a great deal to be desired, as reflected in the enclosed articles from the Ledger-Dispatch regarding contamination from Mule Creek State Prison in Lone, CA.

The analysis of wastewater treatment impacts (pages 4.11-5 to 4.11-6) contains inconsistent statements about the capacity of CIM's waste water treatment plant and the amount of wastewater the MHCF would generate. The wastewater treatment plant's maximum capacity is sometimes stated to be 3.5 mgd and at other times 1.69 mgd. Regarding the amount of wastewater the MHCF would generate, the amount is sometimes stated as 6500 gpd, other times as 7500 gpd. These discrepancies must be corrected and the wastewater treatment issues must be re-evaluated.

The Draft EIR is shortsighted in terms of the time period considered in evaluating impacts. The Draft EIR concludes at pages 4.7-11 and 4.7-12 that groundwater supplies will not be depleted because "Adequate groundwater resources are projected to be available for the foreseeable future, through 2035." The MHCF is projected to go into operation in 2022, so this is only a 15-year time horizon. Is the foreseeable future really only 15 years?

An analysis needs to be conducted on the potable water system for the entire facility, its capacity and the safety of the water purveyed. No such analysis is contained in the Draft EIR.

Any proposed additional City water service to the CIM property must be evaluated, but such analysis is not reflected in the Draft EIR. Also, additional water service would likely be subject to the Chino Basin Watermaster, but the Draft EIR does not reflect that any consultation with the Watermaster has taken place. If additional groundwater wells are contemplated (another element that cannot be determined due to the inadequate project description), they should be evaluated by the Chino Basin Watermaster for consistency with Optimum Basin Management Program objectives.

The City provides recycled water to some areas of the CIM property for limited approved uses (primarily agricultural irrigation) and a very limited amount of potable water for other site-specific uses (back-up supply for cogeneration cooling if recycled water quality is insufficient; shooting range restroom) as needed, at the CIM property. Development of those portions of the CIM property that are currently utilizing (or potentially could use) recycled water for agricultural irrigation represents a potential loss of recycled water. Whether there will be an impact cannot be evaluated due to the lack of an adequate project description.

A4-15
cont.

A4-16

California Department of Corrections and Rehabilitation
 Re: CIM Mental Health Crisis Facility Project (State Clearinghouse No. 2018072022)
 Comments on Draft Environmental Impact Report
 January 28, 2019
 Page 9

Storm Water

Existing onsite storm water conveyance facilities need improvement, especially if new facilities and impervious surfaces will be added to the site, which will increase storm water runoff. The Magnolia Channel traverses the CIM property and currently requires stabilization. Following heavy rains, the City had to remove tons of silt from the south side of Kimball Avenue. This has become a yearly maintenance project for City staff and countless hours of City resources. Erosion build-up impedes the flow of storm water under Kimball Avenue, causing run-off to overflow Kimball Avenue. This condition necessitates detouring vehicles away from the flooded area. Additionally, the migrating sediment creates/compounds downstream flooding conditions. The City is continually clearing the channel of sediment migrating from CIM property and storing it in the SCE easement south of Kimball Avenue for future disposal. The eroded sediment has yet to be removed from the SCE easement located south of Kimball Avenue.

A4-17

The inadequate project description and lack of plans for the MHCF make it impossible to analyze the impact the MHCF will have on storm water. The Draft EIR must be revised to provide a proper project description and recirculated for public comment.

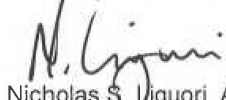
Certification of EIR; Request for Notice of Determination

The City requests the CIM identify the board, body or individual who will certify the Final EIR and that such identification include information on the means by which that board, body or individual was given the authority to certify the Final EIR.

A4-18

The City requests that CDCR provide the City with a copy of the Notice of Determination to be posted with respect to this project when that document has been prepared.

Sincerely,



Nicholas S. Liguori, AICP
 Director of Development Services

Enclosures

Letter A4	City of Chino Nicholas S. Liguori, Director of Development Services 1/28/2019
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- A4-1 The comment provides introductory text. No response is necessary.
- A4-2 The comment states that the existing CIM facility is in a state of disrepair, provides inadequate general medical service, and requests that CDCR address the issues identified in the 2008 Audit, before implementing the proposed MHCF. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- A4-3 The comment states that Chapter 3, "Project Description," of the Draft EIR is inadequate. Specifically, the comment states that because there is no detailed, final site plan, environmental impacts subject to CEQA review cannot be evaluated for accuracy. CEQA Guidelines section 15124 states that "the description of the project ... should not supply

extensive detail beyond that needed for evaluation and review of the environmental impact.” Moreover, cases like *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, caution public agencies to not commit resources to a project to the extent that it already commits to project approval before compliance with CEQA. In light of these authorities, prior to conducting CEQA review, CDCR generally only expends funding to partially design projects at a level of detail that is sufficient to understand the environmental impacts of the proposed project, among other objectives. Commitment of CDCR’s limited financial resources to design a project “so there is no going back” would violate the principles of CEQA, as reiterated in *Save Tara* and other similar cases.

