



MEMORANDUM

January 18, 2016

From: Tom Dodson

To: Ms. Kim Stater

Subj: **Completion of the Initial Study and Mitigated Negative Declaration for the Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002) (PUD-13-001), SCH#2015101076**

The City of Highland received eight written and e-mail comments on the proposed Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002) (PUD-13-001) Initial Study and Mitigated Negative Declaration (IS/MND), SCH# 2015101076. CEQA requires a Negative Declaration to consist of the Initial Study, copies of the comments, any responses to comments (as compiled on the following pages); and any other project related material prepared to address issues evaluated in the IS/MND.

For this project, the original Initial Study will be utilized as one component of the final IS/MND package. The attached responses to comments, combined with the Initial Study and the Mitigation Monitoring and Reporting Program, constitute the final IS/MND package that will be used by the City to consider the environmental effects of implementing the proposed project prior to making a decision on the project. The following parties submitted comments. These letters and e-mails are addressed in the attached Responses to Comments:

1. State Office of Planning and Research, State Clearinghouse
2. California Department of Transportation, District 8
3. Estle L. Hairgrove
4. Jamie L. Hudson
5. San Bernardino County Department of Public Works
6. Southern California Gas Company
7. Mr. Michael Raley

Because mitigation measures are required for this project to reduce potentially significant impacts to a less than significant level, the Mitigation Monitoring and Reporting Program (MMRP) attached to this package is required to be adopted as part of this final IS/MND package which is provided under separate cover for approval and implementation. The initial City meeting to consider the Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002) (PUD-13-001) IS/MND, SCH# 2015101076 is scheduled for February 16, 2016. Tom Dodson will attend the public meetings on this project to address any questions that the Planning Commissioners or City Council may have regarding the adoption of the IS/MND for the proposed project.

Do not hesitate to give me a call if you have any questions regarding the contents of this package.

A handwritten signature in black ink, appearing to read "Tom Dodson". The signature is written in a cursive style with a large, prominent initial "T".

Tom Dodson

Attachments



Edmund G. Brown Jr.
Governor

COMMENT LETTER #1

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

November 24, 2015

Megan Taggart
City of Highland
27215 E. Base Line, Suite A
Highland, CA 92346

Subject: Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002)(PUD-13-001)
SCH#: 2015101076

Dear Megan Taggart:

1-1

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on November 23, 2015, 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

RESPONSES TO COMMENTS
LETTER #1
OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE

- 1-1 This is an acknowledgment letter verifying that the State Clearinghouse submitted the Initial Study and the Notice of Intent to Adopt a Mitigated Negative Declaration to selected state agencies for review, and that no state agencies submitted comments through the Clearinghouse by the close of the review period, which occurred on November 23, 2015. The State assigned this project the following tracking number, SCH#2015101076. This letter is for information only and does not require additional formal response.

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015101076
Project Title Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002)(PUD-13-001)
Lead Agency Highland, City of

Type MND Mitigated Negative Declaration
Description The project allows establishment of a planned development consisting of a low density residential development on 200 residential lots, a medium density development of 110 residential units, six estate lots, and several lettered lot containing two parks, landscaping and a water quality management basin within 8 Planning Areas on approximately 178 gross acres.

Lead Agency Contact

Name Megan Taggart
Agency City of Highland
Phone (909) 864-8732 x210
email
Address 27215 E. Base Line, Suite A
City Highland
Fax
State CA **Zip** 92346

Project Location

County San Bernardino
City Highland
Region
Lat / Long
Cross Streets Greenspot Road / Santa Paula Street
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports Redlands Municipal
Railways
Waterways Santa Ana River
Schools
Land Use Z: Agricultural/Equestrian Residential (A/EQ)
GP: Agriculture/Equestrian (0 - 2.0 du/acre)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Public Services; Toxic/Hazardous; Traffic/Circulation

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

Date Received 10/23/2015 **Start of Review** 10/23/2015 **End of Review** 11/23/2015

DEPARTMENT OF TRANSPORTATION

DISTRICT 8

PLANNING (MS 725)

464 WEST 4th STREET, 6th FLOOR

SAN BERNARDINO, CA 92401-1400

PHONE (909) 388-7017

FAX (909) 383-5936

TTY 711

www.dot.ca.gov/dist8



*Serious Drought.
Help save water!*

August 19, 2015

File: 08-SBd-38-PM 3.52

Megan Irwin
City of Highland
Planning Division
27215 Base Line Road,
Highland, CA 92346

Dear Ms. Irwin:

Mediterra Specific Plan - Traffic Impact Analysis Report

Thank you for providing the California Department of Transportation (Department) the opportunity to review and comment on the Traffic Impact Analysis (TIA) for the City of Highland Mediterra Specific Plan (Project), located north of Greensport Road. The Project includes the construction of 277 single family detached residential dwelling units on an approximately 179 acres land.

2-1

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

2-2

Our areas of concern, pertaining to State facilities, include transportation/traffic issues. Due to these potentially significant impacts on State Route-210 (SR-210) and State Route-38 (SR-38), we offer the following comments on TIA:

Traffic Operation:

- Include the SR-38/Garnet Street intersection to the analysis.

RESPONSES TO COMMENTS
LETTER #2
CALIFORNIA DEPARTMENT OF TRANSPORTATION
CALTRANS DISTRICT 8

- 2-1 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 2-2 According to the project traffic engineer (Urban Crossroads) only five percent of the traffic from the project was directed east to State Highway 38. The number of peak hour trips at the intersection of Garnet/SR-38 was less than 50 trips. Therefore, a more detailed analysis was determined not to be necessary.

- 2-3
- Provide the input/out files for the intersections #1 (SR-210 Eastbound (EB) Ramps/5th Street) and #2 (SR-210 Westbound (WB) Ramps/Greenspot Road). Explain the Level of Service (LOS) for the intersections #1 and #2 for the Horizon Year (2035) No Project (NP) compare to the Opening Year Cumulative (2018) NP as shown in Table 1-2.

Electrical Operations:

- 2-4
- Revise the coordination timing plans for the SR-210/5th Street EB and WB ramp signals along with the City of Highland traffic signals to the east of the SR-210 Interchange. This is needed to adjust traffic progression on Greenspot Road and the stacking length of 915 feet (EB ramp) and 1160 feet (WB ramp), as shown in Table 5-2.
- 2-5
- Include the two signalized intersections east of the SR-210 Interchange at Lowe’s Center (no street name sign) to the east on Greenspot Road between to the analysis.

Multimodal Accessibility:

2-6

The Department is committed to providing a safe transportation system for all users. We encourage the City to embark a safe, sustainable, integrated and efficient transportation system and complete street to enhance California’s economy and livability. A pedestrian/bike-friendly environment served by multimodal transportation would reduce traffic congestion prevalent in the surrounding areas. We offer the following comments:

- The Department supports a project that fosters a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists. (Complete Street Implementation action Plan 2.0).
- 2-7
- When the City considers striping the street to include a bicycle facility, we encourage the City to utilize roadway configurations and design standards found in the National Association of City Transportation Officials’ Urban Street Design Guide and the Urban Bikeway Design Guide. The Department officially endorsed these innovate design guidelines on April 11, 2014. These guidelines provide safety treatments that separate cyclists from through traffic and provide increased visibility at intersections.
- 2-8
- It appears that the San Bernardino County Non-Motorized Transportation Plan calls for Class II Bike Lanes on Greenspot Road. We recommend provision of a Class I or Class IV Protected Bike Lane instead of the planned Class II Bike Lane.

- 2-3 The I/O files for the identified intersections were previously provided to Caltrans for review. A second copy of these I/O files has been provided separately to Caltrans. The difference in LOS for intersections #1 and #2 is the incorporation of City Master Plan assumed improvements.
- 2-4 The City will monitor and adjust the coordination timing for the signals at the EB/WB ramps along with the signals on Greenspot Road east of the SR-210 interchange on an as needed basis.
- 2-5 The two signalized intersections east of SR-210 Interchange which provide access to Lowe's and other businesses were not included because they provide access to private property and were not identified in the initial traffic study scoping process as issue of concern.
- 2-6 The proposed project includes improvements to Greenspot Road that provide both pedestrian and bicycle friendly infrastructure on this roadway. The project also includes internal pedestrian trails and connections to regional trails.
- 2-7 The bike lane design needs to be consistent with the City's General Plan and the existing bike lanes along Greenspot Road. The City requires the Greenspot Road paved section to include the standard design for a Class II Bike Lane.
- 2-8 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. As stated in the previous response and to provide consistency for bike riders along Greenspot, the City will most likely retain the current Class II bike lane design.

Ms. Irwin
August 19, 2015
Page 3

2-9

All comments should be addressed and the TIA should be resubmitted prior to proceeding with the Encroachment Permit Process. Please continue to keep us informed of this project and other future updates, which could potentially impact the State Highway System and interfacing transportation facilities. If you have any questions or need to contact us, please do not hesitate to contact Adrineh Melkonian (909) 806-3928 or myself at (909) 383-4557.

Sincerely,



MARK ROBERTS
Office Chief
Intergovernmental Review, Community and Regional Planning

2-9 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. The TIA will be resubmitted prior to proceeding with the Encroachment Permit Process as requested.

COMMENT LETTER #3

Megan Taggart, Senior Planner
City of Highland, Community Development Department
27215 Base Line
Highland, California 92346

October 27, 2015

Mediterra Project, Tentative Tract Map No. 18893 (TTM-14-002)(PUD-13-001)

- 3-1 Development in Highland is inevitable but let us change a little bit of what we have been doing in the past. Because of the drouth and water shortage in the state, I believe the city planning should change from requiring front yards to landscape with grass lawns as in the past to front yard landscaping consisting of xeriscape only. No more water hungry lawns and plants requiring large amounts of water.
- 3-2 Further, require any landscaping for the rest of the lot (side yards and rear yards) be legal only if they are also developed with xeriscape methods such as in the front yard. This should not be at the option of the home owner but by law.
- 3-3 One step further should require any street and road landscape be done in the same manner. This could be very pleasing to the eye. Think Phoenix Arizona and Las Vegas Nevada as places that have their main arteries done this way now.
- 3-4 I believe this would be a positive thing for our city and I believe the general public would think so too. Highland should lead not follow.

Sincerely,



Estle L. Hairgrove
7381 Ironwood St.
Highland, CA 92346

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NOV - 2 2015
CITY OF HIGHLAND

RESPONSES TO COMMENTS
LETTER #3
ESTLE L. HAIRGROVE

- 3-1 The City will work with the developer to incorporate alternative landscaping on each parcel to minimize landscape water consumption (xeriscape). Note that because the project will eliminate the citrus grove on the property, the overall net water consumption by the proposed project is forecast to be very low.
- 3-2 The commitment to reducing landscape water consumption by allowing xeriscape plants will be extended to the whole lot.
- 3-3 Street and roadway landscaping will also be required to incorporate xeriscape plantings
- 3-4 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.

COMMENT LETTER #4

7900 La Cresta Street
Highland, CA. 92346

November 18, 2015

City of Highland, Community Development Department
27215 Baseline St.
Highland, CA. 92346

Dear Senior Planner Megan Taggart,

4-1 | I am writing to express my concern for Mediterra Project No. 18893. I hope the City of Highland considers my comments as I believe that the plan has significant consequences to its residents and to the overall status of the City. I urge you to reconsider this plan.

4-2 | Despite the plan including a low density of residential lots and units, it does make a significant impact on its surrounding environment. At its current state, Highland has beautiful views that include the San Bernardino Mountains as well as its trademark, orange groves. When a person steps into East Highland, they do not see buildings upon buildings. Highland's natural scenes make it so picturesque. I believe these features are what make East Highland peaceful and therefore, alluring to those who wish to join the community. Over the years the amount of orange groves has diminished and I believe the City should preserve the ones that are left. These trees are being cut down because of housing developments and I sincerely find that to be an
4-3 | unfortunate occurrence. My home was the reason dozens of trees were cut down and I have mixed feelings regarding that. While I am happy to find residence in Highland I think the remaining trees and its surrounds areas should be preserved because it is vital to the identity of Highland.

4-4 | I hope you reconsider this plan as it would distort the image of the city. It would injure the qualities that make East Highland it so peaceful and tranquil. It is a place one can truly call home. I do not wish the city to become overcrowded and lose all that is it. I think the City of Highland should reserve the concept of quality over abundance.

Sincerely,

Jamie L. Hudson

RESPONSES TO COMMENTS
LETTER #4
JAMIE L. HUDSON

- 4-1 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 4-2 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. The visual setting of the project was evaluated based on the change to the existing visual setting. As shown on Figures 4, 11 and 14 of the Initial Study, this project site is located immediately east of and adjacent to existing suburban residential development. To the south is the East Valley Water District's new office. There are two residences existing on the property. Based on an evaluation views to the north, just west of the site, the proposed residential project will not block any views of the San Bernardino foothills or mountains which will continue to serve as the background view from Greenspot Road. Due to this highly modified visual setting, the Initial Study concluded that the loss of the citrus grove and replacement with suburban residential use, along with permanent conservation of the foothill property, does not constitute a significant visual impact. This project shifts the density from the foothill property to the valley floor, thus avoiding modifications of this important visual feature on the property. In the vernacular used in your comment, the visual setting for the new development will continue to be "alluring to those who wish to join the community."
- 4-3 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. Note that the proposed project will not result in an overall increase in the number of residences on the property, but there will be a shift of density to the valley floor at a compatible density to that of the adjacent residential development to the west and the East Highlands area in general. To date the City government has not made funding the acquisition of citrus groves among its highest priorities, primarily due to lack of funding. In order to permanently preserve any citrus grove it would require the City or some entity to purchase the property and establish a land use designation consistent with permanent preservation, comparable to what the developer is proposing by setting aside the hillside property for permanent conservation.
- 4-4 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.



Department of Public Works
Environmental & Construction • Flood Control
Operations • Solid Waste Management
Surveyor • Transportation

Gerry Newcombe
Director

November 18, 2015

City of Highland, Community Development
Megan Taggart, Senior Planner
27215 Base Line
Highland, CA. 92346
mtaggart@cityofhighland.org

File: 10(ENV)-4.01

RE: CEQA – NOTICE OF AVAILABILITY OF A MITIGATED NEGATIVE DECLARATION FOR THE
MEDITERRA PROJECT FOR THE CITY OF HIGHLAND

Ms. Taggart:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to
comment on the above-referenced project. We received this request on October 23, 2015 and
pursuant to our review, the following comments are provided:

Flood Control Planning Division (David Lovell, PWE III, 909-387-7964):

- 1. A major point of concern for the San Bernardino County Flood Control District (District) is an
existing 60 ft road easement the District owns that bisects the proposed subdivision. The
easement is used and maintained by the District for access to the Seven Oaks Dam. This road,
known as Alder Creek Road, is also used by the United States Forest Service, designated as
1N16, which is used for fire protection. Both agencies at times operate equipment and haul on
long tractor/trailers at any time of the day or night for various needs and emergency situations.
The District does not support the current tentative map, dated May 2015, for it clearly cuts off
both agencies access nor has wide enough roads to safely use the large equipment. The
District recommends further dialog to discuss it's easement on a revised design to address this
highly public safety issue.

Environmental Management Division (Marc Rodabaugh, Stormwater Program Manager, 909-387-
8112):

- 1. Concerning the Hydrology impact analysis, I have two comments:
a. First, the WQMP provides mitigation for up to the 85th percentile storm event (~2 year 24
hour event), not all storm events. The EIR should discuss how the project proponent will
address stormwater runoff pollution from storm events that are larger than the 85th
percentile storm.
b. Second, Section IX, subsections c) and d) discuss the applicability of the WQMP to
address potential Hydromodification impacts to downstream waters (tributaries) in

BOARD OF SUPERVISORS

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Fourth District

JOSIE GONZALES
Fifth District

GREGORY C. DEVEREAUX
Chief Executive Officer

RESPONSES TO COMMENTS
LETTER #5
SAN BERNARDINO COUNTY
DEPARTMENT OF PUBIC WORKS

- 5-1 To address the 60 foot easement that is used to move heavy equipment from Greenspot Road, to offload equipment, and for parking, the project proponent met with County Flood Control staff. After detailed discussions Flood Control staff agreed that their comments can be satisfied by resolution of this issue which will be discussed further during the final design phase of the plans, and the project proponents can proceed to submit an application to seek relinquishment of the easement on the Mediterra site. A copy of the Flood Controls findings in this matter is provided as Attachment 3 to these responses.
- 5-2 A preliminary Water Quality Management Plan, prepared in accordance with the San Bernardino County template and guidelines, has been compiled and approved for this project. The WQMP utilizes one large basin for the treatment of storm runoff from the developed portions of the project. Per County guidelines the basin is currently designed to mitigate runoff pollution for up to the 85th percentile storm events, which is equivalent to a 2-year, 24-hour storm, which is again consistent with the County's NPDES MS4 Permit. The primary objective of the MS4 program is to capture the first flush of pollutants from an area and treat it so it does not cause significant degradation of surface runoff. The follow-on flows from the site do not contain the same level of pollutants as this first flush. The WQMP accomplishes treatment of pollutants in accordance with the County's MS4 program and the additional increment of flow from the site will convey only minor levels of pollutants after first flush.
- 5-3 Overflow from the water quality basin envisioned for the proposed project enters a City storm drain which has 100-year storm runoff capacity. This storm drain then outlets into Plunge Creek at the Greenspot Road crossing. The configuration and depth of the WQMP basin allows for flexibility for management of hydromodification concerns for storms that are greater than the 85th percentile storm. A reconfiguration of outlet design in the basin will allow the existing size of the basin to mitigate the hydromodification that may be generated by the Mediterra Development. The basin configuration will accommodate mitigation for hydromodification for a 10 or 100 year storm event with the configuration of the outlet facilities during the final engineering of the project. The applicant commits to make the necessary revisions in coordination with the City and County engineers.

5-3
cont.

compliance with our NPDES MS4 permit. Previous studies indicated that tributaries immediately downstream and adjacent to the proposed development area have an elevated risk of Hydromodification from increased dry and wet weather runoff. (Appendices C and D of the San Bernardino County NPDES Areawide Program developed Watershed Action Plan, which can be found at http://www.waterboards.ca.gov/santaana/water_issues/programs/stormwater/san_bernardino_permit.shtml). The EIR should address the impacts caused by additional runoff from storm events larger than the 85th percentile storm.

Water Resources Division (Mary Lou Mermilliod, PWE III, 909-387-8213):

- 5-4
1. Prior to any encroachment on District Right-of-Way, a permit will be obtained from the District's Permits/Operations Support Division, Permit Section. Other on-site or off-site improvements may be required which cannot be determined at this time.

Environmental Management Division (Erma Hurse, Senior Planner, 909-387-1864):

- 5-5
1. Section 17, Utilities and Service Systems, Item (f): The information provided in this section may have been superseded. Please contact San Bernardino County Department of Public Works, Solid Waste Management Division at (909) 386-8735 for current disposal capacities and the system wide landfill site life assessment.

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

Sincerely,



NIDHAM ARAM ALRAYES, MSCE, PE, QSD/P
Public Works Engineer III
Environmental Management

- 5-4 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. If the project moves forward, encroachment permits will be obtained prior to implementing any activities within District right-of-way.
- 5-5 As suggested in this comment, the Solid Waste Management Division was contacted and based on a review of the more current information, the data in the Initial Study is still accurate.

COMMENT LETTER #6



James Chuang
Environmental Specialist

Southern California Gas Company
Sempra Energy utilities
GT17E2
555 Fifth Street
Los Angeles, Ca. 90013
Tel: 213-244-5817
Fax: 323 518 2324

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NOV 23 2015
CITY OF HIGHLAND

11/18/2015

Ms. Megan Taggart
City of Highland, Community Development Department
27215 Base Line
Highland, CA 92346

Re: **Mediterra Project**

Dear Ms. Taggart:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and respond to the Notice of Intent to Adopt a Mitigated Negative Declaration. SoCalGas understands that the proposed project involves a planned development, including low and medium residential units, estate lots, and lettered lots containing parks, landscaping, and a water quality management basin. Overall the project will consist of 8 Planning Areas on approximately 178 acres. We respectfully request that the following comments be incorporated in the subsequent Mitigated Negative Declaration (MND).

6-1

- SoCalGas has a medium pressure distribution pipeline traversing the southern project area, running beneath Greenspot Road and Santa Ana Canyon Road. Because the Initial Study indicates this roadway alignment may change as part of the project, SoCalGas recommends that the project proponent call Underground Service Alert at 811 at least two business days prior to performing any excavation work for the proposed project. Underground Service Alert will coordinate with SoCalGas and other Utility owners in the area to mark the locations of buried utility-owned lines.