In consideration of this requirement and the early stage of CDCR’s design process for the project, the Draft EIR evaluated impacts based on reasonable maximum assumptions for any variables related to the site plan. This allows for an informed analysis while still providing some flexibility as the design process progresses. For example, aesthetic impacts considered a maximum MHCF building height of two-stories; based on the completed preliminary plans the new facility will have a small second story but the facility will still be within the bounds of the original development area. Since release of the Draft EIR, CDCR’s design of the proposed MHCF has continued to progress. Design refinements add details of the proposed MHCF and, for most resource areas, remain with the maximum assumptions for the physical parameters of the proposed project that formed the basis of the impact analysis in the Draft EIR. Most importantly, for this analysis, the project structures would be located in the middle of an existing prison yard, generally replace other developed uses, and would only be visible from very limited views from surrounding areas. A detailed site plan would not change these project features. By evaluating the maximum development footprint and height of the proposed facilities, the Draft EIR fairly evaluates and discloses all potential environmental impacts of the project. A preliminary detailed site plan for the proposed MHCF is also presented in Exhibit 2-4 of this Final EIR, although this more detailed preliminary plan does not alter the analysis of potential impacts of the project.

With respect to which parking lot option will be selected to evaluate the impact of impervious surfaces, a detailed, final site plan is not necessary. Impact 4.7-3 of the Draft EIR assumes the larger parking lot option to evaluate runoff and stormwater. As stated on page 4.7-12, “implementation of the proposed project would result in a total of up to 5.1 acres of new impervious surfaces; this comprises up to 2.1 acres at the proposed MHCF site from the building, sidewalk, and access road and up to 3 acres at the largest parking lot option (Option A).” The impact discussion concludes that the additional 5.1 acres of impervious surfaces would be negligible (in relation to stormwater and groundwater recharge) as Facility D alone has approximately 80 acres of impervious surfaces and CIM’s main parking lots total approximately 13 acres. Parking lot Option B would create even fewer acres of impervious surfaces. Moreover, the site design will retain additional peak flows, avoiding any increase in peak runoff. Please see Draft EIR Impact 4.7-3 (Increased Runoff During Operation) and Impact 4.7-4 (Deplete Groundwater Supplies) for additional information. Additionally, as stated on page 3-5 in Chapter 3, Project Description of the Draft EIR, pedestrian improvements would include resurfacing of the parking lot to meet current ADA requirements, but the width would not be expanded; therefore, this feature of the proposed project would not contribute to additional impervious surfaces.

The comment also states that it is impossible to know if the parking lot can accommodate the stated 360 spaces without a parking lot layout. While a parking lot layout is not provided, the impact analysis assumes that the proposed size of the parking lot is sufficient based on the experience of the project’s design engineer, which has designed numerous facilities. While it is not expected, any expansion, increase, or other modification of proposed project components after certification of the EIR and approval of the MHCF that could result in a physical environmental change would require consideration under CEQA.

A4-4 The comment correctly states that pages 1-2 and 3-1 of the Draft EIR state “the building will also be designed to allow the provision of other levels of mental health care in addition to crisis.” The commenter is correct that the project would allow flexibility such that if bed space at the MHCF is not needed for inmates in mental health crisis, other mental health treatment can be provided. However, the planned capacity (50 beds) and the facility’s employment (165 staff) would not be affected by this approach.

The comment also expresses concern that other potential future facility modifications at CIM should be considered together with the proposed MHCF as a single project. As identified in Table 5-2 of the Draft EIR “List of Projects in the Vicinity of the CIM MHCF Project” ongoing facility improvements (such as health care improvements) and maintenance projects at CIM are considered in the cumulative impact analysis. The impacts of the projects listed in Table 5-2 are considered for their potential to combine with the impacts of the proposed project to result in cumulative effects, and the comment does not raise any specific deficiencies in the analysis, so no further response can be provided. These are separate projects, with independent utility, considered under separate legislation from that authorizing the MHCF, and would operate completely independent of the project. They are not necessary for the operation of the proposed project, or necessary to achieve the project objectives, nor are they a reasonably foreseeable consequence of approving the project. These separate projects would undergo separate CEQA review, as is appropriate with projects that are unconnected to other projects.

Please see response to comment A4-3 for additional response regarding the adequacy of the project description.

A4-5 The comment is correct in stating that one of the objectives of the proposed project specifically identifies CIM as the location for the MHCF, because it was identified as such in the 2017-2018 State Budget Act. The State Budget Act is a legislative action and not subject to CEQA. CEQA requires a stable project description to inform the decision-making process. State CEQA Guidelines Section 15124(a) states that the description of the project shall include “the precise location and boundaries of the proposed project.” However, the Budget Act does not approve the project; it only allows for preliminary plans. CEQA review, project approval by the Secretary of CDCR and funding approval by the State Public Works Board would be needed before the project could be constructed. The project could be approved or rejected at any of these steps. This is no different from any other project, including one in the City of Chino, which would be proposed at a specific location owned by the landowner.