6-2

- Should it be determined that the proposed project may require SoCalGas to abandon and/or relocate or otherwise modify any portion of its existing natural gas lines or create a new service, SoCalGas respectfully requests that project proponent coordinate with us by calling (877) 238-0092 to follow-up on this matter. In addition, any potential impacts associated with this work should be appropriately considered and addressed in the MND.

Once again, we appreciate the opportunity to comment on the Notice of Intent. If you have any questions, please feel free to contact me at (213) 244-5817 or wchuang@semprautilities.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James Chuang", written over a light blue horizontal line.

James Chuang
Senior Environmental Specialist
Southern California Gas Company

cc. Carli Ewert, SoCalGas

**RESPONSES TO COMMENTS
COMMENT LETTER #6
SOUTHERN CALIFORNIA GAS COMPANY**

- 6-1 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. The City appreciates the input regarding the medium pressure distribution pipeline in Greenspot Road and Santa Ana Canyon Road. The City will require the project developer to contact Underground Service Alert at least two days prior to performing any excavation work within either of these two alignments.
- 6-2 Installation of natural gas pipelines as part of the project construction was considered as one of the activities evaluated in the Initial Study. This includes roadway improvements and connection to the distribution line. The future developer will be required to contact SoCalGas prior to modifying any portion of the company's natural gas lines or to create a new service.

COMMENT LETTER #7

Cover Letter

Dear City of Highland Planners and Decision Makers,

7-1 I am writing this letter of objection in response to the “Notice of Intent to Adopt a Mitigated Negative Declaration” (Mediterra Project, TTM 18893) letter received October 27th, 2015 via email.

7-2 My name is Michael Raley, and my family and I have lived adjacent to, or in the “Mediterra” plan area for over 12 years. I grew up in Redlands, and graduated from Redlands High School in 1983. I would frequently ride my bike along Greenspot Road in the late 70’s early 80’s and grew quite fond of the setting. In 2003, my family purchased a home in (Ventana/Entrada) directly adjacent to the project area, to establish our roots in such a unique region of the Inland Empire. The future development of this area is of significant interest to my family and me. We were heavily involved in influencing the CUP permit for Calvary Chapel that was to be built in this same area.

7-3 From 2003 to 2013 we would frequently hike/bike the area in and around the “Mediterra” plan area. We watched as the Wattenbarger property (Not A Part (NAP) in “Mediterra”) came on the market. After much research (Agriculture, Water Rights, Wells, Highland General Plan etc.) we finally made the plunge and purchased it in 2013. We believe that the area is protected by the HGP as a significant agricultural, historical, cultural and aesthetic area for past, current and future generations of Highland. We invested a significant amount of time and money into bringing the old property into a much more positive space. We also have plans to go even further, to truly make the property a valuable contribution to the region as defined in the Highland General Plan (HGP).

7-4 When we found out about the “Mediterra” project (only after purchasing the property), I personally spent a significant amount of time preparing a presentation and attending the first public meeting (Planning Commission, Study Session for “Mediterra”). My family and I would love to see the area developed. We would however like to see the area developed consistent with the HGP in a way that preserves its unique character and history for current and future generations. Based upon the fact that there has been little or no change to the TTM/Specific Plan presented at this study session, we can only conclude that the developer and/or planning commission are not persuaded by our interpretation of the HGP or public interests.

7-5 Because this planning area is of such significant public interest (in our eyes), and it is clearly identified in the Highland General Plan for protection (character, culture, history etc.) I have had to undertake a significant personal endeavor to better understand the public planning process and specifically CEQA processes.

The following document has been prepared by myself. I have attempted to be as constructive and true to the goals outlined in the CEQA guidelines. I intend this document to be influential in the CEQA process in a constructive way, so as to protect public and environmental interests. I am not a CEQA attorney, and have no background in environmental law. Please forgive my small mistakes, and give me feedback on how to better convey my intent if/when possible.

7-6 Conclusion: A Mitigated Negative Declaration for the Mediterra Project is not appropriate at this time. The initial study fails to disclose known environmental impacts, it draws unsupported conclusions about impacts, and their mitigations. It does not thoroughly evaluate a reasonable number of alternative

RESPONSES TO COMMENTS
LETTER #7
MR. MICHAEL C. RALEY

- 7-1 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 7-2 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 7-3 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. One of the objectives of the proposed project is to take a large parcel of land and transfer density in order to keep development off of the hillside portion of the property. The number of units allowed under the agricultural designation will not be exceeded.
- 7-4 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 7-5 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 7-6 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. Specific comments submitted are addressed in subsequent responses.

7-6
cont.

mitigations. The Initial Study, and the entirety of the Administrative Record, is insufficient for planners and decision makers to conclude: "This development does not have any unmitigated impacts on the environment that may be significant." (CEQA guidelines)

7-7

The planners and decision makers should **not** adopt "A Mitigated Negative Declaration (MND)" for the "Mediterra" plan based on this Initial Study. The planners and decision makers should require a full Environmental Impact Report (EIR) or at least significant changes to this Initial Study.

Sincerely,

Michael C Raley
2425 Trellis Ln.
Plano Texas 75075
mraley@yahoo.com
30992 Greenspot Road
Highland CA 92346

7-8

p.s. While I have endeavored to identify all the gaps between CEQA guidelines for a "Mitigated Negative Declaration (MND)", the "Mediterra" plan and the Initial Study, I feel that there are still more that can be added. Preparing this document has been at great personal expense in time (72 hours) and effort. Given the 30 day time window allowed for public comment, I have tried to include as much constructive material as possible. I intent to add more material into the Administrative Record at or before each of the Planning Commission Review Meeting and the City Council Decision Meeting. Please let me know how best to submit written material into those processes (and keep me apprised of them) so that the material can be considered effectively by those bodies.

- 7-7 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project.
- 7-8 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. As a party that has commented on the Initial Study, you will be provided responses to comments prior to any public hearing on the proposed project and you will be notified of each City meeting at which the Mediterra project will be considered. Written or verbal comments may be submitted to the Planning Commission or Council prior to or at each meeting.

Summary

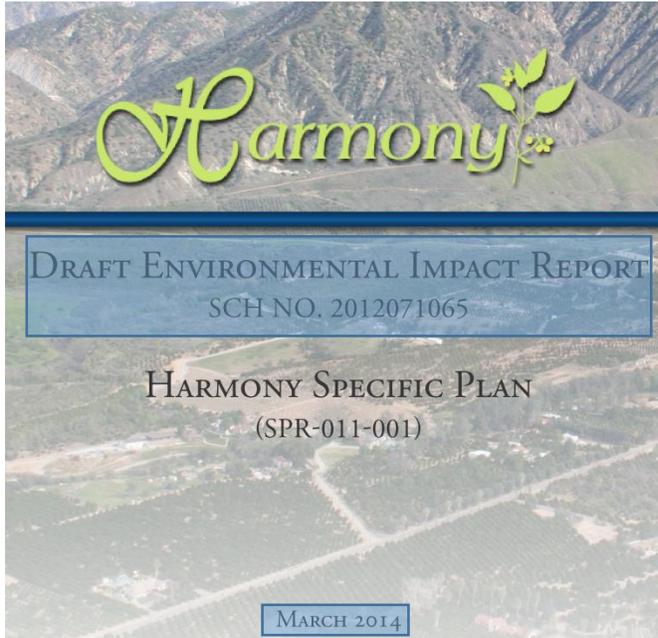
	Concern	CEQA	"Mediterra" Initial Survey
7-9	1 Harmony Cumulative Impact	Cumulative	Incomplete assessment ("Mediterra" needs full EIR)
7-10	2 Citrus view along Greenspot	Aesthetics	Incomplete assessment, ineffective mitigation proposed
7-11	3 SBNF influence overlap	Forest	Un-assessed, no mitigation proposed
7-12	4 Tree preservation (mature and heritage)	Forest	Incomplete assessment, no mitigation proposed
7-13	5 Tree ages (dating back to founders)	Cultural	Un-assessed, no mitigation proposed
7-14	6 North Fork Citrus along Greenspot	Cultural	Un-assessed, no mitigation proposed
7-15	7 Faulting (PA 2+)	Geo	Un-assessed, deferred mitigation proposed
7-16	8 Fire Zone 1	Hazard	Assessed, incomplete/deferred mitigation proposed
7-17	9 Well locations, status and plans	Hazard	Incomplete assessment, deferred mitigation
7-18	10 Ongoing AG/EQ use herbicides/pesticides	Hazard	Un-assessed, no mitigation proposed
7-19	11 Ongoing septic use	Hazard	Un-assessed, no mitigation proposed
7-20	12 Ongoing well use	Hydrology	Un-assessed, no mitigation proposed
7-21	13 HGP Consistency (General)	Land Use	Incomplete assessment, differed mitigation
7-22	14 HGP Appropriate Density	Land Use	Incomplete assessment, HGP mitigation ignored
7-23	15 HGP Lower Intensity	Land Use	Un-assessed, HGP mitigation ignored
7-24	16 HGP Planned Development	Land Use	Un-assessed, HGP mitigation ignored
7-25	17 HGP Mitigation Buffers	Land Use	Un-assessed, HGP mitigation ignored
7-26	18 HGP Isolated Development	Land Use	Un-assessed, HGP mitigation ignored
7-27	19 HGP Land Use Transition	Land Use	Un-assessed, HGP mitigation ignored
7-28	20 HGP Edge Treatment	Land Use	Un-assessed, HGP mitigation ignored
7-29	21 HGP Visual Agricultural Heritage	Land Use	Un-assessed, HGP mitigation ignored
7-30	22 HGP Tree Replacement Policy	Land Use	Un-assessed, HGP mitigation ignored
7-31	23 Ongoing AG/EQ noise	Noise	Un-assessed, no mitigation proposed
7-32	24 Insufficient Public Parks	Public Services	Incomplete Assessment, insufficient mitigating proposed
7-33	25 Incompatible Traffic	Trans	Un-assessed, no mitigation proposed
7-34	26 Pollination Community	BIO	Un-assessed, no mitigation proposed

7-9

1. Harmony and Cumulative Impact

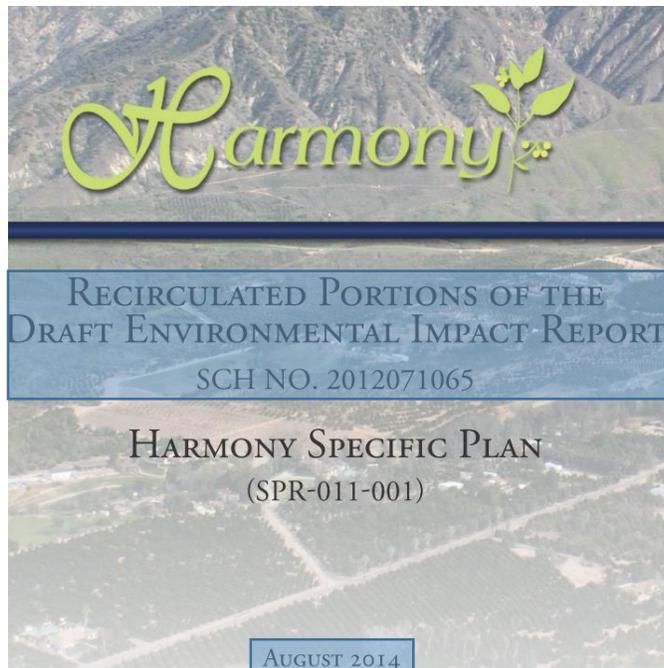
“Mediterra”, like nearby “Harmony”, requires a full EIR to accurately mitigate potential CEQA issues

As recently as March 2014, the City of Highland and LCD Greenspot, LLC found that a full Environmental Impact Report (EIR) would be necessary to fully address any environmental impacts of “Harmony” in order to mitigate those issues.



Harmony DEIR, cover

Even though it was a full EIR, Public and Agency comments resulted in valuable mitigations that were incorporated into a recirculated version of the EIR (Aug 2014)



Harmony Recirculated Portions of DEIR_August 2014(1), cover

“Harmony” is similarly situated in the same area as “Mediterra”, from a pure environmental impact perspective (CEQA). Because of the similar timing and location, “Mediterra” could be considered an extension of “Harmony”. At a minimum the following issues should be addressed.

Cumulative Impact

First, because of the similar timing and location of these developments, there is the potential for significant combined environmental impact. It is difficult if not impossible for decision makers and planners to understand the combined impact without both of these developments providing full EIRs, each one incorporating results from the other. The planners and decision makers can synthesize the impacts. The whole is greater than the sum of its parts.

Further, Harmony’s EIR is still incomplete. The actual layout, mitigations, densities etc. have not been fully determined. It is possible that significant changes can still occur. This creates a chicken and egg problem for ownership issues associated with mitigation responsibilities between the developments.

Example:

- “Harmony”, 10,000 trips = C rating intersection
- “Mediterra” 2,000 trips (total 12,000) = D rating intersection presumably “Mediterra” is responsible

Now, “Harmony” updates to 12,000 trips (the EIR is still not complete, opponents fight the traffic model, developer adds houses etc.)

- “Harmony”, 12,000 trips = D rating intersection “Harmony” is now responsible

- “Mediterra”, 2,000 trips (14,000 trips)=F rating intersection, but “Mediterra” finished EIR with a MND and only had to mitigate a D intersection.

This example could read on water/sewer/wildlife corridor/fire/police etc.

“Mediterra” is built on an incomplete assessment of “Harmony”. This is a classic chicken and egg problem, and the best way to resolve it is to assess both “Mediterra” and “Harmony” as a combined project each with its own EIR. The traffic (or any other combined impact) can then be apportioned (e.g. 20% “Mediterra”, 80% “Harmony”) as a single combined mitigation.

- Combined “Mediterra”+“Harmony”= F intersection (20% “Mediterra”, 80% “Harmony”)

Solution A: Declare either “Mediterra” or “Harmony” independent, the other one dependent. The independent project would proceed without any assumptions of the dependent one. **After the EIR for the independent project is complete**, the dependent project could then develop its EIR based on that of the independent one.

Solution B: Declare that “Mediterra” and “Harmony” are cumulative and as such they should be considered and developed together. The mitigations required by the combination of the projects can then be apportioned to each development (e.g 80%/20%).

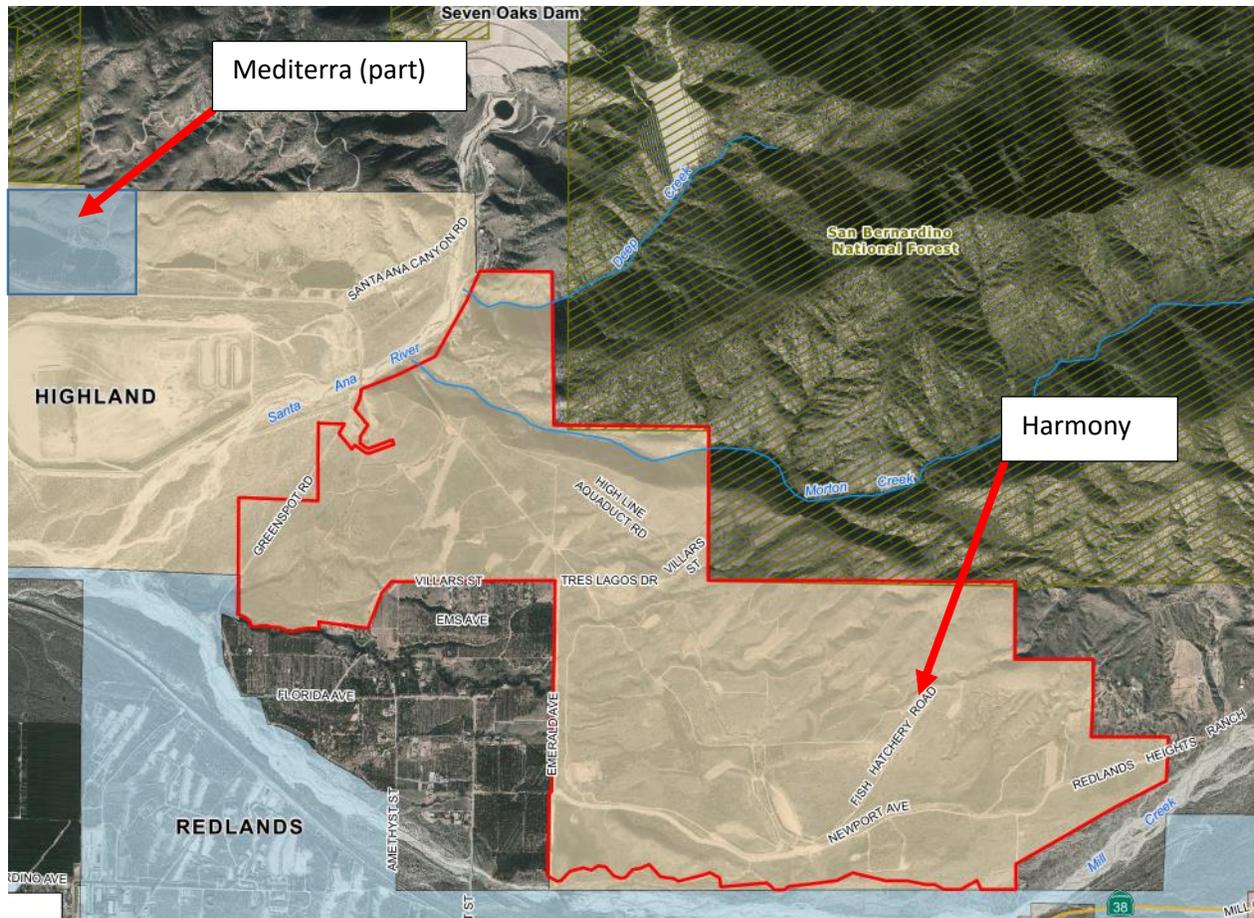
Precedent

Second, “Harmony” and “Mediterra” share similar biomes, infrastructure and regulatory agencies etc. It is unclear how one development would be declared eligible for MND while the other full EIR.

“Mediterra” may be smaller, acreage of development is not a measurement used to determine eligibility for MND.

Reuse

Third, mitigation steps identified for “Harmony” should be imported into “Mediterra” (and vice versa) when they involve similarly situated subject matter. The work done for “Harmony” should be leveraged to mitigate those same issues for “Mediterra”. Similar issues should not be mitigated differently just because the owners of the developments are not the same. The environment does not see this distinction.



Unique non exhaustive list of shared and similar CEQA dependencies:

- Adjacent to San Bernardino National Forest
- Adjacent to Sana Ana River
- Greenspot Road (Traffic, Scenic, Primary Artery)
- North Fork water and history
- Citrus History and Artifacts
- Proximity to San Andreas Faults
- Adjacency to Agriculture
- Species sensitivity
- Fire risks
- Flood risks
- Land slide risks
- Seven Oaks Dam risks
- Contamination of the Bunker Hill Basin
- Shared limited utilities (Sewer, Water)
- Etc.

Conclusion: The entire administrative record of “Harmony” should be included in the administrative record for “Mediterra” (and vice versa). From a CEQA mitigation perspective, they are so similar (time,

environment, agencies, utilities etc.) they constitute a combined impact on the environment. It is unrealistic for planners and decision makers to arbitrarily separate the subject matter. Both are currently (Nov 2015) in their respective EIR phases.

7-10

2. Citrus view along Greenspot

While the “Mediterra” Initial Study identifies removal of open space and citrus groves along Greenspot as a significant impact worthy of mitigation, the Initial Study fails to identify the composition as being a particularly significant aesthetic. The proposed mitigation fails to properly mitigate the impact.

The HGP Goal 3.3 lays out that Greenspot Road should be considered a special visual resource area.

“GOAL 3.3

*Preserve and enhance uniquely scenic or **special visual resource areas** along appropriate routes for the enjoyment of all travelers.*

Policies

*1) Designate the following roadways as **Scenic Highways** and establish guidelines that protect visual resources in the community and allow for the development of additional recreational opportunities:*

- *Boulder Avenue*
- *Base Line (east of City Creek)*
- *Palm Avenue*
- ***Greenspot Road***
- *Church Street*
- *Highland Avenue (east of City Creek)*”

HGP 3-16

Further policy 3 from Goal 3.3 proposes mitigations that “detailed land and site planning” and “regulation of land use and intensity” should take place to protect these special visual resources.

*“3) Take **such actions as may be necessary to protect scenic routes**, including but not limited to:*

- ***regulation of land use and intensity of development;***
- ***detailed land and site planning;***
- *control of outdoor advertising;*
- *careful attention to and control of grading and landscaping; and*
- *careful design and maintained appearance of structures and equipment.”*

The “Mediterra” Initial Study draws an unsupported conclusion of “it appears the City finds...”. It is insufficient analysis to simply “do what the neighbor did” to satisfy “detailed land and site planning” “necessary to protect scenic routes”.

*“Given the preceding residential development along Greenspot Road to the immediate west, **it appears that the City finds well planned residential use and moderate density residential subdivisions compatible with an eligible scenic roadway.**”*

Mediterra Project Initial Study (Oct 2015), page 9

The city additionally identifies mitigation steps for this area, in the Highland General Plan.

“2) Preserve agricultural lands within the eastern portions of the City as commercial operations if possible, or within residential developments if not. Utilize Planned Developments with joint ownership or agricultural uses or placement of low density housing within an overall grove setting.”

HGP 2-29

The “Mediterra” Project Initial Study identifies the citrus groves as a foreground view, but the study fails to assess the visual importance of “orange grove in the foreground with a mountain backdrop”. This view is iconic to the identity and brand of the city of Highland. Eliminating any occurrence of this combination should not be taken lightly and only with a full environmental review to identify possible mitigation measures. There are few remaining spots in the City of Highland that maintain this iconic view, especially in the context of a scenic highway and major corridor like Greenspot Road.

“Less Than Significant Impact – The existing citrus groves provide the foreground views from Greenspot Road north to the foothills.”

Mediterra Project Initial Study (Oct 2115), page 9

The City logo specifically includes the iconic composition (citrus groves foreground, mountain scape background).



<http://www.ci.highland.ca.us/>

The local community newspaper also uses this composition as its front page.



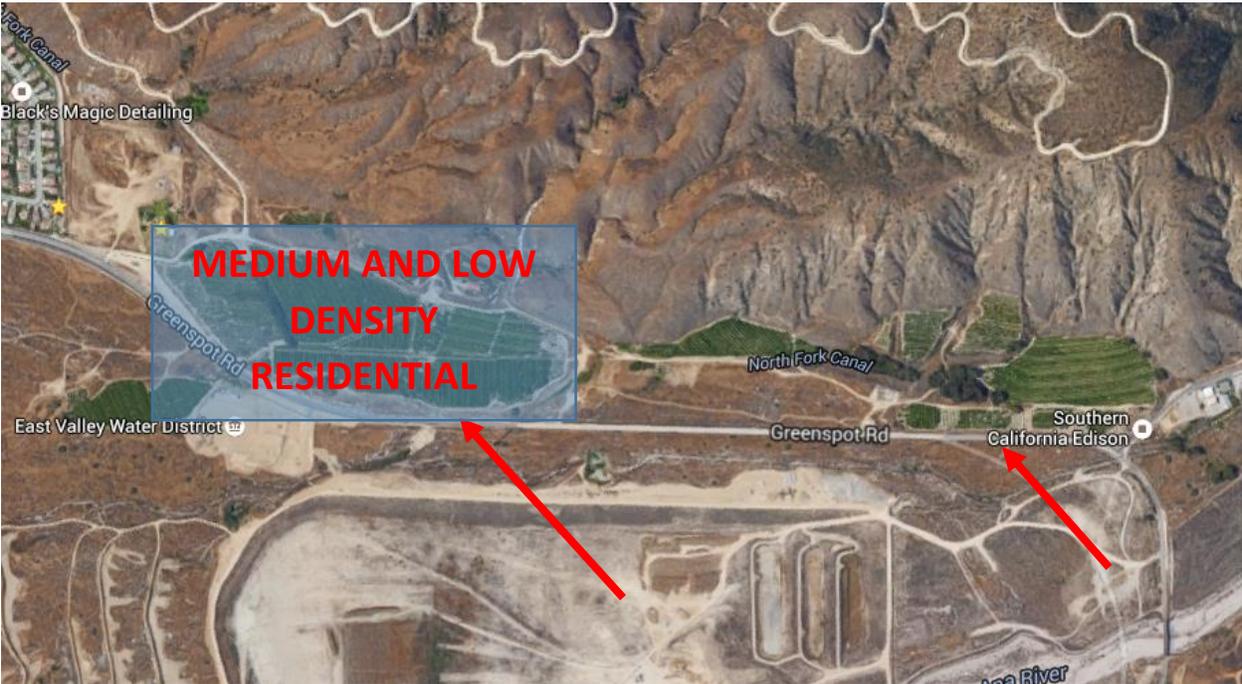
<http://www.highlandnews.net/>

The view from Greenspot Road as it is today, along the proposed “Mediterra” project frontage is spectacular. A true asset to the community and visitors alike. The “Mediterra” development will have a significant impact to these irreplaceable views. Great care should be taken to find every opportunity to mitigate these changes.



Impacted scenic from Greenspot Road of “Mediterra” project area (Google Street View)

There are only two view locations, with this iconic composition, remaining along Greenspot Road. Unmitigated, the “Mediterra” development will eliminate one of them.

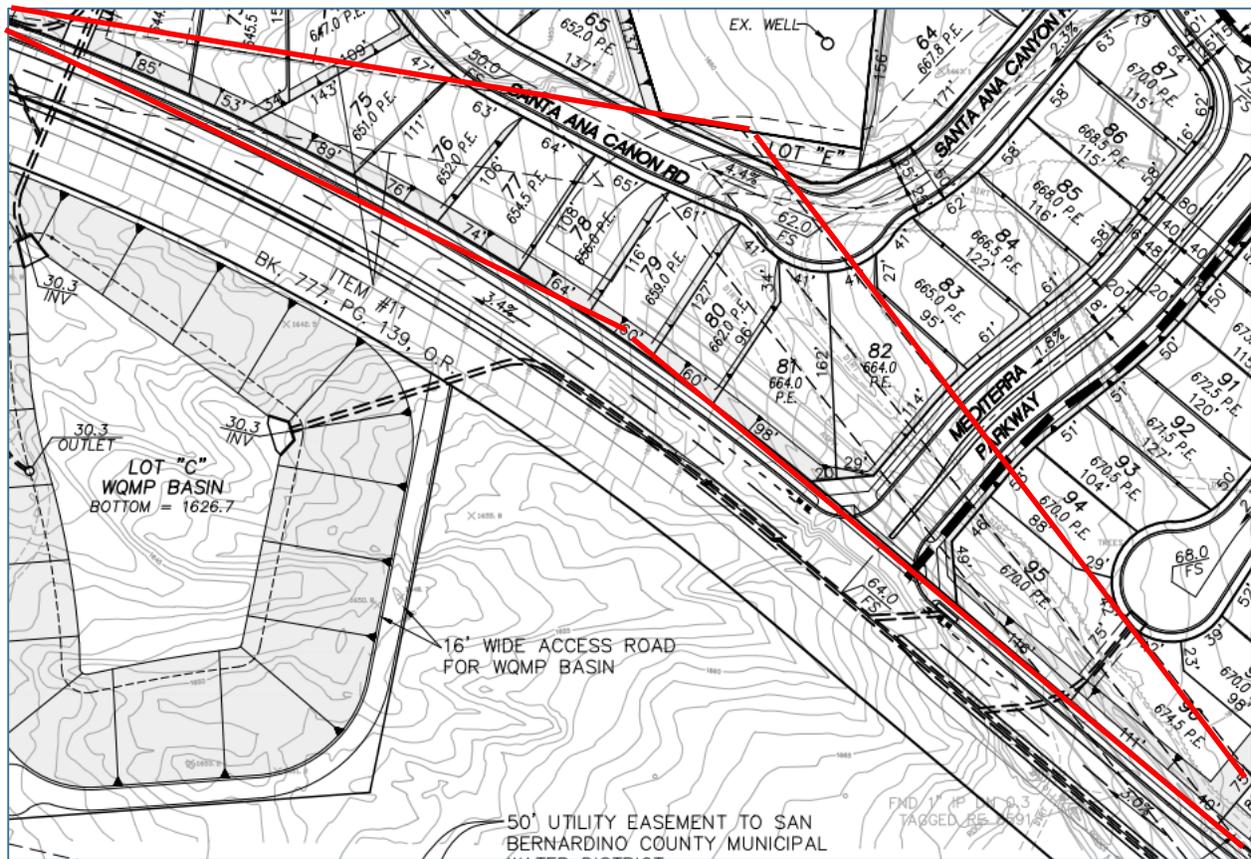


Google Maps

Conclusion:

A full environmental impact should be performed to protect this diminishing iconic view and identify possible mitigation measures. The city's proposed mitigation measure should be employed (residential in an overall grove setting).

An additional mitigation: the shoulder of the Greenspot Road right of way that the "Mediterra" development proposes to vacate, should **not** be turned into R1-2 development. A better use of the vacated easement would be to operate a city owned grove, at profit, to preserve this iconic view along Greenspot Road (for more information see "6)North Fork Citrus" in this document).



TTM with identified Greenspot vacated easement in red

If the City of Highland is not prepared to operate an orange grove, third parties can be approached. As examples: "Redlands Citrus Preservation Commission" (<http://www.cityofredlands.org/commissions/citrus>), Highland Historical Society, "Mediterra" Homeowners Association, the company that operates the Redlands groves on behalf of that city, Ron Arnott who operates the "Mediterra" groves today and the like. Additional citrus groves for other mitigations can be incorporated too.

"Currently, the City of Redlands owns 14 citrus groves throughout the city totaling 282.9 acres. They include Valencia Oranges, Naval Oranges, Ruby Star Grapefruit, and Rio Grapefruit.

The City's citrus operation operates as an enterprise funds and has been able to maintain these groves without general fund support to date. All of the revenue received from the harvesting of the crops is used to continue the on-going cultural care. "

<http://www.cityofredlands.org/gol/citrus>

Goal 2.7 of the Highland General Plan specifically identifies the approach of joint ownership to preserve agricultural lands. It is inappropriate to file a MND when a specifically identified mitigation measure from the Highland General Plan have not been fully explored.

"2) Preserve agricultural lands within the eastern portions of the City as commercial operations if possible, or within residential developments if not. Utilize Planned Developments with joint ownership or agricultural uses or placement of low density housing within an overall grove setting."

HGP 2.29

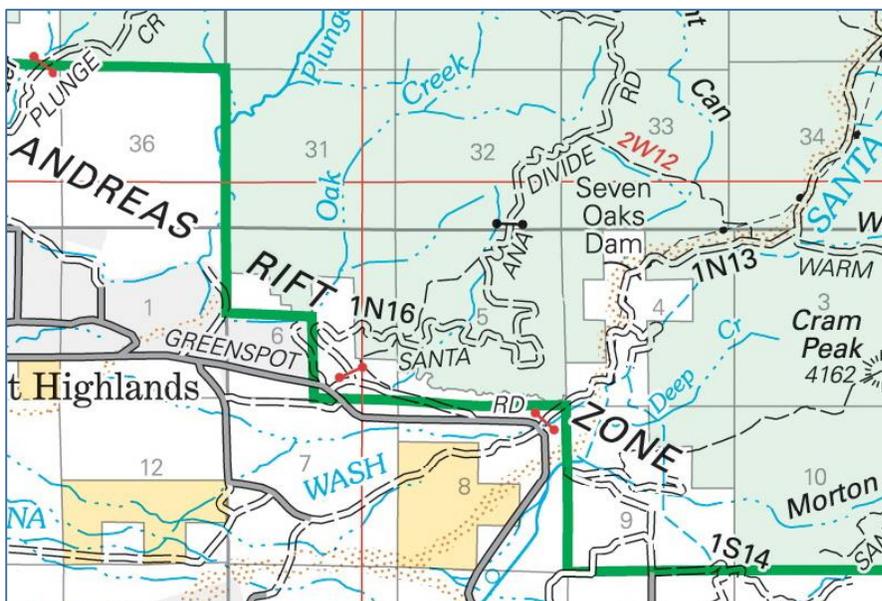
7-11

3. SBNF Influence Overlap

The "Mediterra" Initial Study fails to assess or mitigate the incompatibility and overlap of the San Bernardino National Forrest (SBNF) and "Mediterra's" urban/suburban development.

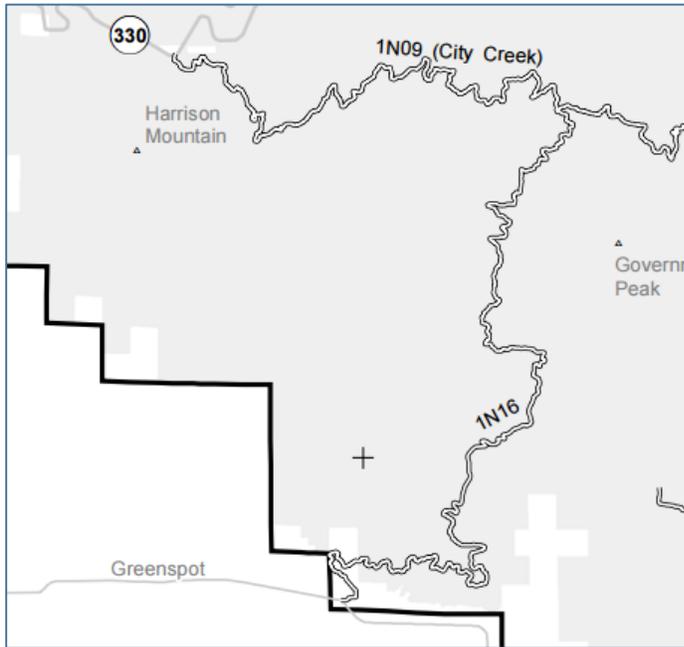
While not immediately apparent, there are multiple possible areas of impact between the SBNF and "Mediterra".

First, the region identified by the "Mediterra" plan appears to be part of the San Bernardino National Forrest. The SBNF should be contacted to identify what (if any) requirements are placed on "Mediterra" for being in the SBNF sphere of influence.



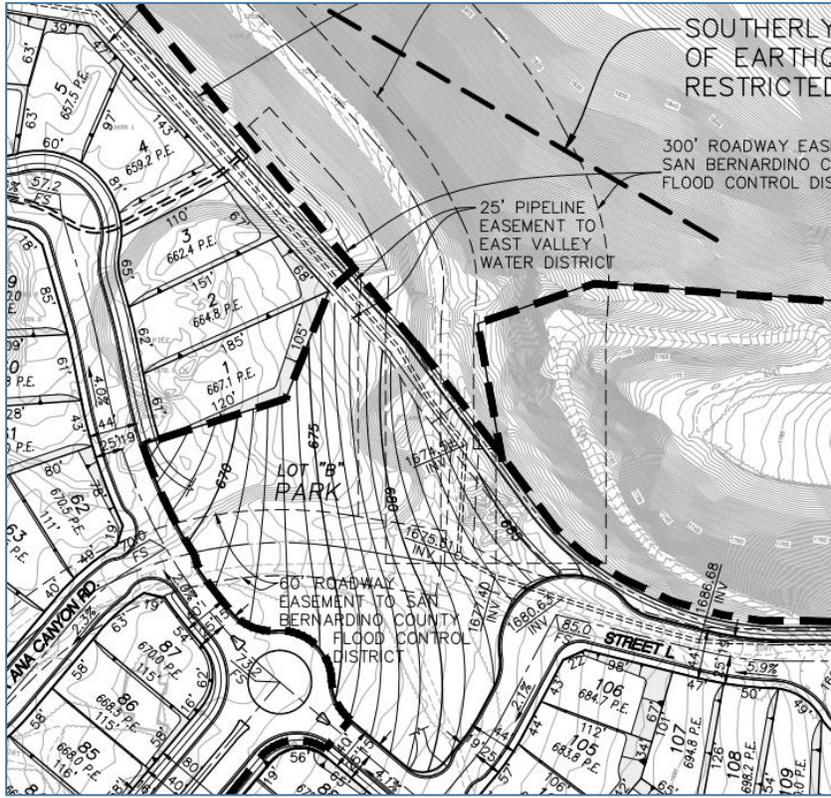
http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5396628.pdf

Second, 1N16 of the San Bernardino National Forest appears to be poorly integrated into the development. Michael Raley (a resident either adjacent to, or in the plan area for 12 years) sees an average of approximately 5-10 vehicles per day use this route, as well as frequent uses by hikers and bikers. The SBNF should be contacted to identify what (if any) mitigation steps are required by the SBNF to preserve access between the SBNF (1N16) and Greenspot Road thru the “Mediterra” plan area.



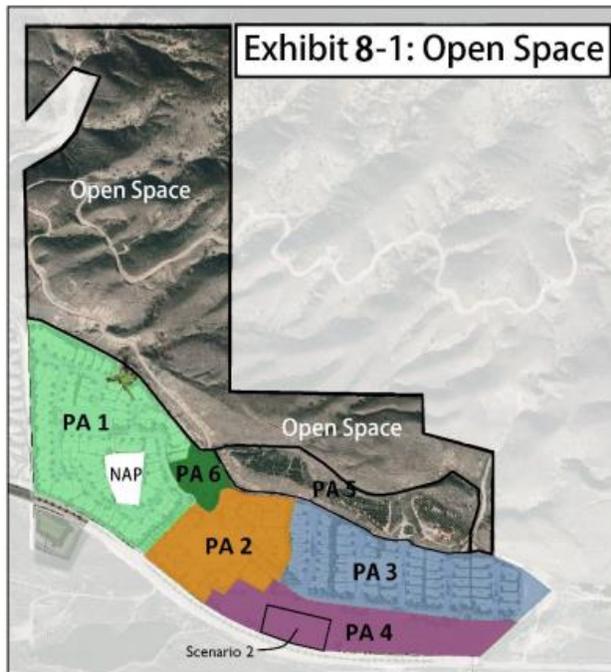
http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5202571.pdf

“Mediterra” blocks 1N16 with a park.



Mediterra TTM

As shown in the maps above, much of PA7's open space declaration occurs in the San Bernardino National Forrest. As a mitigation measure for minimizing conflicting land uses between the City of Highlands open space designation (owned by the City of Highland? with associated liability?) perhaps it would be better to assign ownership of the PA7 open space area to the San Bernardino National Forrest.



Mediterra Specific Plan 8-2

Conclusion: A full environmental impact report should be prepared to better interface the roads, trails and open space of “Mediterra” with the overlapping SBNF. The SBNF can clearly articulate how access to SBNF should be handled through this private residential community. Highland could request that the sphere of influence of SBNF be reallocated so that PA1-6 of “Mediterra” is no longer confusingly part of the SBNF. Finally ownership of PA7 could be assigned to SBNF so that the stewardship and liability of PA7 could be handled by a government agency that is specially tasked with that purpose.

7-12

4. Tree Preservation Policy

The “Mediterra” Initial Survey inaccurately assesses whether the City of Highland has any relevant tree preservation policies, and goes on to provide no mitigation measures because of this.

The “Mediterra” Initial Survey implies that only the City of Highland Municipal Code constitutes the entirety of “any local policy or ordinances”. The report failed to do a thorough assessment. The determination: municipal code does not require it, so the term “any local policy or ordinance” has been satisfied, is inadequate. Finding a single supporting document does not constitute a thorough assessment of the term “any local policies or ordinances”.

“e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?”

No Impact – The City of Highland protects heritage trees through its Municipal Code Section 16.64.040.

There are no heritage trees in the Project development area. “

Mediterra Project Initial Study (Oct 2015)

The Highland General Plan was apparently not consulted. The Highland General Plan is a primary city policy document. This oversight (failing to consult the HGP) brings into question the thoroughness of the “Mediterra” MND initial study. How did this get overlooked? What else was overlooked?

“UNDERSTANDING THE GENERAL PLAN

Its Functions

The simplest way to state the function of the General Plan is to say that its job is to implement the Highland Vision. This isn't to say that everything necessary to make our Vision a reality can or should be accomplished through the General Plan, but it is the main policy vehicle for doing so. In performing this basic role of carrying out the Vision, our General Plan:

- *Organizes our commitments to quality and defines what quality means to us;*
- *States goals in key subject areas;*
- *Sets development policy within the City;*

...”

HGP 1-5

Goal 5.7 Policy 12 of the Highland General Plan clearly state a local tree preservation policy.

“Goal 5.7 Policy 12) Require replacement at a 2:1 ratio of all mature trees (those with 24-inch diameters or greater measured 4½ feet above the ground) that are removed.”

HGP 5-22

The “Mediterra” plan calls for the removal of 38 acres of citrus grove. How many of these (or any other trees in the impacted area) could be determined as “mature” as defined by the HGP? Who knows? A full EIR should be required.

*“However, even this value is higher than actual impact on the groundwater aquifer, because **the proposed project will remove about 38 acres of citrus grove**, which requires about 114 acre-feet per year (about three acre-feet per acre), leaving a residual impact of 45 acre feet of actual additional pumping impacts on the groundwater aquifer.”*

Mediterra Project Initial Study (Oct 2015), page 61

Additionally, the initial study concludes “There are no heritage trees in the Project development area”. This conclusion is likely inaccurate, and unsupported. Has the site been assessed for any “possible” heritage trees?

“e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?”