Insofar as the proposed project would result in significant environmental impacts, State CEQA Guidelines Section 15126.6(a) requires that an EIR describe a reasonable range of alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project. Offsite alternatives to the proposed project at CIM were considered but eliminated for several reasons as described in Draft EIR sections 7.4.3, “Offsite Alternative – California Rehabilitation Center at Norco,” and 7.4.4, “Offsite Alternative – California State Prison, Los Angeles County at Lancaster.”

A4-6 The comment expresses the view that the alternatives analysis is inadequate as locations outside of CIM were not adequately analyzed. See response to comments A3-3 and A4-5. There are no alternatives that could avoid or substantially lessen (unmitigated) significant effects of the proposed project (because none exist). Also, for this reason, a statement of overriding considerations is not warranted.

The alternative location at California Rehabilitation Center, Norco, would result in additional significant impacts relating to the demolition of National Register of Historic Places-eligible structures, compared to the project, so it is environmentally inferior even if it could ultimately

win approval of the State Historic Preservation Office (which adds uncertainty to this project). The alternative location at California State Prison, Los Angeles County (LAC) at Lancaster, could result in biological effects that are additional to what would occur (and be mitigated) at CIM; for instance, while the burrowing owl is common to both CIM and LAC, LAC is located in the Antelope Valley, an area with sensitive habitat that could support sensitive species including alkali mariposa lily, Le Conte's thrasher, tricolored blackbird, and others. While the LAC site was not surveyed for potential presence of these or other sensitive species, LAC would not avoid any project impacts and may increase them. Although not discussed in the Draft EIR, it is also noted that the LAC site is already spatially constrained by existing facilities including recently constructed medical treatment buildings.

The comment states that, as part of the alternatives analysis, a comprehensive plan for the entire CIM campus should be examined, with options for alternative land uses that could generate revenue for the state. This implies that parts of CIM should be examined for private development, which is one of the only ways by which revenue could be provided to the State, and has been done on two other properties of CIM that were surplus. There is no rationale for such a consideration with the stated purpose of a CEQA alternatives analysis being to reduce or avoid impacts. Rather, such an alternative would increase areas of development, and would not meet any of the project objectives. The City of Chino also requested analysis of this alternative in its comments on the Notice of Preparation. The rationale for not considering alternative land uses at CIM is presented on page 7-3 of the Draft EIR. CDCR has no statutory authority to consider the conversion of existing CIM property to uses that are not related to its mission.

- A4-7 The comment expresses safety concerns related to the proposed project, including prisoner transport and security levels. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- A4-8 The comment states that the traffic impacts of inmate transportation are not analyzed in the Draft EIR. As described in more detail below in response to comment A4-12, the comment is correct that the trips associated with inmate-patient transfers were not included in the trip generation estimates; however, adding the trips associated with inmate-patient transfers would not affect the analysis or conclusions of Section 4.10, "Transportation and Circulation" because they would not change the level of service at any affected intersections (see response A4-12). Therefore, no changes to the Draft EIR are necessary. See also Master Response 2.
- A4-9 The comment expresses concern related to the safety of the community. Independent of the project, CIM addressed some of the existing security issues at its facility. However, that does not address the security associated with the MHCF. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- A4-10 The comment expresses safety concerns related to the proposed project, including an electrified fence and security levels. A lethal electrified fence is not proposed, but other security features are included that would preclude escape from the facility. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- A4-11 The comment states that the Draft EIR's analysis of light and glare needs to be reexamined once it has been determined whether the MHCF will be one or two stories. As described on page 4.1-4 of the Draft EIR, no new high-mast lighting would be installed as part of the proposed project. All lighting for the MHCF would be less intensive than the existing lighting at CIM because the proposed project would use LED bulbs with directional shielding and glare screens, which are intended to provide localized lighting like other institutional buildings. Because MHCF's lighting would be screened by other buildings, the minimal additional light

would not be visible from outside CIM. Additionally, the MHCF is located at the center of Facility D, and the nearest residences are located approximately 0.5 mile east of the MHCF. The proposed two-story building would not substantially increase the casting of skyglow or the distance at which the facilities could be seen during the nighttime.

A4-12

The comment begins by stating that the traffic impact analysis and conclusions are based on vehicle miles traveled (VMT), but that the San Bernardino County Transportation Commission has yet to adopt parameters for reviewing such analysis. The comment goes on to state that the traffic analysis does not consider traffic generated by deliveries, guests, or the transportation of inmate-patients to and from the project site (including the impacts of trucks, large vehicles, and two-car inmate transport plan), and states that as many as 1,800 different inmate-patients will occupy the project over the course of a year. Additionally, the comment states that the intersection of College Park Avenue and Central Avenue should have been included in the Transportation Impact Analysis (TIA). The comment concludes by stating that additional analysis of these issues is necessary, and that a revised draft must be recirculated, and a new public comment period provided.