↑ *No Impact – The City of Highland protects heritage trees through its Municipal Code Section 16.64.040. There are no heritage trees in the Project development area. “*

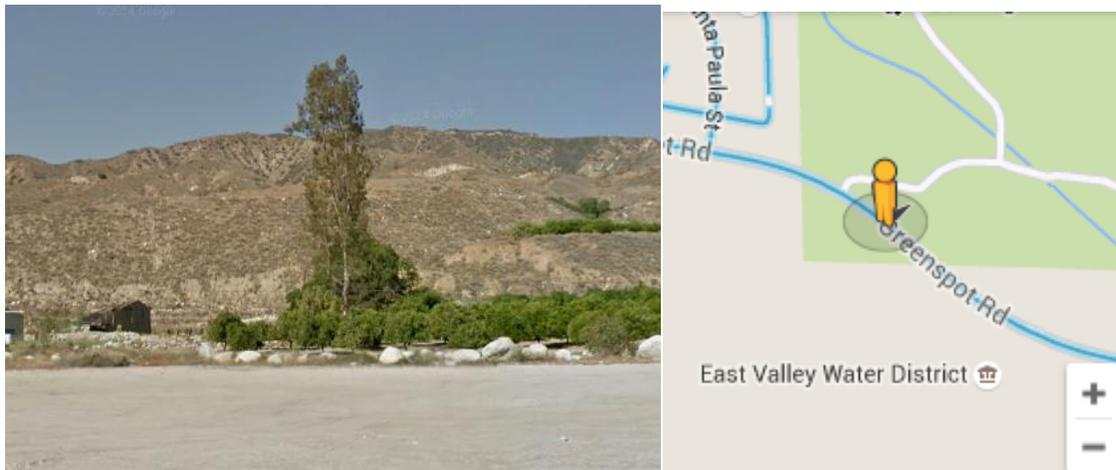
Mediterra Project Initial Study (Oct 2015)

The City of Highland defines a “Heritage Tree” as “any tree not bearing fruit or nut”. It seems unlikely that the project area does not include any “Heritage Trees” using this definition.

“Tree Removal Review & Permit: Required for the removal or relocation of any heritage tree. A heritage tree is any tree not bearing a fruit or nut. This permit does not apply to properties less than 20,000 square feet in area developed with a primary structure other than a sign.”

<http://www.ci.highland.ca.us/FAQ/?FAQ=Planning>

As a matter of fact, a simple look at Google Street View shows at least one probable “heritage tree”. The conclusion that “there are no heritage trees” is completely unsupported. Unless a certified arborist surveys the development site, it will be impossible to determine where every tree that is “not fruit or nut bearing” is.



Google Street View

Conclusion: The quality and thoroughness of the “Mediterra Project Initial Study” is in question. At a minimum third party experts should be assigned to evaluate the “Mediterra Project Initial Study (Oct 2015)” for completeness. Alternatively a full EIR process should be developed instead. Lastly as a mitigation, a certified arborist should be employed to identify all “mature” and/or “heritage” trees that are located in the impacted area and a plan should be put in place to either replace them at a ratio of 2:1 or relocate/permit remove them them per local city policies.

7-13

5. Tree Ages (dating back to founders)

The “Mediterra” Initial Study fails to assess the possibility that culturally significant trees may be in the planning area. It is quite possible that trees exist in the planning area that date back to the original settlers of Highland (up to, and including original citrus).

The EIR does not assess the possible historic nature of the trees in the “Mediterra” planning area. It is possible that the groves (or entire site area) contain individual historical trees dating back to the original groves of the settlers of Highland, circa 1880. Orange trees are known to live to 135 years (2015-135=1880ad).

What Is the Life Span of an Orange Tree?



By Carolyn Csanyi
eHow Contributor

 Save

6 Shares & Saves


Pin


Share


Tweet


Share


Email



Nick White/Digital Vision/Getty Images

A sweet orange tree (*Citrus sinensis*) more than repays you for your care. The ornamental evergreen tree has fragrant, dark green leaves and powerfully perfumed white flowers in spring, followed by showy, brightly colored fruits that make delicious eating. They can be long-lived, with the parent navel orange tree (*Citrus sinensis* “Washington Navel”) in Riverside, California, known to be **135 years old** as of 2014. Hardy in U.S. Department of Agriculture plant hardiness zones 9 through 11, sweet oranges need long, hot summers for fruit to ripen properly.

http://www.ehow.com/about_5094815_life-span-orange-tree.html

At a minimum a full EIR should be employed and a certified arborist should survey the site to identify any trees that could date back to the founding of Highland (including citrus). If identified, a mitigation plan should be created for each.

7-14

6. North Fork Citrus along Greenspot

The “Mediterra” Initial Study fails to assess whether the citrus groves along Greenspot and the North Fork could constitute a Historic and Cultural area as defined by CEQA. More specifically:

“a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?”

http://resources.ca.gov/ceqa/guidelines/Appendix_G.html



15064.5 states that historically significant agricultural areas are considered historical resources. The "Mediterra" project will have a significant impact on this historic agricultural area.

"(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history."

<http://www.parks.ca.gov/pages/1054/files/california%20code%20of%20regulations.pdf>

The Highland General Plan frequently refers to the rich history Highland has with respect to citrus along Greenspot and the North Fork Ditch.

Although Highland is a relatively new city, the community of Highland has a long history. The earliest attempts to establish an agricultural settlement in the Highland area occurred in 1858, when the Cram and Van Luevan families constructed a ditch to bring water from the Santa Ana River to their lands in East Highlands; the ditch extended as far as City Creek, east of the present Highland village townsite. By the early 1880s, agricultural development was increasing, most notably the planting of citrus orchards. The construction of the North Fork Ditch began in 1881, bringing water from the upper part of the Cram and Van Ditch west along the mountain front, crossing City Creek, and terminating near the present intersection of Palm and Highland Avenues. Evidence of the early rock-lined ditches can still be seen along the west



Highland's agricultural roots are evidenced by citrus orchards that remain along Greenspot Road in east Highland.

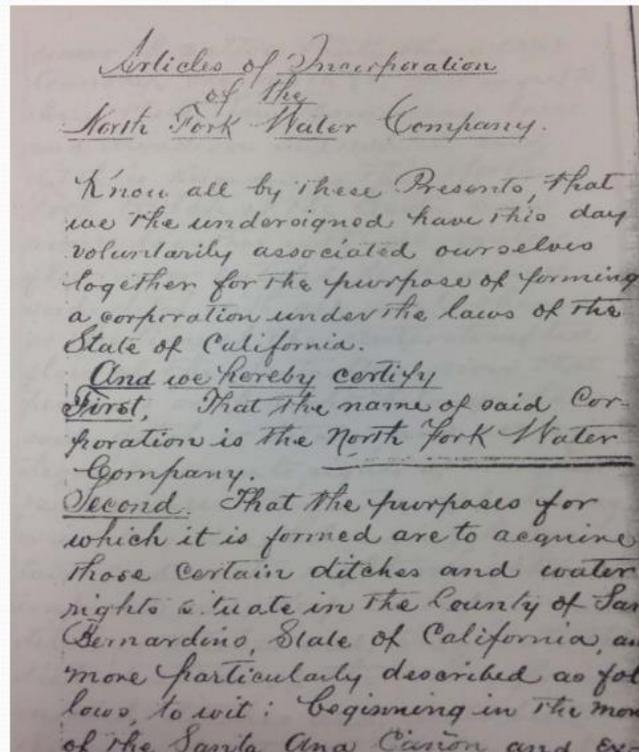
Highland General Plan 2-4

The North Fork Water Company has a rich history with the city, and incorporated over 130 years ago. The site area of "Mediterra" has an uninterrupted history of growing citrus via the North Fork even longer than that. This rich cultural tie back to the founding fathers of Highland should be treated carefully, with every mitigation considered (certainly more than a MND can supply). This historical chain can only be broken once.

North Fork Water Company

Original Articles of Incorporation for NFWC filed in 1885 via handwritten document.

This document set forth the purposes for forming the North Fork Water Company



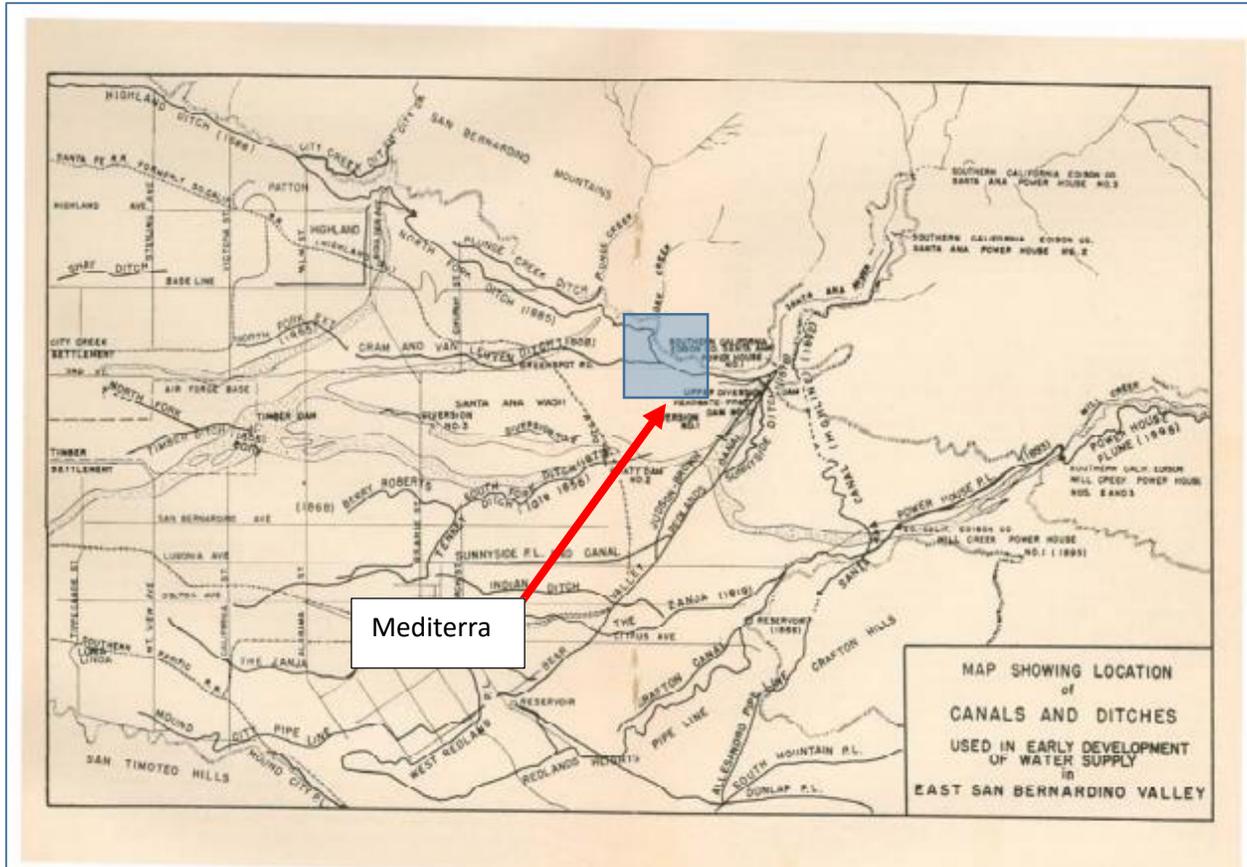
The Highland Historical Society showcases the historic significance of North Fork Canal and Citrus production.

A Brief History of North Fork Canal, San Bernardino, CA

By Kyle Quales

In March of 1853, the United States Congress made public lands in California subject to Federal preemption laws. Government land was public land. Mormon leaders selected eight groups to survey the land they wanted in the San Bernardino Rancho. During the process of government approval, people began moving in to occupy what they had hoped would be public land¹. Two groups of non-Mormon settlers established small communities along the Santa Ana River within the San Bernardino Rancho's proximity in the early 1850's².

The term *highline* refers to what became the North Fork Canal. Its purpose was to serve what people in that area called the 'benchlands'. Judson & Brown were very interested in this upper territory for the purpose of growing oranges. The original developer for the orange industry in this area was Anson Van Leuven³⁶. He had obtained a few trees from the Wolfskill family and planted them along his house which was considered a pioneer route from San Bernardino to the San Gorgonio Pass. In 1873, Lewis F. Cram had also begun planting oranges in East Highlands. It was evident to Judson & Brown that this future endeavor would be a success. They began construction in the fall of 1881 and it was up and running in April of 1882³⁷.



http://www.highlandhistory.org/Water_History/A_Brief_History_of_North_Fork_Canal.pdf

Mitigation: A possible mitigation step would be for the City of Highland to preserve the North Fork access for water directly from the Santa Ana River with historic pre-1914 water rights, that is still used today for the groves in the “Mediterra” planning area, to bring some or many of these historic groves under public control, like the neighboring City of Redlands has done for its historic groves.

City Owned Groves

Currently, the City of Redlands owns 14 citrus groves throughout the city totaling 282.9 acres. They include Valencia Oranges, Naval Oranges, Ruby Star Grapefruit, and Rio Grapefruit.

The City's citrus operation operates as an enterprise funds and has been able to maintain these groves without general fund support to date. All of the revenue received from the harvesting of the crops is used to continue the on-going cultural care.

Citrus Groves Map

Citrus Preservation Commission

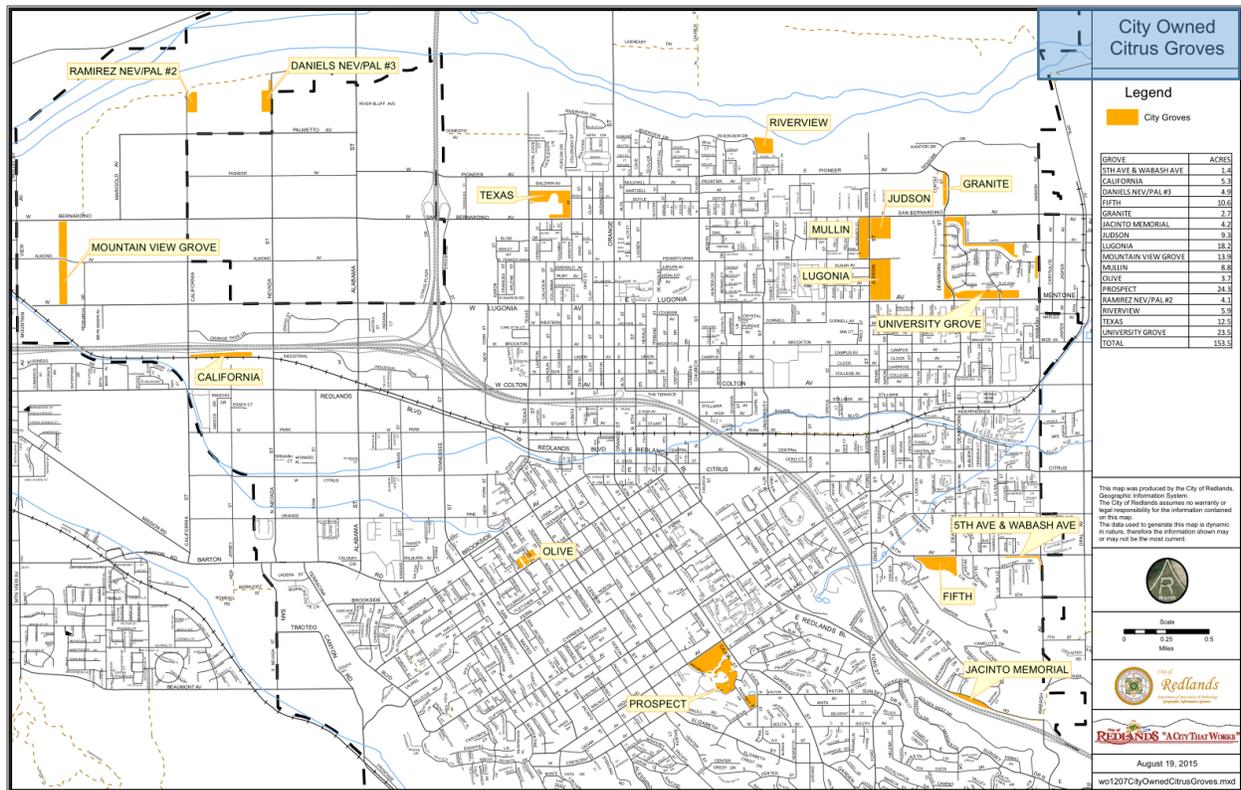
The City of Redlands Citrus Preservation Commission meets the 2nd Tuesday of every odd numbered month and all meetings are open to the public. For more information about the City's citrus operation, contact the Quality of Life Department at 909-798-7655.

Citrus Preservation Commission

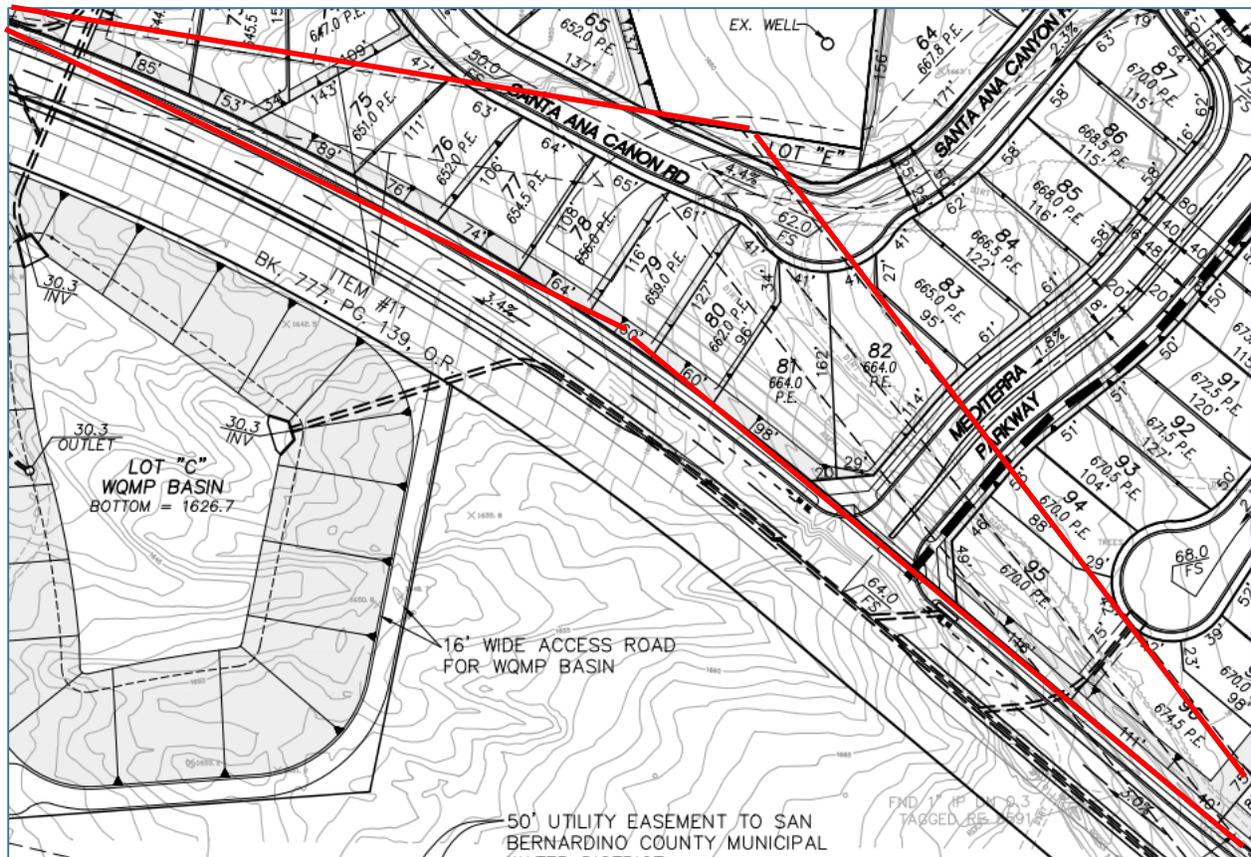
[Click Here to view the Citrus Preservation Commission Webpage](#)

Attachment	Size
<u>CityOwnedCitrusGroves.pdf</u>	648.73 KB

<http://www.cityofredlands.org/qol/citrus>



Additionally, the “Mediterra” TTM calls for vacating the shoulder of scenic Greenspot road in order to allow for some 16 or more lots (or portions thereof). An alternative CEQA mitigation measure would help preserve historic groves and their access to the North Fork water. This water is “free” (utilizing North Fork Shares). By utilizing this (proposed vacated) land as a city operated grove, at a minimal profit for the city tax payers, while preserving the scenic views of orange groves along the Greenspot road. The groves would also act CEQA noise mitigation for those properties situated along Greenspot road.



Meditterra TTM

Conclusion: There is abundant material publicly available that identifies the historical importance of irrigation canals and orange production in the region. The city of highland has very few groves remaining that are feed by the historic North Fork. This combination is precious cultural and historic resource that should be protected. The “Meditterra” plan will have a significant impact on this historic and cultural resource.

Proposal: It would be an invaluable cultural asset for future generations of Highland to be able to have a preserved sense of cultural history and identity where North Fork water continues to feed citrus along Greenspot road as a legacy. The cost is low; “Greenspot Aplin Citrus Grove, preserved cultural history”.

- a) Maintain North Fork access to the North Fork that is already present on the site
- b) Transfer shares of North Fork to the City (or other entity) from the landowners benefitting from the “Meditterra” plan.
- c) Assign land vacated by Greenspot shoulder to said entity
- d) Plant and maintain citrus by said entity using proceeds to pay for maintenance

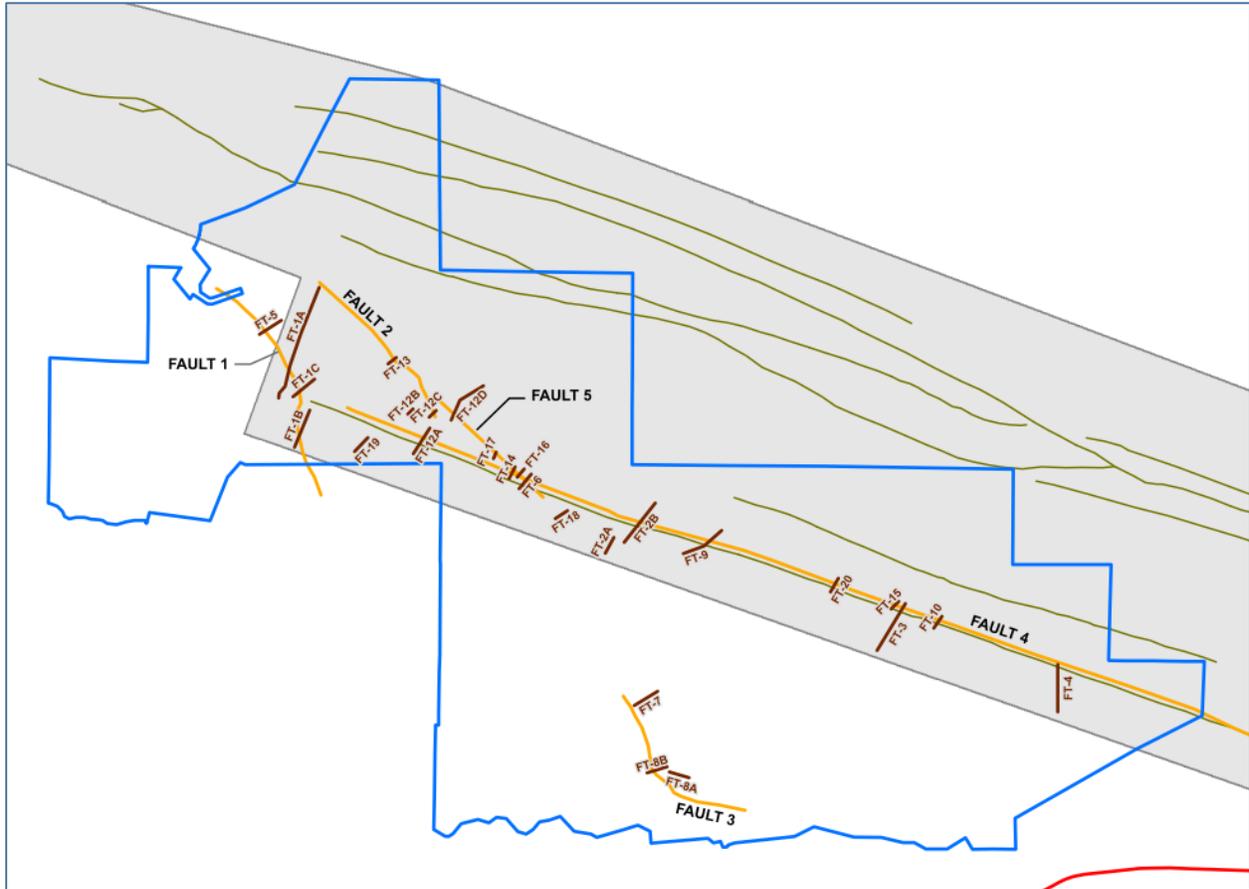
7-15

7. Faulting (PA 2+)

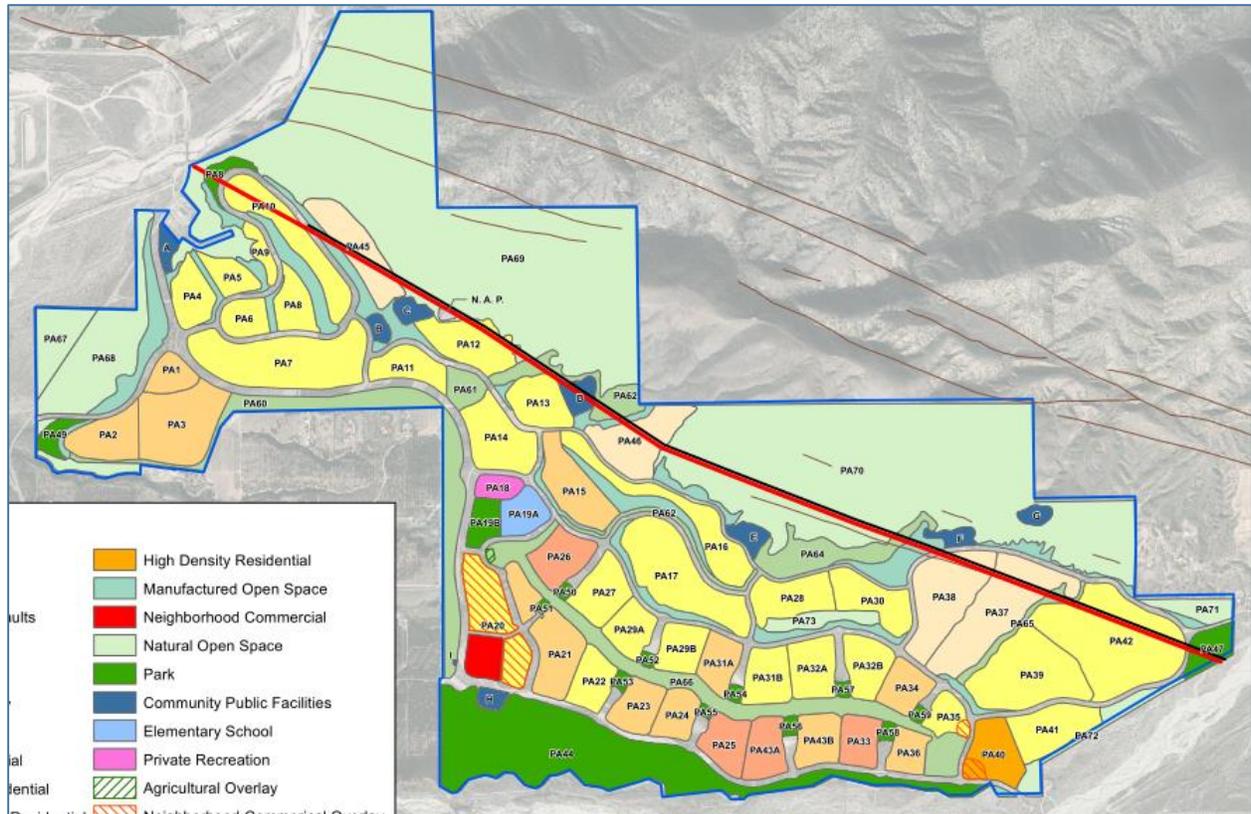
The “Meditterra” project fails to assess very significant faulting risks posed for Planning Areas 2 and beyond. The specific locations of probable faults lying in PA’s 2+ are a significant impact. “Sundstrom V.

County of Mendocino (1988) 202 Cal.App.3d 296” clearly prohibits deferred studies and mitigations for CEQA analysis.

The “Harmony” project is similarly situated along and proximate to the San Andreas Fault. As part preparing a full EIR, a number of possible faults were identified within the project area (including planned residential communities). It is likely similar results can/will occur within the “Mediterra” project area. Without this level of analysis it is impossible for planners and decision makers to ensure that significant environmental impacts are mitigated.



Harmony Draft EIR, Figure 5.6-2 – Fault Location Map



Harmony Draft EIR, Figure 5.6-3 – Structural Setback

Alternatively the “Mediterra” Initial Survey document fails to perform this analysis likely putting the future residents of “Mediterra” at unmitigated significant environment risk (phases 2-4). The exact location of the San Andreas Fault appears to be generically approximated as “the toe of the hillside along the northern side of the development”. The Initial Study specifically identifies this probable risk, and states “additional investigation work **will be needed** prior to development of any additional phases...”

“REMAINING FAULT INVESTIGATION WORK FOR FUTURE PHASES

We understand that you wish to proceed with development of Phase 1 of Preliminary Tract 18893 at this time and have the tentative tract map processed with the City of Highland. The available data that we have accumulated to date indicates no evidence that any active faults traverse the development area. Although it is evident that subsurface investigation work is not required for the approval of Phase 1 of Preliminary Tract 18893 for development, additional investigation work will be needed prior to development of any additional phases tentatively proposed to the east of Phase 1. The additional investigation work will likely include excavation, logging and backfilling of exploratory trenches.”

GEO-1 *Based on findings of the geotechnical investigation report, all structures for human occupancy shall be setback from the toe of the hillside along the northern side of the proposed development area a minimum distance of 50 feet. Additional trenching is required prior to finalizing the design of Phases 2-4 and the trenching and a report of findings shall be reviewed and approved prior to approval of the designs in these phases. This measure addresses both slope stability and will increase the Restricted Use Zone width established for possible fault hazards in virtually all areas.*

Mediterra Project Initial Study (Oct 2015), page 42

The report that is used to justify a Mitigated Negative Declaration on the entirety of “Mediterra” plan (not just PA1) does not even speculate or “guess” what might be uncovered for Phases 2-4 faulting. GEO-1 is deferred analysis. This kind of “future” analysis does not support a MND conclusion.

Conclusion: Either switch the MND analysis to “only” phase one of “Mediterra”, or require a full EIR on the “Mediterra” project and perform the required fault analysis.

7-16

8. Fire Severity Zone 1

The City of Highland has identified a significant environmental impact for the area by declaring the plan area “Fire Severity Zone 1”. Unless the “Mediterra” Initial Survey mitigates this impact to less than significant, a full EIR is required. The “Mediterra” Initial Survey fails to mitigate this significant fire impact. The IS only proposes HAZ-7 a deferred mitigation limited to a buffer that is to be determined at a later time. “Sundstrom V. County of Mendocino (1988) 202 Cal.App.3d 296” clearly prohibits deferred studies and mitigations for CEQA analysis.

The “Mediterra” project defers creating a “Fire Severity Zone 1” mitigation plan. In addition there is no specific plan for monitoring how the mitigation will be managed in the long run. The mitigation appears to limit itself to a single buffer between adjacent hillsides and the development.

“HAZ-7 The developer shall submit a conceptual fire mitigation plan to the City that identifies the type of buffer that will be maintained between the future residences and the fire prone coastal sage scrub/chaparral habitat on the adjacent hillside to the north of the site. The project developer shall implement this plan by installing the buffer and provide a mechanism for long-term maintenance of the buffer area to minimize the wildland fire hazard threat at the project site. This plan shall be approved to the City prior to constructing any structures and implemented prior to occupancy. Alternatively, the City may accept the fire mitigation measures incorporated into the Tentative Tract Map and PD Plan as meeting the requirements of this measure.”

Alternatively the nearby “Harmony” project identified a significant number of measures that can be used to mitigate fire risks. Including but not limited to: Fuel Modification zones, between and around homes, Building Code “Materials and Construction Methods for Exterior Fire Exposure”, interior sprinklers, looped fire access roads, unobstructed road widths, maximum road grades, minimum turning radiuses, access to USFS land and road maintenance and more. The “Harmony” EIR should be included by reference into the “Mediterra” mitigation plan.

D. Fire Protection requirements:

Fuel Modification zones ranging from 100 feet around interior structures to 150 feet on the northwest, north, northeast and east perimeters of development, and 100 feet on south and west side of development, will be needed, as well as roadside fuel modification zones. Fuel modification zones are also required around each structure throughout the development. The actual sizes of recommended and required zones would be included in the Fire Protection Plan.

Based on the wildland fire hazard, all structures will be required to comply with Chapter 7-A of the Building Code "Materials and Construction Methods for Exterior Fire

Harmony DEIR H.1 Summary Memo of Finding related to Fire protection plan 090711 page 2

It is clear that a single deferred mitigation clause in a MND is insufficient to mitigate environmental impact on an issue as significant as:

"h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?"

The "Mediterra" site is considered a "Fire Severity Zone 1". And the deferred mitigation limits itself to an overly simple solution like a single "buffer" between hillside and home. Meanwhile the similarly situated "Harmony" is also in EIR (simultaneously) and provides a full set of mitigation measures.

Conclusion: A full EIR is necessary for decision makers and planners to fully assess all the mitigation measures that are available in such a unique and significant risk as "Mediterra" and wildfire.

7-17

9. Well Locations, Status and Plans

The "Mediterra" plan identifies that there is a significant risk to the environment from wells that are not properly abandoned. The Initial Study fails to adequately research the locations of all possible wells on the site and identify the status and future plans for the located wells. In order to properly mitigate the significant risk posed by wells that are improperly abandoned, the Initial Study needs to identify the locations of these wells, status of these wells, and a plan for each. The level of analysis provided by the Initial Study does not support a MND.

The "Mediterra" Initial Study states that there are three known wells. It goes on to suggest that they are active with the statement "If these wells are to be abandoned". (Unknown Plans)

"Three groundwater wells are known to be present on the site. If these wells are to be abandoned, they should be abandoned in accordance with current regulatory requirements. Other subsurface structures, such as irrigation lines, septic systems, and underground utilities should be anticipated during site development."

Mediterra Project Initial Study (Oct 2015), page 53

Later, the Study identifies that plans for the wells are unclear “If ... wells have been abandoned”.
(Unknown Status/Plans)

“If the three onsite groundwater wells have been abandoned, then they need to be abandoned in accordance with current regulatory requirements.”

Mediterra Project Initial Study (Oct 2015), page 55

And further the Study is unclear if the wells have been properly abandoned... (Unknown Status)

“HAZ-3 If the abandoned wells on the project site have not been properly abandoned, any such wells shall be properly closed using current regulatory requirements. This shall be completed prior to initiating mass grading of the site and records documenting proper closure shall be provided to the City.”

Mediterra Project Initial Study (Oct 2015), page 55

With the possibility that wells in the site area could provide a straight path to a critical resource like the Bunker Hill Basin, it is imperative a full assessment and survey should be performed to identify the location, status and plan for every well, abandoned or operating, in the site area. The Highland Municipal Codes states that TTM’s shall mark the location of all existing wells. The “Mediterra” TTM appears to only show one well on the “NAP” property.

16.68.040 Tentative maps – Required information.

A. The following information shall be shown on or shall accompany tentative tract and tentative parcel map applications together with any supplementary information that the community development director and/or city engineer may deem necessary and reasonable:

10. Names of utility purveyors, locations and widths of existing and proposed public utility easements:
 - a. When specific areas for subsurface disposal are required, those areas shall be delineated; and
 - b. Any known existing wells on the property or within 200 feet of the subdivision boundary shall be indicated on the tentative map.

Because the cited “three wells” are not clearly identified on the TTM (Unknown Location), it is impossible to assess which wells have been identified. Michael Raley has lived adjacent to, and in the subject area for 12 years, and knows or has heard of at least 3-4 wells in the western half of the “Mediterra” site plan alone.

Locate

A full assessment should be performed including but not limited to interviewing “Budd Wattenbarger, Michael Raley, Ron Arnott, Pastor Lee Coe and others” that may have specific knowledge of possible wells in the area. A site survey should be performed at each identified location (visual, digging to 3 feet or so, radar etc.). Well locations should be marked on the TTM.

Status

Each well should be assessed as to its status; active, improperly abandoned and properly abandoned.

Plan

Additionally a specific plan for each identified well should be created. As an example there may be a “horizontal well” in or near the proposed “pine park”. It may be beneficial to the public to keep this well active for Pine Park, and wildlife in the area (which may have grown dependent on it). A simple statement of “properly abandon” all wells found, is insufficient for the public interest and the environment. The future of each and every identified well should be considered uniquely.

The Bunker Hill basin is a critical resource that serves the domestic water needs of over half a million people. A full EIR should be performed to ensure that that a very real risk to that water supply is mitigated.

“The Bunker Hill Basin provides water to approximately 650,000 people in the cities of Redlands, Highland, San Bernardino, Loma Linda, Colton, Rialto, Bloomington, Fontana, Grand Terrace, and Riverside, and portions of San Bernardino County.”

<http://www.sbvwd.dst.ca.us/our-district/publications/3161-fs-bunkerhill/file.html>

7-18

10. Ongoing AG/EQ Use of Herbicides and Pesticides

The Mediterra Initial Study, identifies that past agricultural use of the site may be a significant impact future residents of “Mediterra”, because of herbicide and pesticide use.

“A Limited Site Characterization was conducted during this Phase 1 Environmental Site Assessment in order to determine if the past agricultural use of the site included organochlorine pesticides. The Limited Site Characterization indicated no levels of organochlorine pesticides were found to be above the EPA PRG’s for residential soil at the locations sampled. No pesticide storage facilities, which would be considered “hot spots” for high concentrations of pesticides, were indicated during our site reconnaissance. One sample (C-13) had total DDT above the State level of 1.0 mg/kg, which characterizes the soil as a California Hazardous Waste, and requires that the soil in that location is not exported off-site. Our experience indicates that once grading of the site is finished, all the levels of Organochlorine pesticides will be reduced to well below the 1.0 mg/kg level and unrestricted use of the property appears warranted.”

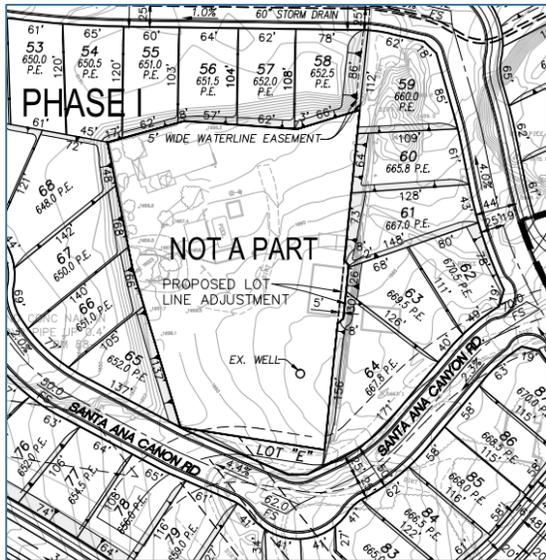
Mediterra Project Initial Study (Oct 2015), page 53

Later the study cites an interview with the “owner” (Calvary Property?, Arnott Property?) stating that he has not used pesticides in a couple of years.

“The owner stated he has not used pesticides for a couple of years.”

The “Mediterra” Initial Study fails to assess the risk of an ongoing agricultural use within the community. Parcel “NOT A PART” will continue to operate under AG/EQ zoning and land use. A full assessment should be performed to assess and compare legally foreseeable herbicide and pesticide use on that parcel with respect to CEQA hazard findings. A full list of currently legal herbicides and pesticides and the respective concentrations should be identified and used to assess the possible impact on the immediate 14 lots that are adjacent to NAP, and the extended environment. Based on possible anticipated herbicide/pesticide use and concentration, a mitigation plan should be developed.

Additionally no interview was performed with the owner of NAP to ask about past, current and future herbicide and pesticide use. NAP is directly in the planned “Mediterra” area with respect to environmental impacts and should be surveyed.



Mediterra TTM

Conclusion: past/current/future agricultural use of herbicides and pesticides on parcel NAP is an un-assessed un-mitigated environment impact on this suburban neighborhood that may be significant.

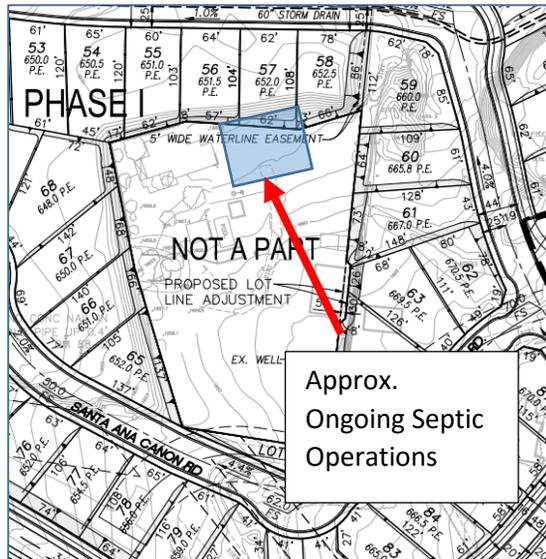
7-19

11. Ongoing septic use

Ongoing use of a septic system on parcel NAP has not been assessed or mitigated as a potential significant environment impact; specifically as it relates to parcels 56-57 on the “Mediterra” TTM.