Estimates of VMT are included in the “Analysis Methodology” sub-section on page 4.10-8 of the Draft EIR for disclosure purposes only. The significance criteria used to evaluate the impacts of the project to transportation and circulation are identified on page 4.10-10 of the Draft EIR, none of which include VMT. Thus, the comment is incorrect in its assertion that the impact analysis and conclusions of Section 4.10, “Transportation and Circulation,” are based on VMT. No changes to the Draft EIR are necessary.

The trip generation assumptions of the proposed project are detailed in the “Analysis Methodology” sub-section on page 4.10-8 of the Draft EIR, where it is stated that the trip generation estimates include daily deliveries and service trips. Thus, the comment is incorrect in its assertion that the TIA, upon which Section 4.10, “Transportation and Circulation,” of the Draft EIR is based, does not consider deliveries and service trips. Page 4.10-8 of the Draft EIR states that additional trip generation details and assumptions are provided in Appendix E (i.e., the TIA). As detailed in Appendix E of the Draft EIR, visitor hours are limited to weekends and holidays; and therefore, would not result in any new trips during the weekday a.m. or p.m. peak hour study periods, the periods upon which the transportation operational analysis and conclusions are based.

The comment is correct that the trips associated with inmate-patient transfers were inadvertently not included in the trip generation estimates, and that the project could accommodate up to 1,800 inmate-patients per year. While it is technically feasible that up to 1,800 different inmates could utilize the MCHF in a given year, this number is based on occupancy and re-occupancy of every bed every 10 days. In reality, the 50-bed facility would likely be fully occupied at some times, not at others, with gap periods between when a bed would be reused (after one patient leaves, maintenance of the bed, and another patient arrives).

In response to this comment, a worst-case analysis is provided assuming the facility would be used by 1,800 different inmates in a year. Inmate transfers can occur 7 days/week, so the average number of inmate trips would be approximately 5 per day (1,800 inmates/365 days). For worst-case analysis, it is assumed that each inmate-patient transfer is “high-security” and would consist of two vans each, which would make roundtrips (i.e., one trip to the CIM facility and one trip back to the origin of the trip). Therefore, inmate-patient trips could result in up to 20 trips per day¹ and would generally be distributed to the external roadway network and study intersections consistent with the trip distribution patterns

¹ 5 inmates/day, 2 vans per inmate, 2 trips per van (1 trip in, 1 trip out) = 20 trips/day.

detailed on page 4.10-8 of the Draft EIR. It is noted that security protocols would inhibit the ability to process up to 3 inmate-patients in any single hour. Also, any more than one inmate arriving per hour would be unlikely; inmates are required to be delivered to a health crisis facility within 24 hours of their diagnosis. They would come from various prisons in Southern California and would depart from the originating prison as soon after diagnosis as reasonably possible. These trips would not be scheduled for specific times and, therefore, would not be expected to follow a regular traffic pattern like employee shifts (where many people arrive and depart in the same hour). Under the worst case scenario, on an average day (5 inmate-patients), the average gap between each arrival would be nearly 5 hours (24 hours/5 inmate-patients).

As shown on page 4.10-2 of the Draft EIR, the City of Chino's General Plan guidelines state that a traffic study is required if a project would generate more than 50 two-way peak hour trips at one intersection. As shown on Exhibit 4.10-2 of page 4.10-11 of the Draft EIR, the intersection of Central Avenue and Chino Hills Parkway would experience the greatest number of peak-hour project-generated trips consisting of 39 trips in the a.m. peak hour and 40 trips in the p.m. peak hour. Therefore, the number of trips generated by inmate-patient transport would need to exceed 10 trips during the a.m. peak hour or 9 trips during the p.m. peak hour to surpass the City of Chino threshold for conducting intersection level of service (LOS) analysis (i.e., 50 peak hour trips at a study intersection).

Given the discussion above, it is not reasonable to assume that any more than 2 or 3 inmate-patients could arrive/depart in any one hour. Therefore, it is not possible that the inmate-patient transfers would generate the 9 or 10 peak hour trips needed to combine with the other project-generated trips and meet or exceed the 50 peak hour trip threshold at any City of Chino intersection. Additionally, even if the 50-trip threshold were surpassed at the intersection of Central Avenue and Chino Hills Parkway (i.e., the intersection that would experience the highest volume of project-generated traffic), the addition of inmate-patient trips would not result in the intersection operating conditions degrading levels below LOS D (i.e., City of Chino significance threshold) because the intersection is currently operating at an acceptable level (LOS B), and the peak hour project-generated trips would be assigned to the through movements on Central Avenue, which have lower delays than the intersection average delay. For these reasons the proposed project would not result in a substantial increase in overall intersection delay, and this issue does not warrant further study in the EIR. No changes to the Draft EIR are necessary.