Parcel “NOT A PART” operates an ongoing septic leech field that has not been assessed. There is a very real possibility that parcels 56, 57 and 58 will be impacted by the ongoing use of said leech field. It may

be argued that use of portions of lots 56, 57 and 58 as a leech field constitutes a prescriptive easement to the benefit of parcel "NOT A PART".



Mediterra TTM

Conclusion: Perform full EIR to identify and mitigate the scope of the leech field impact. Possible mitigations might include: relocate leech field, shut down leech field, adjust property lines, notify future owners of impact, properly record an easement etc.

7-20

12. Ongoing Well Use

The "Mediterra" Initial study has failed to assess or mitigate the impact of the "Mediterra" plan on ongoing nearby well use per the CEQA requirements. Based on the materials supplied by the "Mediterra" plan, it is likely there will be a significant adverse impact on parcel NAP's well that has not been assessed.

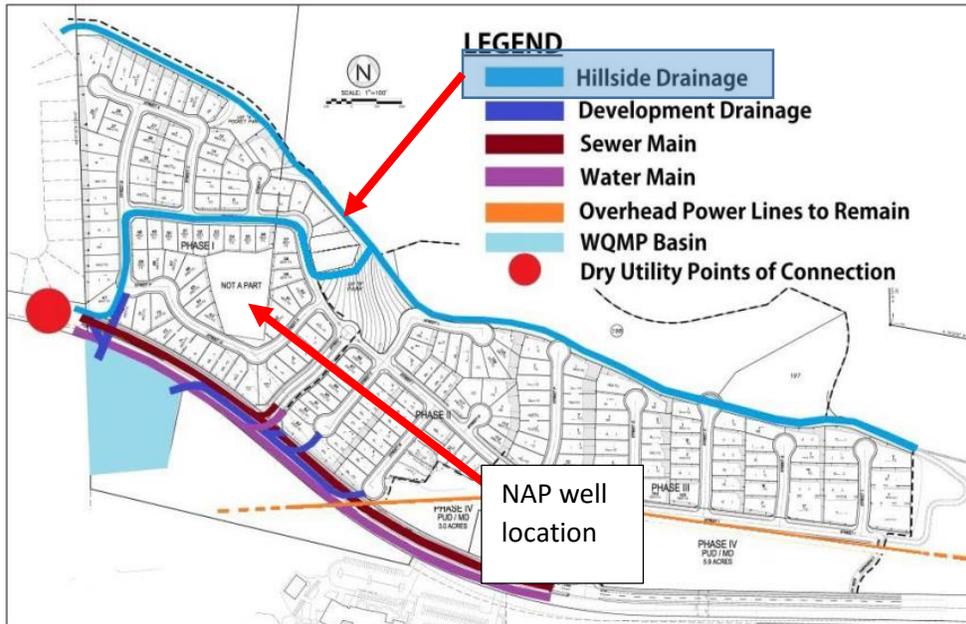
The assessment of CEQA "IX. HYDROLOGY AND WATER QUALITY (section b) dealing with groundwater supplies fails to assess impact on nearby ground wells. Specifically the impact of the development on the well located on parcel "NAP" has not be assessed.

"b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?"

Mediterra Project Initial Study (Oct 2015), page 60

The Mediterra Plan calls for capturing “Hillside Drainage” and delivering it past a well located on parcel NAP. Diverting the natural flow from the hillside to beyond the well (no longer allowing the water to percolate into the local aquifers).

Exhibit 4-1: Infrastructure and Utilities



Mediterra Specific Plan 4-5

In addition to diverting all or most of the hillside drainage, the Development further impacts the local ground water by reducing the percolation that occurs on the development site by 44.8%.

“Second, the project will add impervious surface to the project site which could reduce percolation on the property. According to the CWQMP (Appendix 7a), the project will have 44.8% as impervious surface.”

Mediterra Project Initial Study (Oct 2015), page 60

Conclusion: While either impact alone might be a significant environmental impact, the combination of them should be analyzed to determine the impact and mitigation measures for the well located on NAP. A full EIR should be prepared to better understand the configuration of the NAP well, and how the development is likely to impact that well. Mitigation measures could include such things as: abandoning the well, replacing the well, replacing (with a new water source) the water the well represents, assessing the horizontal well located in Pine Park for reuse, using non-impervious materials in the development (porous asphalt) to allow percolation etc.

“What can porous asphalt do?”

Porous asphalt pavements are of great interest to site planners and public-works departments. With the proper design and installation, porous asphalt can provide cost-effective, attractive pavements with a life span of more than twenty years, and at the same time provide storm-water management systems that promote infiltration, improve water quality, and many times eliminate the need for a detention basin. The performance of porous asphalt pavements is similar to that of other asphalt pavements. And, like other asphalt pavements, they can be designed for many situations.”

http://www.asphaltpavement.org/index.php?option=com_content&view=article&id=359&Itemid=863

7-21

13. HGP Consistency (General)

The CEQA checklist specifically requires a check to review whether the “general plan” contains any instructions that are specific to avoiding or mitigating environmental effects. The Initial Study should then identify any relevant conflicts that have not been addressed by the plan and propose possible mitigations.

“b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?”

http://resources.ca.gov/ceqa/docs/2014_CEQA_Statutes_and_Guidelines.pdf, page 280

The “Mediterra” Initial Study fails to assess and mitigate conflicts between HGP’s instructions for “avoiding and mitigating environmental effects” and the “Mediterra” plan. The assessment for the Initial Study for this check list item attempts to identify places where the goals of the HGP may be consistent with the plan, but does not attempt to identify the points of conflict and mitigate them. The role of CEQA is to identify impacts and find reasonable mitigations. This Initial Study fails to identify the differences and provide mitigations when they may be significant.

“Less Than Significant Impact – The project requires a change in the General Plan Land Use Designation from AG/EQ (low density residential) to Planned Development and a mixture of low density to medium density residential zone classifications that will allow between 0.5 to 12 units per acre. The PD designation is specifically being sought to allow clustering of units on the southern portion of the project site and preservation of open space in the northern portion of the site. The net number of units that would be developed on the project site will not be increased under this scenario, remaining below 356 units (316), which could theoretically be developed on the 178 acre property under the existing AG/EQ land use designation. The development plan compiled by the project applicant contains a detailed discussion of potential conflicts/consistency with the City General Plan. Because this is the key land use issue, the text of the consistency analysis is presented here in whole. “

Mediterra Project Initial Study (Oct 2015), page 63

Conclusion: The proposed clustering of units to the southern portion of the project specifically cause's conflicts with instructions provided the HGP which are intended to avoid or mitigate the environmental effects caused by incompatible adjacent uses (14-20 below).

7-22

14. HGP Appropriate Density

The "Mediterra" Initial Survey fails to identify how the proposed "clustering units in the southern portion" is in conflict with the HGP's goal and policy of establishing density or intensity that is compatible with surrounding existing land uses. This goal is meant to avoid and/or mitigate environmental effects; no mitigations have been proposed.

"HGP-Goal 2.6, 1) Require that new development be at an appropriate density or intensity based upon compatibility with surrounding existing and planned land uses."

HGP, 2-28

"Mediterra" is a new development that is not a "density or intensity" that is compatible with existing contiguous land use.

The suburban development proposed by "Mediterra" is not consistent with AG/EQ. The "Mediterra" Initial Study" explicitly states this incompatibility (in an unrelated section).

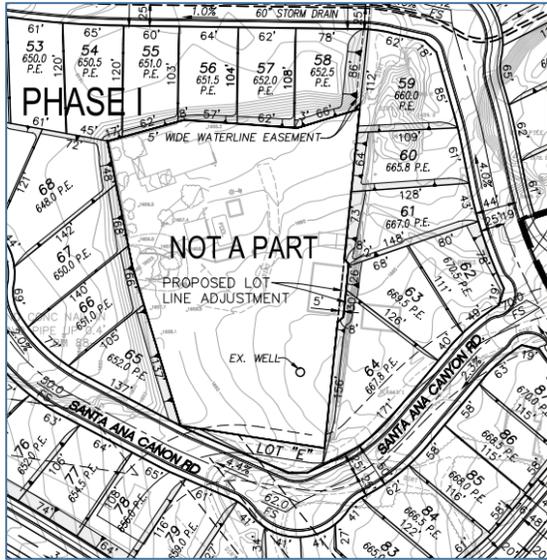
"The rationale for the GPA/ZC is that the type of suburban development proposed by Mediterra is not consistent with the A/EQ designation (even though it might support the proposed number of units), which is specifically designed to accommodate low density residential development where animals, such as horses, can be raised."

Mediterra Project Initial Study (Oct 2015), page 3

One parcel (NAP) is contiguous (surrounded by) the plan area and will retain its AG/EQ designation.

"Exhibit 1-3 shows the approximate limits of the Plan area, encompassing all of the land uses of open space, residential, and recreational. One parcel contiguous to the Plan area is not a part of the Plan and will retain its current land use designation of Agricultural/Equestrian."

Mediterra Specific Plan 1-4



Mediterra TTM

“Mediterra” proposes development intensity in PA 1 (that immediately surrounds AG/EQ parcel, NAP) as follows:

Table 6-1: Summary of Design Standards

Land Use and PA No.	Min Lot Size	Min Width	Min Depth	Lot Coverage	Building Height	Setbacks	Parking
SFD 1 PA 1	6,500 sf	55 ft	85 ft	50%	2-story 35 ft	Front: 10 ft to livable space / side entry garage 20 ft to garage door Side: 5 ft Rear: 15 ft	2-car garage min.

Mediterra Specific Plan, 6-10

The Highland General Plan states that R-2 residential has the following intensity.

Table 8.20: Reside				
Standard	A/EQ	R-1	R-2	
Maximum Density (units per acre)	2.0	6.0	12.0	
Minimum Building Site (net area in so)	20,000	7,200	7,200	
Minimum Lot Width	100 ft.	60 ft.	60 ft.	
Minimum Lot Depth	120 ft.	100 ft.	100 ft.	
Minimum Front Setback	35 ft., but 65 ft. from street centerline	25 ft., but 55 ft. from street centerline	20 ft.	
Minimum Interior Setback ²	10% of lot width	5 ft. and 10 ft.	5 ft. and 10 ft.	
Minimum Street Side Setback ²	15% of lot width	15 ft.	15 ft.	
Minimum Rear Setback	35 ft.	20 ft.	20 ft.	
Maximum Lot Coverage	30%	40%	40%	
Maximum Height	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	
Minimum Building Separation ³	15 ft.	10 ft.	10 ft.	

HGP, 8-41

Comparing PA1 intensity (“Mediterra”) with R-2 intensity (HGP), shows that Mediterra will have an intensity greater than R-2.

	Mediterra PA1	R-2
Min Lot	6,500 sf	7,200 sf
Min Width	55 ft	60 ft
Min Depth	85 ft	100 ft
Max Lot Coverage	50%	40%
Min Front Setback	10 ft	20 ft
Min Back Setback	15 ft	20 ft

The “Vacant Land Summary” from the HGP Housing Element shows a correlation between R-2 Zoning and corresponding MD Land Use. If the intensity of PA1 “Mediterra” were considered on its own, it would be considered MD or “Medium Density” land use.

Table 8.3: 2014–2021 Vacant Land Summary

Zoning	General Plan Land Use	Acres	Assumed Density	Assumed Yield			
				VL/L	M	AM	Total
AG	AG/EQ	67.6	2	0	0	135	135
R-1	LD	115.9	5	0	0	580	580
R-2	MD	4.5	10	0	45	0	45
R-2C	MD	9.4	10	0	94	0	94
R-3	HD	0.2	16	0	3	0	3
R-4	HDS	27.3	25	682	0	0	682
MU	MU	10.4	16	0	83	0	83
PD	PD	34.5	12	0	414	0	414
HDS ¹	PD	47.2	25	525	0	0	525
VR	VR	1.1	5	0	0	5	5
Total				1,207	639	720	2,567

Source: City of Highland, 2012.

Note: VL/L, M, and AM, stand for lower income, moderate income, and above moderate income units, respectively.

Moderate income affordability assumptions reflect densities between 10 and 19 units per acre. Lower income affordability assumptions reflect densities between 20 and 30 units per acre.

1: The HDS Overlay permits up to 650 multifamily units by-right; however some of the sites within this area are underutilized. The development potential was divided into 525 on vacant sites and 125 on underutilized sites.

http://www.ci.highland.ca.us/Downloads/Files/HousingElement/Final_Housing_Element.pdf

Proposal: Require “Mediterra’s” clustered southern portion (PA1-4) to be compatible intensity/density with AG/EQ.

7-23

15. HGP Lower Intensity

The “Mediterra” plan proposes to create incompatible adjacent land use between “Mediterra’s” suburban development (PD Land Use, PD Zoning, Specific Plan “Mediterra” PA1) and parcel NAP (AG/EQ). The “Mediterra” Initial Survey fails to identify that the HGP has a policy to avoid/mitigate environmental effects in this specific situation.

“HGP, Goal 2.6, 2) Where a question of compatibility exists, require the new use to conform to the lower intensity use.”

HGP, 2-28

A question (if not a straight declaration) of compatibility exists.

“The rationale for the GPA/ZC is that the type of suburban development proposed by Mediterra is not consistent with the A/EQ designation (even though it might support the proposed number of units), which is specifically designed to accommodate low density residential development where animals, such as horses, can be raised.”

Mediterra Project Initial Study (Oct 2015), page 3

PA1 Alone

One analysis would be to consider PA1 of “Mediterra” on its own merits. As shown in “HGP Appropriate Density” PA1 is “Medium Density” (MD) land use. MD land use does not conform to the lower intensity land use of NAP’s AG/EQ.

Standard	A/EQ	R-1	R-2
Maximum Density (units per acre)	2.0	6.0	12.0
Minimum Building Site (net area in so)	20,000	7,200	7,200
Minimum Lot Width	100 ft.	60 ft.	60 ft.
Minimum Lot Depth	120 ft.	100 ft.	100 ft.
Minimum Front Setback	35 ft., but 65 ft. from street centerline	25 ft., but 55 ft. from street centerline	20 ft.
Minimum Interior Setback ²	10% of lot width	5 ft. and 10 ft.	5 ft. and 10 ft.
Minimum Street Side Setback ²	15% of lot width	15 ft.	15 ft.
Minimum Rear Setback	35 ft.	20 ft.	20 ft.
Maximum Lot Coverage	30%	40%	40%
Maximum Height	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater
Minimum Building Separation ³	15 ft.	10 ft.	10 ft.

HGP, 8-41

“Mediterra” Overall

Alternatively, the overall intensity of “Mediterra” PA1-4 (4.74 lots per acre) does not conform to the lower intensity use of the 2 lots per acre of NAP’s agricultural land use designation.

The “Mediterra” Initial Study suggests that that PA7’s open space designation should offset the increased intensity of PA1-4 (*“clustering of units on the southern portion of the project site”*). This assertion is inconsistent with the HGP.

“The A/EQ designation permits up to two units per acre to be developed, which would allow up to 356 units to be developed on the 178-acre project area. The GPA and ZC allow creation of a PD which allows additional flexibility in project design. Therefore, the developer is proposing to change the General Plan and Zone designations. The resulting gross density of the project, including 200 conventional lots in PA1 through PA3, a maximum of 110 medium density units in PA4 and 6 A/EQ lots in PA5, for a grand

total of 316 units, is about 1.76 lots per acre. Figure 5 shows the existing land use designations and Figure 6 shows a conceptual Land Use Plan for the 178-acre area showing the proposed land use designations.”

Mediterra Project Initial Study (Oct 2015), page 3

The HGP identifies limitations to the use of the PD designation, as well as related density calculations, to avoid/mitigate impacts that the flexibility might create (as it does in this case).

First, the Highland General Plan 2-8 precludes the use of Open Space (94.62 acres of PA7) or any other nonresidential designation (5.66 acres of PA6 and PA8) to be included in calculating density.

“Any portion of a residential lot designated on the Land Use Map as Open Space or any other nonresidential designation should not be included in calculating density.”

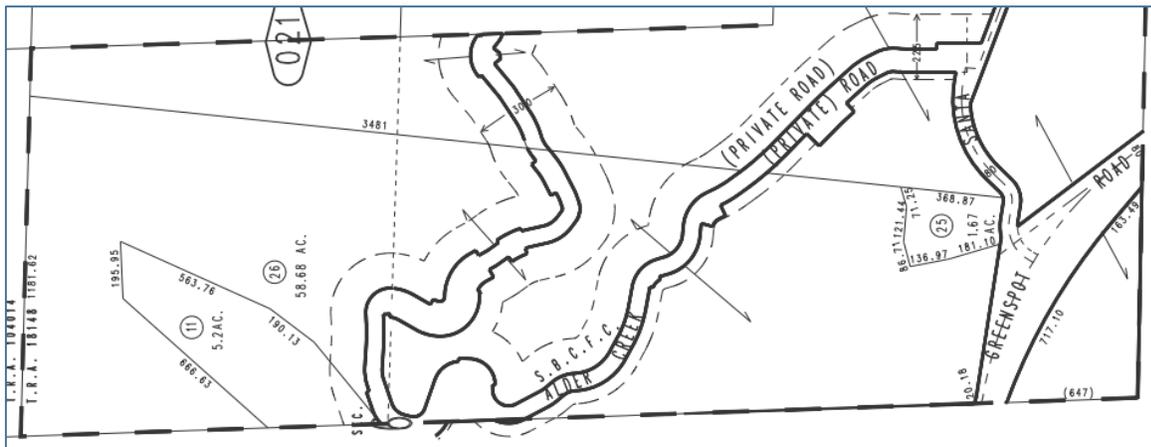
HGP 2-8

Second, the “Maximum Intensity” section of the Highland General Plan PD definition precludes using restricted lands or lands unsuitable for development for transfer of development rights.

“Restricted lands or lands unsuitable for development shall not be used for transfer of development rights purposes.”

HGP 2-13

In the second case, if the open space identified by PA7 were to be characterized as “suitable for development” for purposes of transfer of development rights; a third party expert should prepare a report showing how much of the 94.62 acres is actually suitable for AG/EQ development. Clearly roads and easements should be subtracted from the total. Additionally steep slopes, faults and CEQA should be assessed to determine how much of the land is actually still suitable for AG/EQ development.



While preserving open space, hillsides and slopes appears to be consistent with many elements of the HGP, the form of clustering that the “Mediterra” plan specifically proposes is in conflict with the HGP’s Planned Development (PD) land use designation.

The HGP regulates the Maximum Intensity allowed by the PD designation. The purpose of this limitation is to avoid and/or mitigate environmental effects that may occur as a result of exercising PD land use (e.g. clustering).

“Maximum Intensity: The maximum overall intensity of areas designated Planned Development shall be consistent with the provisions of the Highland General Plan or determined through the development review process. In all cases, the overall intensity of Planned Development areas, and each portion thereof, shall be compatible with adjacent existing and planned land uses and shall address natural features of the site. Restricted lands or lands unsuitable for development shall not be used for transfer of development rights purposes.”

HGP 2-13, 2-14

The “southern portion” (used for clustering, PA1 and/or PA1-4) of the “Mediterra” plan violates this directive from the HGP. The “Mediterra” Initial Study fails to identify this conflict with the HGP or propose any mitigations.

The suburban development proposed by “Mediterra” is not consistent with AG/EQ. The “Mediterra” Initial Study” explicitly states this incompatibility (in an unrelated section).

“The rationale for the GPA/ZC is that the type of suburban development proposed by Mediterra is not consistent with the A/EQ designation (even though it might support the proposed number of units), which is specifically designed to accommodate low density residential development where animals, such as horses, can be raised.”

Mediterra Project Initial Study (Oct 2015), page 3

“Mediterra” PA1 is greater intensity than the HGP R-2 zoning.

	Mediterra PA1	R-2
Min Lot	6,500 sf	7,200 sf
Min Width	55 ft	60 ft
Min Depth	85 ft	100 ft
Max Lot Coverage	50%	40%
Min Front Setback	10 ft	20 ft
Min Back Setback	15 ft	20 ft

HGP R-2 zoning is Medium Density (MD) land use.