The comment also expresses concerns that the inmates would arrive by large vehicle, suggesting this may have a larger impact on the roadway system. Inmates would be transported in vans typical of a mini-van. This type of vehicle would not behave differently on the roadway system than a car. As to other trucks, as shown in Table 4.10-3 of the Draft EIR, 3 total truck trips in the A.M. (one per 20 minutes) and 3 total truck trips in the P.M. peak hours would be generated. This low level of trip generation would not cause vehicle queuing or any other impacts (none of which are raised in the comment letter) on the roadway system.

In summary, the comment is incorrect that delivery and service trips are not included in the project trip generation. Additionally, for the reasons explained above, considering the trips associated with project visitors and inmate-patient transfers would not affect the analysis or conclusions of Section 4.10, "Transportation and Circulation." Therefore, no changes to the Draft EIR are necessary and recirculation of the Draft EIR is not warranted.

A4-13

The comment notes that during the public review period of the Draft EIR, the California Supreme Court issued a new opinion in the *Sierra Club v. County of Fresno* (2018) 226 Cal.App.4th 704, stating that an EIR must make a reasonable effort to substantively connect a

project's air quality impact to likely health consequences. The comment states that the Draft EIR must be revised and recirculated to reflect that analysis.

In December 2018, the California Supreme Court issued its decision in *Sierra Club v. County of Fresno*, 226 Cal.App.4th 704. The case reviewed the long-term, regional air quality analysis contained in the EIR for the proposed Friant Ranch development, a proposed new community that would include approximately 2,500 homes outside of the urban area. The project is located in unincorporated Fresno County within the San Joaquin Valley Air Basin, an air basin currently in non-attainment with multiple national ambient air quality standards (NAAQS) and California ambient air quality standards (CAAQS), including ozone and particulate matter (PM). The project's air pollution emissions, as mitigated, were nearly ten times the threshold of significance. The Court ruled that the air quality analysis failed to adequately disclose the nature and magnitude of long-term air quality impacts from emissions of criteria pollutants and precursors "in sufficient detail to enable those who did not participate in its preparation to understand and consider meaningfully the issues the proposed project raises." The Court noted that the air quality analysis did not provide a discussion of the foreseeable adverse effects of project-generated emissions on Fresno County's compliance with NAAQS and CAAQS for criteria air pollutants nor did it explain a connection between the project's emissions and deleterious health impacts. Moreover, as noted by the Court, the EIR did not explain why it was not "scientifically possible" to determine such a connection. The Court concluded that "because the EIR as written makes it impossible for the public to translate the bare numbers provided into adverse health impacts or to understand why such translation is not possible at this time," the EIR's discussion of air quality impacts was inadequate.

In response to the *Sierra Club v. County of Fresno* decision, Section 4.2, "Air Quality," of the Draft EIR has been revised to provide an expanded discussion of SCAQMD's regional and localized significance thresholds and how they are tied to achieving or maintaining attainment designation with the NAAQS and CAAQS, which are scientifically substantiated, numerical concentrations of criteria air pollutants considered to be protective of human health. Impact 4.2-2, "Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation During Construction" (page 4.2-13) has also been revised to connect the project's exceedance of SCAQMD's LST for PM₁₀ to potential health consequences. However, as germane to this project, the PM₁₀ impacts would be mitigated to below the level of significance and the project would not produce any significant impacts associated with any other pollutants.

Pursuant to State CEQA Guidelines Section 15088.5, recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. The revisions to the Draft EIR in light of *Sierra Club v. County of Fresno* do not constitute "significant new information" and recirculation is not necessary.

A4-14

The comment contends that, due to the traffic generated by the proposed project, infrastructure improvements are required to be made to the streets surrounding CIM and lists necessary transportation infrastructure improvements.

As stated on page 4.10-2 of the Draft EIR, the proposed project would not require the construction, re-design, or alteration of any public roadways, and the proposed project would not adversely affect any existing or planned public transit, bicycle, or pedestrian facilities. As described under Impact 4.10-1 and 4.10-2, the project would not result in any significant impacts to the transportation system. Therefore, because the proposed project would not

result in any significant impacts to the transportation infrastructure surrounding the proposed project site, the proposed project is not required to construct any infrastructure improvements. No changes to the Draft EIR are necessary.

A4-15

The comment states that CIM discharges wastewater to a septic system and not a sewer system. This statement is incorrect. As discussed on page 4.11-3 through 4.11-4 of Section 4.11, "Utilities and Service Systems," of the Draft EIR, CIM operates an onsite wastewater treatment plant (WWTP), which discharges treated effluent to percolation ponds for subsequent use on alfalfa, corn, and permanent pasture. CIM operates the WWTP in accordance with waste discharge requirements (WDRs) (Order No. 95-24) adopted by the Santa Ana Regional Water Quality Control Board (RWQCB) on April 9, 1976 (updated most recently in 1995). No evidence is provided in the comment (or any other comments) to suggest that the wastewater system at CIM does not provide for adequate and proper treatment of wastewater. There would be no need to connect MHCF to the City or Inland Empire Utility Agency (IEUA) Brine Line because there is adequate capacity in the existing WWTP and CIM is in compliance with the WDRs (see Impact 4.11-2 in the Draft EIR).