Table 8.3: 2014–2021 Vacant Land Summary

Zoning	General Plan Land Use	Acres	Assumed Density	Assumed Yield			
				VL/L	M	AM	Total
AG	AG/EQ	67.6	2	0	0	135	135
R-1	LD	115.9	5	0	0	580	580
R-2	MD	4.5	10	0	45	0	45
R-2C	MD	9.4	10	0	94	0	94
R-3	HD	0.2	16	0	3	0	3
R-4	HDS	27.3	25	682	0	0	682
MU	MU	10.4	16	0	83	0	83
PD	PD	34.5	12	0	414	0	414
HDS ¹	PD	47.2	25	525	0	0	525
VR	VR	1.1	5	0	0	5	5
Total				1,207	639	720	2,567

Source: City of Highland, 2012.

Note: VL/L, M, and AM, stand for lower income, moderate income, and above moderate income units, respectively. Moderate income affordability assumptions reflect densities between 10 and 19 units per acre. Lower income affordability assumptions reflect densities between 20 and 30 units per acre.

1: The HDS Overlay permits up to 650 multifamily units by-right; however some of the sites within this area are underutilized. The development potential was divided into 525 on vacant sites and 125 on underutilized sites.

http://www.ci.highland.ca.us/Downloads/Files/HousingElement/Final_Housing_Element.pdf

PA1 (a portion of “Mediterra”) is adjacent to NAP’s AG/EQ existing and planned land use.

4-3.a: Phase 1

Phase 1 of the Mediterra Plan includes PA 1, the closest portion of the project to existing improvements and utilities to serve the development. Mediterra Parkway will be the main point of access from Greenspot Road. All local streets as well as the emergency vehicle access at the westerly edge of the community and all wet and dry utilities within the limits of PA 1 shall be completed with this phase. All of Greenspot Road north side frontage to PA 1, from the existing improvements to the west of Mediterra to the east edge of Mediterra Parkway along with the raised median shall be completed with Phase 1. The portion of the North Fork Trail and Fire Road that fall within the limits of PA 1 shall be completed with this phase.

The WQMP basin shall be completed with Phase 1. Pine Park shall be completed with PA 1.



Mediterra Specific Plan 4-6

PA1-4 (the southern portion of “Mediterra” used for clustering) is adjacent to NAP’s AG/EQ existing and planned land use.

4-3.d: Phase 4

Phase 4 of the Mediterra Plan may occur at PA 4 and relies on improvements completed in all prior phases of the plan. The frontage of PA 4 with Avenida Ramblas shall be fully completed along with all improvements within the limits of PA 4. If Terraneo Parkway is not previously completed then it should be fully improved with this phase. The north side portion of Greenspot Road between the previously completed improvements and the easterly edge of the Plan area which front the Mediterra Plan area along with the raised median shall be completed with this phase. All local streets within the limits of PA 4, including all utilities and other improvements shall be completed with this phase. Phase 3 may occur at PA 4 as described in Section 4-3.c subject to the approval of the City of Highland.



Mediterra Specific Plan 4-8

Proposal: Both of the environmental objectives (open space and adjacent compatibility) can be met by requiring the overall intensity of both PA1 and PA1-4 (both are portions of "Mediterra") to be a compatible intensity (e.g. AG/EQ land use and zoning) and still declare the PA 7 "open space".

7-25

17. HGP Mitigating Buffers

The HGP requires mitigation or buffers between dissimilar land uses where adverse impacts could occur. This requirement is in conflict with the proposed "Mediterra" plan and has not been identified or assessed by the "Mediterra" Initial Study.

"HGP, Goal 2.6, 7) Require new or expanded uses to provide mitigation or buffers, including greenbelts or landscaping, between dissimilar uses or existing uses where potential adverse impacts could occur."

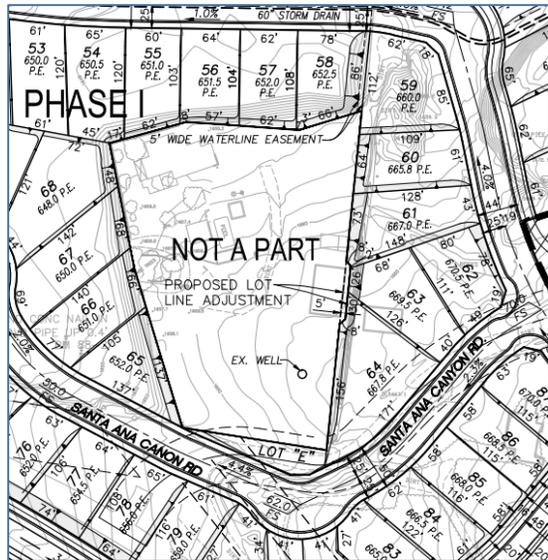
HGP, 2-28

The new expanded use of the "Mediterra" plan (vs. the plan areas current zoning and land use of AG/EQ) does not include any greenbelts or landscaping between the dissimilar suburban environment of "Mediterra" and the existing AG/EQ zoning and land use of the parcel designated "NOT A PART".

"Exhibit 1-3 shows the approximate limits of the Plan area, encompassing all of the land uses of open space, residential, and recreational. One parcel contiguous to the Plan area is not a part of the Plan and will retain its current land use designation of Agricultural/Equestrian."

Mediterra Specific Plan 1-4

"Mediterra" TTM shows 14 suburban lots directly adjacent to NAP with no mitigation or buffer (including landscaping or greenbelts).



Mediterra TTM

7-26

18. HGP Isolated Development

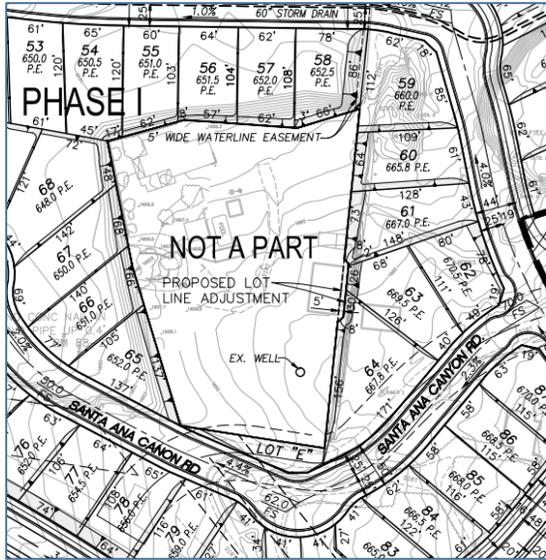
The HGP identifies a specific instruction to avoid and mitigate the environmental impact of converting agricultural land to residential development “avoid isolated development”. The “Mediterra” Initial Study fails to identify or mitigate this conflicting directive from the HGP.

The Agricultural section of Conservation and Open Space (HGP-5) clearly states in its introduction that the goal of 5.2 is to avoid “isolated development” when converting from agriculture to “very low-density residential”. “Mediterra” converts agricultural land to Medium or Low density residential, not “very low-density residential” as anticipated. Additionally it creates “isolated development”.

“The land use issues involved in converting from agricultural to very low-density residential/equestrian uses center on avoiding isolated or “checker board” development, incorporating appropriate land use buffers and maintaining the rural character of the area.”

HGP 5-5

NOT A PART is isolated development with AG/EQ zoning and land use.



Mediterra TTM

7-27

19. HGP Land Use Transition

In addition to the directive above to avoid isolated development, the HGP also dictates a policy that land use transitions and buffering will be used to avoid/mitigate the environmental effects of converting agricultural land to residential use. The “Mediterra” Initial Study fails to identify this conflict with the HGP.

“HGP, Goal 5.2, 2) Incorporate appropriate land use transitions and buffering techniques into new development”

HGP, 5-6

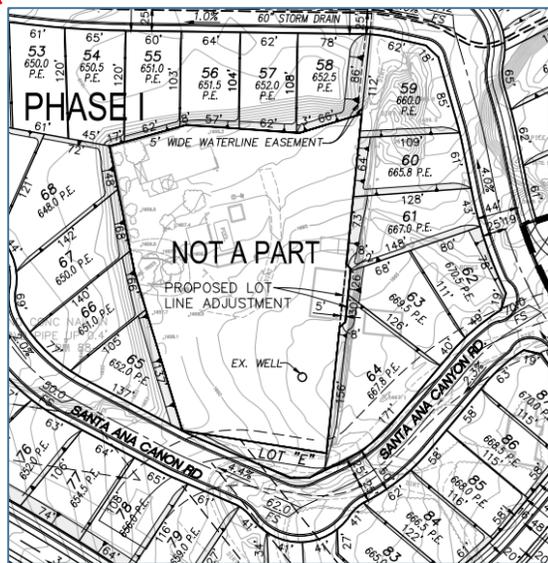
The “Mediterra” plan completely envelopes an existing AG/EQ property (“NOT A PART”), and no land use transitions or buffers are incorporated.

The Specific Plan calls out that the parcel will retain its current land use of Agricultural/Equestrian.

“Exhibit 1-3 shows the approximate limits of the Plan area, encompassing all of the land uses of open space, residential, and recreational. One parcel contiguous to the Plan area is not a part of the Plan and will retain its current land use designation of Agricultural/Equestrian.”

Mediterra Specific Plan 1-4

The “Mediterra” TTM shows no use of land use transitions or buffers between (PD (suburban) and AG/EQ (rural)) land uses. The lot labeled “NOT A PART” is rural AG/EQ, land use and zoning.



Mediterra TTM

The city has been working with another development in the same general area as “Mediterra”. This project called “Harmony” is in the process of creating a full EIR instead of a MND. “Harmony” has been required to establish buffers between agriculture and other adjacent uses.

“The Harmony Specific Plan specifies that the agriculture character of the community will be apparent from the landscape and street design that uses agricultural themes in an aesthetic portrayal of agricultural character. The Specific Plan provides general standards for the agriculture landscape to minimize conflicts between agriculture and other adjacent uses by establishing buffers and using fencing appropriate, and by broadly disseminating information about seasonal agricultural uses. Therefore, the Project is consistent with this policy.”

Harmony DEIR, Appendix O-General Policy Consistency page 56

7-28

20. HGP Edge Treatment

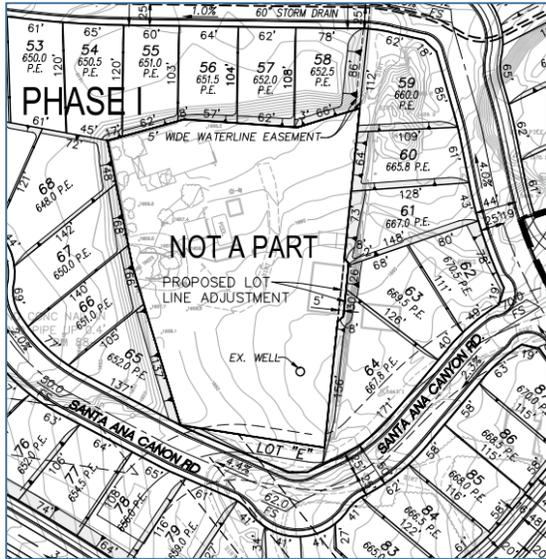
The “Mediterra” Initial Study fails to identify that the HGP has an environmental effect avoidance/mitigation policy to address the impacts of incompatible land use (between AG/EQ and higher density residential use) that the “Mediterra” plan fails to employ.

“HGP, Goal 5.2, 3) Incorporate appropriate edge treatment between the agricultural/equestrian uses and higher density residential uses through landscaped buffers, greenbelts, view fencing and parkways.”

HGP, 5-6

The “Mediterra” TTM shows no use of edge treatment (e.g. landscaped buffers, greenbelts and parkways) between the agriculture/equestrian uses of “NOT A PART” and the higher density residential

↑ use of “Mediterra’s” R1/R2. In fact 14 lots, of ~6000 sq. feet each, are immediately backed up to “NOT A PART”.



Mediterra TTM

7-29

21. HGP Visual Agricultural Heritage

The “Mediterra” initial study fails to identify that there is incompatibility between the HGP’s policy to mitigate environmental effects by preserving visual reminders of the city’s agricultural heritage in parks and buffer zones etc. vs. the “Mediterra” plan. The “Mediterra” plan fails to implement this policy, and the Initial Study fails to identify this conflict.

“Goal 5.2, 4) Preserve visual reminders of the City’s agricultural heritage in park design, buffer zones, public use areas and landscape plans.”

HGP, 5-6

The “Mediterra” plan does not provide visual reminders of the City’s agricultural heritage. This is particularly important as “Mediterra” proposes to eliminate some of the last remaining agricultural operations in the city of Highland with MD residential development.

7-30

22. HGP Tree Replacement Policy

The HGP contains a Tree Replacement Policy that the “Mediterra” plan has failed to implement. The “Mediterra” Initial Study fails to identify this conflict between the cities environmental effects avoidance/mitigation policy and the “Mediterra” plan.

“HGP, Goal 5.7 12) Require replacement at a 2:1 ratio of all mature trees (those with 24-inch diameters or greater measured 4½ feet above the ground) that are removed.”

HGP, 5-22

The “Mediterra” plan calls for the removal of 38 acres of citrus grove. As a mitigation measure, compliant with the general plan, an arborist should be employed to determine how many of the trees qualify as “mature trees” (as well as any other trees that are impacted but not part of the groves). The Mediterra plan should then replace those trees at a ratio of 2:1 per the HGP.

“However, even this value is higher than actual impact on the groundwater aquifer, because the proposed project will remove about 38 acres of citrus grove, which requires about 114 acre-feet per year (about three acre-feet per acre), leaving a residual impact of 45 acre feet of actual additional pumping impacts on the groundwater aquifer.”

Mediterra Project Initial Study (Oct 2015), page 61

7-31

23. Ongoing Noise

While the “Mediterra” Initial Study identified that operating bulldozers excavators and such can be a significant environmental noise and vibration impact (that requires mitigation) on neighboring residential homes during construction. The Initial Study failed to identify how those same or similar (noise/vibration) machines might impact the new residents of “Mediterra with respect to ongoing and future agricultural use of parcel NAP.

“NOS-3 A 12-foot temporary noise barrier or an 8-foot solid barrier (wall or combination wall/berm) shall be constructed along the west project boundary and adjacent to the onsite residence if occupied prior to the start of onsite grading or clearing.”

Mediterra Project Initial Study (Oct 2015), page 85

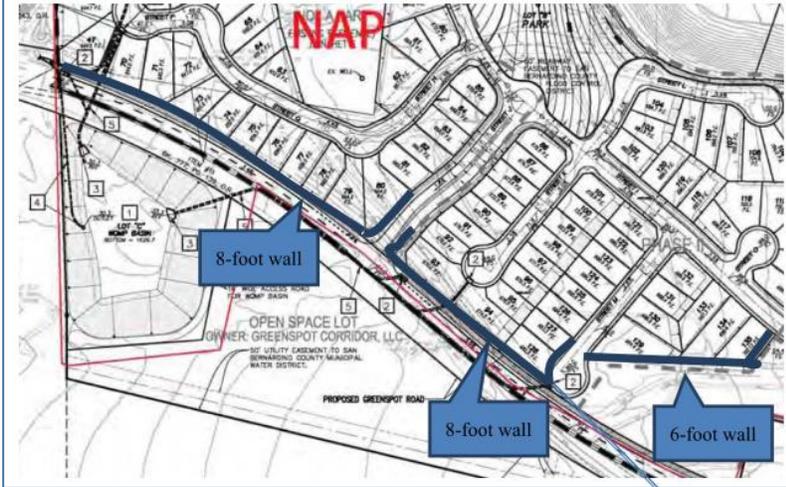
In addition noise from Greenspot Road was identified for mitigation.

“For all perimeter units along the Greenspot Road frontage, traffic noise may exceed recommended exterior compatibility standards for outdoor recreational space. In order to create outdoor space that achieves 65 dB CNEL at these units, an 8-foot solid noise wall, constructed along the Greenspot Road frontage, will provide 8 dB of noise protection. A 15-foot long return will be required along the side yards of lots at the site entrance to prevent noise leakage. This will ensure that recreational users in the rear yards of units backing up to Greenspot Road will achieve 65 dB CNEL even at build-out.”

Appendix 8 (Noise), page 19

The proposed mitigation for Greenspot Road is to supply an 8 foot noise wall, with 15 foot long returns to achieve an 8 dB noise reduction.

**Figure 4
Noise Wall Placement and Height**



Appendix 8 (Noise), page 16

What the report has failed to assess is the impact of ongoing and future AG/EQ land use within the NAP parcel. Table 7.3 (Noise Element) from the HGP demonstrates the differing values of what is considered “Normally Acceptable” between LD Residential and Agriculture. Above 57.5 dBA Vs. 75dBA. This potentially significant CEQA Impact has not been properly addressed by the MND study, nor has any mitigation been proposed.

“Table 7.3 provides planning guidelines for the review and approval of development applications in terms of the compatibility of land uses with the existing and future noise environment.”

HGP 7-7

Table 7.3: Community Noise and Land Use Compatibility		Community Noise Exposure Level Ldn or CNEL, dBA					
Land Uses Category		55	60	65	70	75	80
Residential-Low Density Single Family Dwellings, Duplexes and Mobile Homes							
Industrial, Manufacturing, Utilities, Agriculture							

Explanatory Notes

**Normally Acceptable:**

Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

**Normally Unacceptable:**

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with needed noise insulation features included in the design. Outdoor areas must be shielded.

**Conditionally Acceptable:**

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice. Outdoor environment will seem noisy.

**Clearly Unacceptable:**

New construction or development should generally not be undertaken. Construction cost to make the indoor environment acceptable would be prohibitive and the outdoor environment would not be usable.

HGP 7-8

Conclusion: A full EIR should be performed to identify possible mitigation measures that can be used to protect (at a minimum) the 14 lots that are adjacent to NAP from current and future noise levels, as well as those possibly across street from NAP. One possible mitigation measure would be to include an 8 foot sound wall around NAP, as was used between Greenspot Road and those impacted residences.

Additionally a vibration assessment should be performed to isolate past, current and future equipment operated as part of an ongoing AG/EQ operation (NAP). Mitigation measures could include setbacks to protect any newly constructed buildings from NAP equipment vibration.

7-32

24. Insufficient Public Parks

The “Mediterra” Initial Study assessed (incorrectly) that the “Mediterra” plan has sufficient parks to meet the HGP’s park requirements.

The “Mediterra” Initial Study assess that HGP’s open space ratio of 2.5 acres per 1,000 residents has been met. The assessment does not identify the distinction of “undeveloped parkland”, “trails” and “developed parkland”. It also fails to identify the anticipated population of the development.

“d) Recreation/Parks?”

Less than Significant Impact – The proposed project is a low/medium density residential development. The project includes a number of open space and recreational uses for the project and the community. The project will permanently conserve the natural hillside in the northern portion of the Mediterra Plan area. This area contains fire protection roads which can be used as hiking trails. Multiuse trails will be incorporated into the project design in accordance with the facility map in Figure 13. This map shows recreation areas that include a neighborhood park, pocket park, trails, paseos and other amenities. The City General Plan establishes an open space ratio of 2.5 acres per 1,000 residents. Given the onsite permanent open space and approximately three acres of park, trails and recreational amenities, the project will fulfill this General Plan objective. Although the proposed project is expected to incrementally increase the demand on park and recreation resources within the City, the proposed project is not forecast to have a significant impact on local parks or recreational facilities. The

developer may seek to offset DIF fees with the recreation/park amenities incorporated into the project design. No mitigation is required.”

Mediterra Project Initial Study (Oct 2015), page 89

The Highland General Plan requires a ratio of 2.0 acres of developed park per 1000 residents.

“Park Standards and Facilities Throughout the country, park planning is conducted by establishing a ratio of park acreage per population. The open space ratio established for the Highland is 2.5 acres per 1,000 residents, which includes a ratio of 2.0 acres of developed park acreage and 0.5 acre of undeveloped natural parkland. In California, park standards are provided by the Quimby Act of 1975, which gave cities the authority to pass parkland impact fees or dedication ordinances, recognizing the tremendous strain that local cities were under to provide enough parkland and open space for their residents. It is the City’s intention to exceed state-mandated minimums, which generally fall in the 4 to 5 acres per 1,000 citizen range.”

HGP, 5-37

Another section of the “Mediterra” Initial Study reveals the anticipated population of 1092 residents (this number should have been included in the CEQA Public Park section).

“Less Than Significant Impact – Implementation of the project will result in incremental system capacity demand for wastewater treatment capacity. According to the Highland General Plan, the San Bernardino Water Reclamation Plant operated by the San Bernardino Municipal Water District has a capacity of 33 million gallons per day (MGD), and the current sewage generation is between 26 to 27 MGD. The current population within the city of Highland is estimated to be 53,900. The proposed project is forecast to increase the population by about 1,092 persons. The proposed project is not forecast to require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. “

Mediterra Project Initial Study (Oct 2015), page 103

The Highland General Plan does not allow for private parkland to be counted toward the parkland requirements. This is demonstrated in the “Target Planning Areas and Future Needs” section of the HGP.