The capacity of the brine line, with respect to its existing use in disposing by-products of the CIM water treatment system, is discussed on page 4.11-7 of the Draft EIR. As shown, the additional flows in the brine line in connection with treating water to serve the project would add 241 gallons per day (gpd) to a line that has permitted capacity of 194,000 gpd and flows of 48,214 gpd (around one quarter of capacity).

EIR preparers reviewed the materials appended to the comment letter, which included reports of alleged wastewater contamination from Mule Creek State Prison and reports of water quality violations at other CDCR institutions, although none at CIM. The issues reported at Mule Creek State Prison are not applicable to the proposed project at CIM, and the comment does not raise issues with the analysis in the Draft EIR. No further response is warranted.

The comment states that the WWTP's maximum capacity and MHCF generation rates are inconsistently reported in the Draft EIR. The reported wastewater treatment capacity and MHCF wastewater generation rates are correct in the Draft EIR. It appears that the commenter may have interchanged the values associated with the water treatment plant and the WWTP. These are two different plants with different functions. No changes to the Draft EIR are necessary.

A4-16

The comment states that the Draft EIR does not consider a long enough time period in evaluating impacts to groundwater resources. As discussed in Draft EIR Section 4.7, "Hydrology and Water Quality," the proposed project area overlays the Chino Basin, which would supply water to the proposed MHCF as it does to most of the CIM facilities. The Chino Basin is adjudicated; therefore, it is subject to rules, regulations, and long-term plans to manage groundwater production, recharge, and quality. Current planning documents indicate that sufficient groundwater is available to CIM through the overlying agricultural pool in accordance with the Peace II Agreement. These documents project conditions through the year 2035; any projection beyond this period by CDCR would be speculative, but because the groundwater basin is adjudicated, it is reasonable to assume that existing users, of which the project would be one in 2035 (if approved), would be part of the existing uses considered in 2035. Because the proposed project would not adversely affect Safe Yield, which is a metric used to maintain adequate groundwater levels, the proposed project would not cause substantial depletion of groundwater resources (see Impact 4.7-4 of the Draft EIR for more information). The evaluation in the Draft EIR appropriately evaluates the availability of groundwater resources to the proposed MHCF. The comment provides no evidence to suggest this analysis is not correct.

The capacity of the potable water system at CIM and its ability to serve the proposed MHCF are analyzed in Impact 4.11-1 of the Draft EIR. As described, CDCR has more than double the water treatment capacity than needed to treat existing plus project uses. This provides more than an adequate margin of safety to CIM, including with the proposed project. No additional City water service is needed. No groundwater wells are proposed.

Regarding the comment that agricultural areas of CIM used for City water recycling could be lost, the proposed project is located in a developed area of CIM and no agricultural land would be developed (see pages 4.1-4 and 4.1-5 of the Draft EIR).

No changes to the Draft EIR are necessary.

A4-17

The comment states that the Draft EIR does not adequately address stormwater conveyance. Impact 4.7-3 in the Draft EIR addresses increased runoff during operation. As discussed therein, “[i]mplementation of the proposed MHCF project would create up to a total of approximately five acres of new impervious surfaces, which would result in a negligible increase of stormwater and drainage flows. In addition, CIM is a Non-Traditional Small MS4 permittee under the Phase II Small MS4 General Permit (SWRCB Order No. 2013-0001-DWQ), which requires CDCR to reduce the discharge of pollutants to the maximum extent practicable through the development and implementation of BMPs.”

As stated on page 4.7-12 of the Draft EIR, due to the topography and location of the proposed project area, runoff would not drain into the Magnolia or Cypress channels because these channels are located east of the proposed project area and sheet runoff not collected in drain will flow southwest. These are the channels associated with the issues pertinent to Kimball Avenue that were raised by the commenter.

The issue of storm water drainage is adequately addressed in the Draft EIR. No changes to the Draft EIR are necessary, and recirculation is not warranted.

A4-18

The comment requests identification of the board, body, or individual who will certify the Final EIR and requests a copy of the Notice of Determination, once completed. As stated on page 1-5 of Chapter 1, “Executive Summary,” of the Draft EIR, “After the Final EIR is prepared and the EIR public-review process is complete, the Secretary of CDCR is the party responsible for certifying that the EIR adequately evaluates the impacts of the proposed project.” If the EIR is certified and the project is approved, CDCR will provide a copy of the Notice of Determination to the City of Chino.



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January 28, 2019

California Department of Corrections and Rehabilitation
 Office of Facility Planning, Construction and Management
 Attention: Robert Sleppy
 P.O. Box 942833
 Sacramento, California 94283-0001

Subject: Public Comment for Draft EIR for Mental Health Crisis Facility at California Institution for Men

Dear Sir or Madam,

Inland Empire Utilities Agency (IEUA) is a regional wastewater treatment agency and wholesale distributor of imported water responsible for serving approximately 875,000 people over 242 square miles in western San Bernardino County. As a regional wastewater treatment agency, IEUA provides sewage utility services to seven contracting agencies, including the city of Chino where the California Institution for Men (CIM) is located. As a result, IEUA is very interested in the Draft Environmental Impact Report (EIR) for the Mental Health Crisis Facility (MHCF).

A5-1

The IEUA Planning and Environmental Resources Department has reviewed the Draft Environmental Impact Report, and submits the following comments for the areas of concerns raised by interested parties during the Notice of Preparation (NOP) review period, and identified in Section 1.4 of the Draft EIR:

1. Wastewater/Sewer Conveyance

According to the Draft EIR, the CIM wastewater treatment plant has enough capacity to accommodate new inmate-patients and staff. The CIM average wastewater treatment demand, including the MHCF, will be approximately 0.8365 MGD, which is lower than the maximum capacity of the onsite wastewater treatment plant (1.69 MGD). However, since treated secondary effluent from the CIM wastewater treatment plant is discharged to percolation ponds and reclaimed for irrigation, IEUA is concerned about the impact of this treated water on the groundwater quality of the Chino Basin.

A5-2

IEUA owns and operates a 16.3 MGD water reclamation facility adjacent to the CIM, producing high quality disinfected tertiary recycled water in compliance with the State Division of Drinking Water Title 22 Code of Regulations. IEUA is regulated under the National Pollutant Discharge Elimination System (NPDES) to treat and recharge high quality recycled water into the Chino Basin for indirect potable reuse. In consideration of groundwater protection and efficient use of water resources, CIM should consider acquiring capacity and routing the wastewater flow to IEUA.

Water Smart - Thinking in Terms of Tomorrow

Paul Hofer
President

Jasmin A. Hall
Vice President

Kati Parker
Secretary/Treasurer

Michael E. Camacho
Director

Steven J. Elie
Director

Kirby Brill
Interim General Manager

Mr. Robert Sleppy

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January 28, 2019

2. Condition of Existing Infrastructure at CIM

The MHCF will be designed in accordance with the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) "Silver" certification. As result, CIM should consider incorporating recycled water infrastructures into new and existing facilities and implement water conservation programs to reduce the use of potable water. IEUA water use efficiency programs and experience should be leveraged as a knowledgeable resource to provide additional opportunities to CIM.

A5-3

3. Public Safety Related to Crime

IEUA's headquarters complex is located on Kimball Avenue, across the street from CIM. It employs more than 200 staff at this location, and the complex is open to the public and customers. The complex frequently hosts public meetings, while the Chino Creek Wetlands and Educational Park provides an educational experience to students and visitors. In light of the of the nature of inmates that would be treated at the new MHCF, and the recent escape of a Level I inmate from a dormitory, as indicated in Section 2.3 of the Draft EIR, IEUA is concerned for the safety of IEUA's employee, public, and customers. IEUA is aware that impacts to public safety are not within the scope of this EIR; however, it is recommended that the proposed MHCF would be designed to prevent escape, and improved security measures will be implemented throughout CIM to address public safety considerations.

A5-4

IEUA appreciate the opportunity to review and comment on the Draft EIR. If you have any questions, please feel free to contact me at (909) 993-1762 or by email at cberch@ieua.org.

Sincerely,

Inland Empire Utilities Agency



Chris Berch, P.E. BCEE

Executive Manager of Engineering/Assistant General Manager

<p>Letter A5</p>	<p>Inland Empire Utilities Agency Chris Berch, P.E. BCEE, Executive Manager of Engineering/Assistant General Manager 1/28/2019</p>
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- A5-1 The comment summarizes the IEUA's jurisdiction and responsibility, and notes that comments were submitted in response to the Notice of Preparation of the Draft EIR. This comment does not raise issues that pertain to the adequacy, accuracy, or content of the Draft EIR. No further response is necessary.
- A5-2 The comment correctly states that the Draft EIR concludes that the CIM WWTP has enough capacity to accommodate new inmate-patients and staff. The comment expresses concern related to the potential for groundwater contamination from treated secondary effluent discharged to percolation ponds and reclaimed for irrigation and suggests that CIM route wastewater flow to IEUA. CIM operates the onsite WWTP in accordance with WDRs (Order No. 95-24) adopted by the Santa Ana RWQCB on April 9, 1976 (updated most recently in 1995). Compliance with the WDRs includes discharge specifications, which are currently met by CIM. These discharge requirements are established to meet the State anti-degradation policy, which was established to protect water quality for use by the people of California. As this relates to the onsite WWTP, the combination of secondary treatment and further treatment in percolation ponds or through irrigation use is sufficient to meet anti-degradation policy requirements, through compliance with the WDRs.

The Chino basin underlies the area that includes Chino, Norco, Ontario, and several other cities. Regarding existing groundwater contamination, as discussed on page 4.7-7 of Section 4.7, “Hydrology and Water Quality” of the Draft EIR, groundwater in the lower Chino Basin, where CIM is located, has historically exceeded California Code of Regulations (CCR) Title 22 mandated objectives for total dissolved solids (TDS, salinity or salt) and nitrogen (nitrate). This exceedance is primarily attributed to agriculture. In addition to groundwater contamination caused by agriculture, some areas have exceeded standards for tetrachloroethylene and trichloroethylene (industrial solvents) with a contaminated plume discovered in the 1990’s that underlies CIM. However, the Santa Ana RWQCB determined that the plume has not migrated and is not expected to migrate off CIM’s property. There is no evidence that indicates that CIM’s discharged secondary effluent is contaminating the groundwater quality of the Chino Basin. No changes to the project or revisions to the Draft EIR are necessary.

- A5-3 The comment suggests that CDCR consider incorporating recycled water infrastructures and water conservation programs into new and existing facilities. Modifications to existing facilities are outside the scope of the proposed project. Leadership in Energy and Environmental Design, CDCR Design Criteria Guidelines; California Building Standards Code; CCR Title 24 require implementation of various water conservation practices in the proposed building. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.
- A5-4 The comment expresses concern over community safety and suggests the proposed MHCF be designed to prevent inmate escapes. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Letter
A6

Kate Gordon
Director

January 29, 2019

Robert Sleppy
California Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001

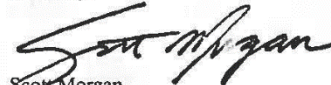
Subject: Mental Health Crisis Facility at the California Institution for Men
SCH#: 2018072022

Dear Robert Sleppy:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 28, 2019, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,


Scott Morgan
Director, State Clearinghouse

A6-1

1400 TENTH STREET P.O. BOX 3014 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2018072022
Project Title Mental Health Crisis Facility at the California Institution for Men
Lead Agency Corrections and Rehabilitation, Department of

Type EIR Draft EIR
Description Note: Review Per Lead

CDCR is preparing preliminary construction documents for the proposed construction and operation of a 50-bed Mental Health Crisis Facility. The site for the proposed facility is within the existing secured perimeter of D Facility at CIM. The new one- to two-story building would encompass up to approx 61,000 gross sf. Other proposed project components include a new access road for teh MHCF, a new cyclone fence that would encircle the MHCF, improvements to the existing pedestrian pathway between the administration building and the MHCF site to comply with ADA requirements, resurfacing and restriping portions of the existing administration building parking lot to comply with ADA requirements, and installation of a new 360-space parking lot outside of the southern perimeter of Facility D.

Lead Agency Contact

Name Robert Sleppy
Agency California Department of Corrections and Rehabilitation
Phone 916-255-1141 **Fax**
email
Address P.O. Box 942883
City Sacramento **State** CA **Zip** 94283-0001

Project Location

County San Bernardino
City Chino
Region
Lat / Long 33° 59' 10.67" N / 117° 40' 59.17" W
Cross Streets Merrill Ave. and Central Ave.
Parcel No. 102602101
Township 2S **Range** 8W **Section** 23 **Base** SB

Proximity to:

Highways 71
Airports Chino Airport
Railways
Waterways
Schools Chaffey College
Land Use Zoning: Open Space - Recreational; General Plan: Urban Reserve

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; Caltrans, District 8; Regional Water Quality Control Board, Region 7; Native American Heritage Commission; Office of Emergency Services, California

Date Received 12/06/2018 **Start of Review** 12/06/2018 **End of Review** 01/28/2019

Note: Blanks in data fields result from insufficient information provided by lead agency.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

November 26, 2018

TO: CEQA LEAD AND REVIEWING AGENCIES

RE: ANNOUNCEMENT OF CHANGE, NEW CEQA DATABASE

The Office of Planning and Research, State Clearinghouse (SCH) is preparing the transition to a new CEQA database. We would like to inform you that our office will be transitioning from providing hard copies of certain letters and notices to an electronic mail system. Copies of environmental documents, notices and comment letters from state agencies will also be available for view and download.

CEQA lead and reviewing agencies should include an e-mail address (at least one (1)) to receive electronic notifications.

The letters and notifications from the SCH that will now be e-mailed include: acknowledgement of receipt and close of environmental documents, comments received from state reviewing agencies on environmental documents, as well as notices of determinations and exemptions.

Updates on when the database will be accessible for lead agencies to upload and submit environmental documents and notices, along with the ability for state agencies to review and comment on environmental documents through the database, will be provided as those functions become available.

For this transition process, please send your e-mail address to:

State.clearinghouse@opr.ca.gov

Should you have any questions, please do not hesitate in contacting the State Clearinghouse at (916) 445-0613 or state.clearinghouse@opr.ca.gov.

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Letter
A6**

State of California Governor's Office of Planning and Research
Scott Morgan, Director
1/29/2019

A6-1

The comment states that the State Clearinghouse submitted the Draft EIR to state agencies for review, no comments were received by state agencies, and that State Clearinghouse review requirements have been met. No response is necessary.