“For residents of the East Highlands area, there appears to be ample park space. It should be noted that East Highlands Ranch has 113.6 acres of active recreational space including walking, hiking, or biking trails and 940.3 acres of natural and visual open space for the private use of its residents; however, this parkland is not counted toward the parkland requirements that must be met by the City because it is private. It should also be noted that the California Youth Soccer Association (CYSA)”

HGP 5-38

The “Mediterra” project should require $(1092/1000)*2.0$ acres=**2.184 acres** of developed park acreage (not open space, not private parks, not trails etc.). “Mediterra” has PA6 its developed park acreage of 2.16 acres.

“2-2.f: Planning Area 6

PA 6 is approximately 2.16 acres and is designated for a neighborhood park with recreational area, exercise, and gathering opportunities for the community residents; the neighborhood park is referred to as Mediterra Park in the Plan. Section 2-1.d: Parks and Recreation gives a general description of this component of the Land Use Plan, and Chapter 8: Open Space and Recreational Uses details the improvements planned for this Planning Area.”

Mediterra Specific Plan 2-11

An unknown portion of this 2.16 acres is private park land.

“8-3.a1: Community Recreation Area

Additionally the Mediterra Park will feature a fenced Community Recreation Area that includes a combination of functional features such as:

- o Controlled points of access for community residents with gates and fencing.*
- o Swimming pool and sun deck.*
- o Restroom building compatible with the community’s architectural theme with equipment space.”*

Mediterra Specific Plan 8-12

Because the Mediterra Park Plan is “conceptual” it is impossible (and does not include the acreage of the private park) for city planner and decision makers to decide how much of the Park is going to be “Private”. As such it is impossible to determine whether or not the 2.184 acres for public developed park acreage (as stated in the HGP) has been met.



Mediterra Specific Plan 8-13

Conclusion: Perform a full EIR, and update the Mediterra specific plan to include a specific (not conceptual) park plan that allows the planners and decision makers of the City of Highland to accurately assess whether the “Mediterra” plan is consistent with the general plan with respect to acreage of developed public parks based in anticipated number of residents. Alternatively “Mediterra” could add enough public park acreage to cover the deficiency regardless of the size of the private park in “Mediterra”.

7-33

25. Incompatible Traffic

The “Mediterra” initial study provides a significant amount of data (too much?) on articulating the impacts of 1000 additional residents on the community road ways. And proposes no less than 3 mitigations, Pages 91-100 Mediterra Project Initial Study (Oct 2015).

However, the Initial Study fails to adequately address hazards introduced by the “Mediterra” plan in the form of “incompatible vehicular use”. This is a foreseeable, un-assessed, un-mitigated significant impact on the residents of “Mediterra”.

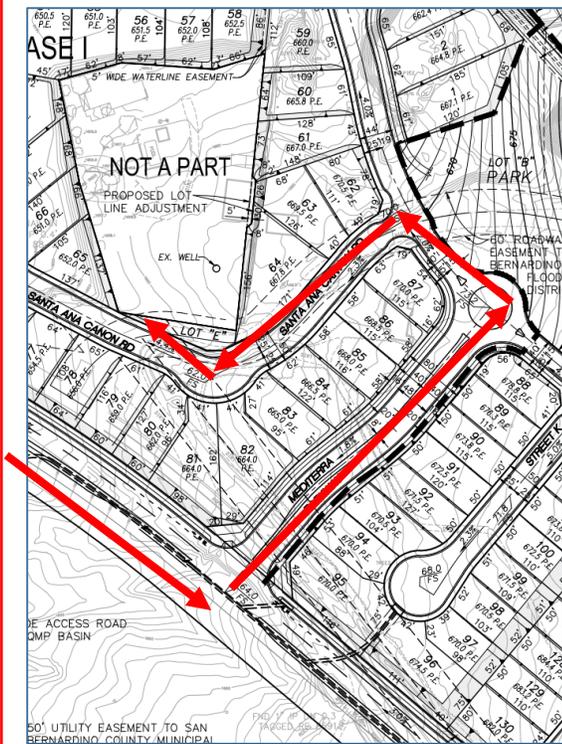
“d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?”

Mediterra Project Initial Study (Oct 2015), page 100

“Less Than Significant Impact – The TIA evaluates the improvements needed to provide adequate access to the site and from the site to the area circulation system. This includes specific recommendations to”

Mediterra Project Initial Study (Oct 2015), page 100

The Mediterra TTM shows that a past, current and future AG/EQ operation will be required to use suburban residential streets to access a main vehicular artery (Greenspot Road). This will place incompatible agricultural vehicles on residential streets without an assessment or proposed mitigation.



Mediterra TTM

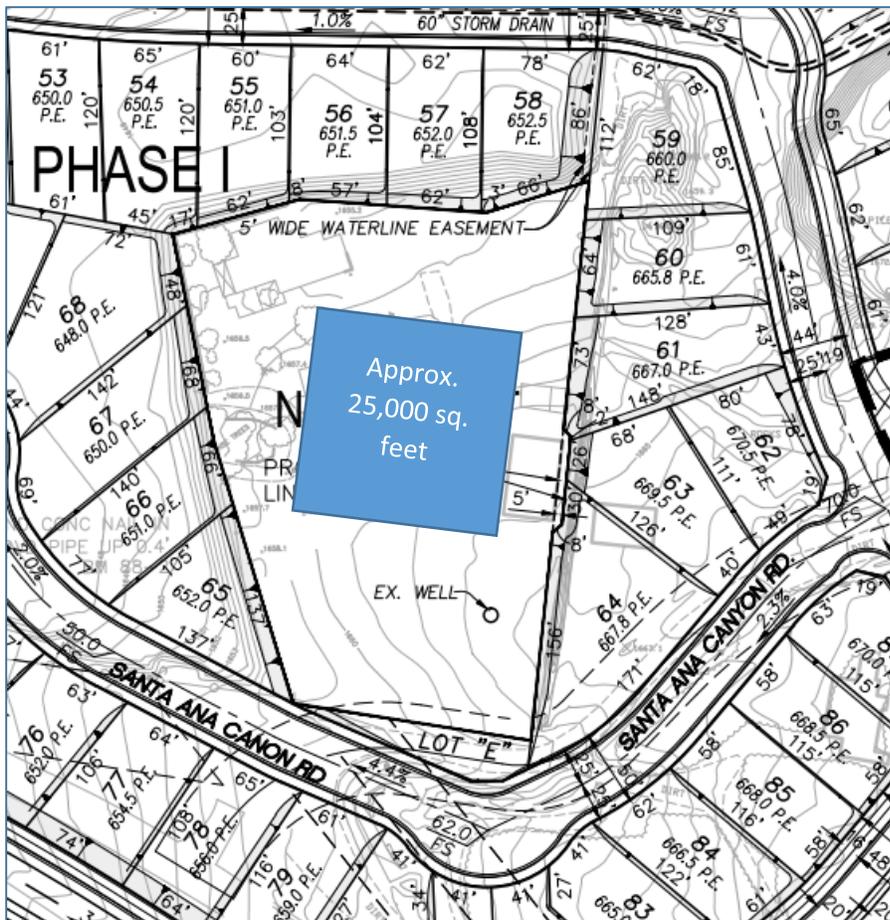
While it may appear on the surface that this may not raise to a significant risk; “How many agricultural trips will a 1.7 acre AG/EQ parcel really generate?” Technology and necessity (water shortages, land shortages, pesticide use, demand for organic produce etc.) are combining to paint a new picture of Agriculture. **The owners of NAP have been evaluating high efficiency farming technologies for deployment on the NAP parcel.**

“The statistics for this incredibly successful indoor farming endeavor in Japan are staggering: 25,000 square feet producing 10,000 heads of lettuce per day (100 times more per square foot than traditional methods) with 40% less power, 80% less food waste and 99% less water usage than outdoor fields. But the freshest news from the farm: a new facility using the same technologies has been announced and is now under construction in Hong Kong, with Mongolia, Russia and mainland China on the agenda for subsequent near-future builds.”



<http://weburbanist.com/2015/01/11/worlds-largest-indoor-farm-is-100-times-more-productive/>

This is an example for scale only. The NAP parcel could foreseeably be used to situate a 10,000 head of lettuce per day agriculture operation using today's technologies. This operation would be highly efficient in terms of both water, space and pesticide use. It would; however, likely generate a significant number of incompatible vehicular trips.



Mediterra TTM

While this enterprise might be dismissed as farfetched, it is certainly in keeping with the cultural and historical nature of the plan area. Who would have bet against the Highland founding fathers when they first dared to divert the Santa Ana River to allow agricultural operation in the City of Highland in the first place? “North Fork Produce”, “Preserving a history of agricultural pioneering”, “Local, Organic, produce: Exclusively grown using the purest headwaters of the Santa Ana” (The North Fork Water Company has senior water rights to the Santa Ana River. Parcel NAP has both North Fork shares and access to the North Fork). This type of operation should be considered “foreseeable”.

Conclusion: In order to promote safety and minimize the hazards to the general public because of mixing incompatible vehicle use, a full EIR should be performed on what projected uses are possible (including trending agricultural technologies, and expert review) to establish foreseeable uses of the parcel NAP. The assessment would be based on permissible land use and zoning described in the HGP and relevant municipal codes (bee keeping?).

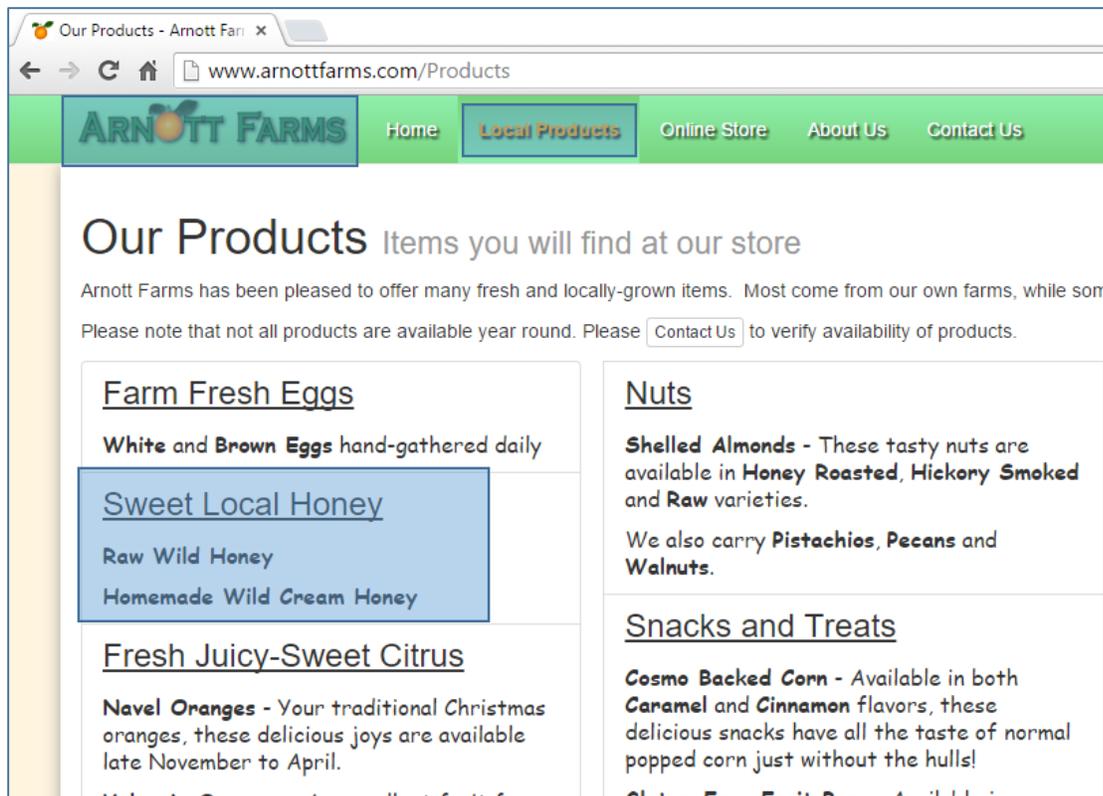
Mitigation measures might include: Changing the City of Highland’s general plan to limit or preclude the use of high efficiency farming techniques in the City or maintaining the existing direct access from parcel NAP to Greenspot Road (Greenspot Road easement retained).

7-34

26. Pollination Community

The “Mediterra” Initial Study failed to study the impacts of removing ongoing beekeeping operations from the “Mediterra” plan area. There will be an impact on sensitive species because of the removal of this ongoing pollination. This Initial Study has failed to assess whether this impact will raise to the level of significant with respect to the areas sensitive species.

Arnott’s farms (operator of the 38 acre citrus grove that “Mediterra” plans to remove) performs beekeeping as a symbiotic operation to citrus production.



<http://www.arnottfarms.com/Products>

Michael Raley has seen beekeeping boxes operated and relocated in the "Mediterra" plan area frequently.

The following article written by Joe Traynor shows that a 2 mile buffer is insufficient to isolate bees from pollinating.

How Far Do Bees Fly? One Mile, Two, Seven? And Why?

Bee Culture – June, 2002

Joe Traynor

With growing concern about pollen transfer from genetically modified crops and with continued concern about pesticide poisoning of bees, it is becoming increasingly important to know the answer to the question posed above.

The flip answer, "as far as they have to" is also the best answer.

Imagine a large wreath of flowers, encircling a hive (or an apiary) in a barren desert. Gradually expand that wreath and you will find that bees will forage up to seven miles, but that the law of diminishing returns (where hives lose weight) kicks in at about four miles.

In what has been termed a "classic experiment", J. E. Eckert essentially did the "wreath experiment" in a three year study (1927-1929) that was published in 1933(1). This study should answer the title question for all time. Eckert picked two irrigated areas in Wyoming that were separated by a 17 mile stretch of barren badlands, then placed colonies at increasing distances from the irrigated wares. Roger Morse summed up his study in the table on the next page.

What's striking about this experiment is that colonies can make a living when the nearest food source is four miles away. From this, it is easy to see that a two mile buffer zone is not sufficient to protect bees from pesticides (or to prevent pollen transfer from two different varieties of plants grown several miles apart).

<http://www.beesource.com/point-of-view/joe-traynor/how-far-do-bees-fly-one-mile-two-seven-and-why/>

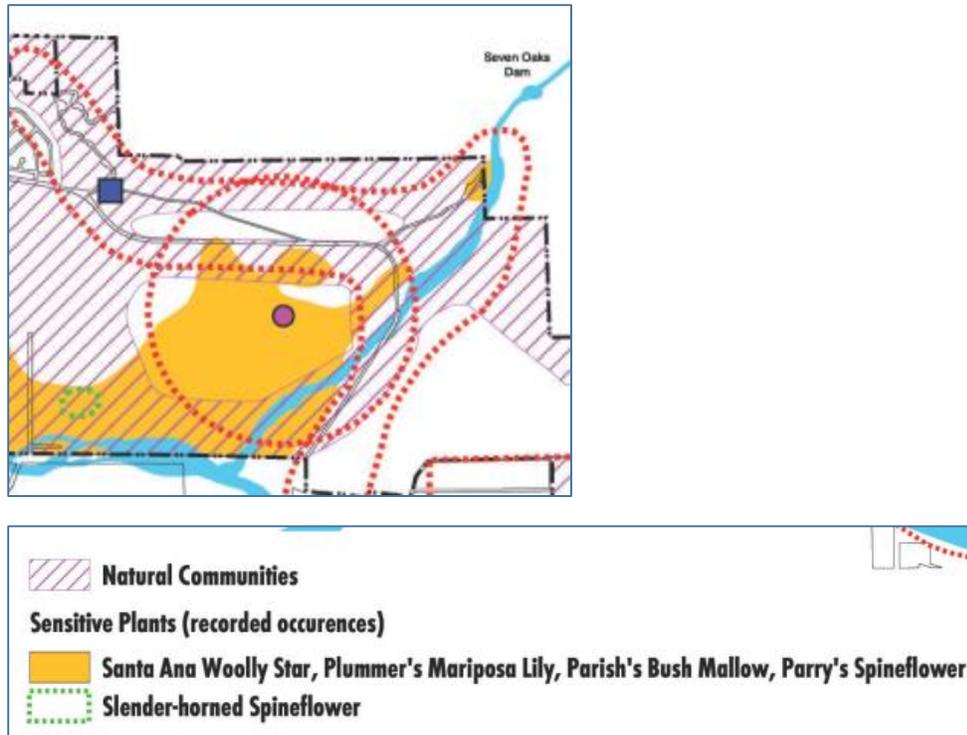
Joe Traynor is an author in the field of bee pollination, and beekeeper.

"Joe has authored 2 books, "Ideas in Soil and Plant Nutrition" and "Almond Pollination Handbook for Almond Growers and Beekeepers". He has donated the profits for bee research, primarily for parasitic mite control."

<http://www.beesource.com/point-of-view/joe-traynor/>

It is reasonable to infer from this information that ongoing bee pollination is occurring well beyond the "Mediterra" site and its 38 acres of citrus groves that are proposed to be removed.

The HGP has identified the sensitive species, Santa Ana Woolly Star, Plummer's Mariposa Lily, Parish's Bush Mallow, Parry's Spineflower and Slender-horned Spineflower as well within the range of bees that pollinate the 38 acre citrus grove.



HGP Figure 5-1 Biological Sensitivity Map

A full EIR should be performed on "Mediterra" to better understand the impact of eliminating bee keeping operations with respect to this 38 acre grove. This assessment should be performed by a certified beekeeper and expert on the pollination requirements of the identified sensitive species.

There are potentially simple mitigation measures which could be employed like: maintain the vacated shoulder of Greenspot as an ongoing citrus operation (with associated beekeeping), preserve parcels east of "Mediterra" (also owned by Ron Arnott) as mandated citrus operation, "Mediterra" HOA beekeeping operated for the benefit of "Mediterra" residence and open space etc.

Without this assessment (and proposed mitigations) there may be significant impact on the pollination routine for these sensitive species.

7-9 Your comment is noted and will be retained in the project file that is made available to the City decision-makers prior to a decision on the proposed project. Although the Harmony Specific Plan will utilize common infrastructure with Mediterra, it is not “in the same area.” Mediterra is located directly adjacent to the existing developed portion of the City of Highland where all utility and road infrastructure already exists. Mediterra is also located on the edge of, but within, the Santa Ana River watershed. Harmony requires extension of all utility and road infrastructure and is located in an undeveloped portion of the Mill Creek watershed. They have very little in common except if approved they will utilize some common infrastructure.

Your comment regarding the traffic analysis is incorrect. The traffic study and the data incorporated into the Initial Study assumed that Harmony traffic is part of the cumulative traffic incorporated for evaluation. Refer to pages 42 and 43 of the traffic study which is in Appendix 9a of the Initial Study. In calculating the near term impact on the area circulation system, the traffic study assumed that 75% of the Harmony project would be developed and generating traffic. Given that the Harmony project has not been approved this is a very conservative assumption. When looking at the long term (Horizon Year), the traffic study indicates that the full development of Harmony was taken into consideration as part of the cumulative projects contributing to the intersections analyzed in the Initial Study. Further, with implementation of mitigation measures identified in the traffic study, potential impacts in 2018 and the Horizon Year can be mitigated below a level of significant impact. There has been no data presented in the record to contradict this finding.

Regarding water, the analysis on page 61 documents that the proposed project's cumulative consumption (45 acre feet per year after eliminating irrigation of the citrus grove on the property) is not a significant cumulative impact on water resources of the local purveyor, East Valley Water District (District). This is based on an evaluation of the project in the context of the applicable Urban Water Management Plan and is further verified by the District's issuance of a will serve letter to the project (Appendix 7b).

Regarding sewer capacity, the proposed project will connect to the existing sewer located in Greenspot Road and the regional wastewater treatment plant has more than adequate capacity to accept and treat the cumulative wastewater anticipated within the City of Highland. This finding is further augmented by the District's efforts to provide a new wastewater treatment plant. It is being sized to serve the full build-out of the District's service area, which includes the Mediterra and Harmony sites.

Regarding the wildlife corridor issue there is no major wildlife corridor through the property. Wildlife movement in the area is typically along stream channels (Santa Ana River, City Creek, Plunge Creek, etc.). The proposed project will not adversely impact any known wildlife corridor and therefore it cannot contribute to cumulative adverse impact to such corridors.

Police and Fire demand impacts are clearly identified and in accordance with the City's policies the proposed project, and any other new projects that contribute to cumulative demand for these services, will be offset by payment of Development Impact Fees which the City has established to ensure that adequate fire and police service can be maintained within the City.

In closing, the cumulative impacts of the project were fully considered and the appropriate project contribution to offsetting the project's contribution to cumulative demand is addressed in the Initial Study and more importantly, where mitigation is required to reduce the project's contribution to a cumulatively considerable impact it has been identified and will be implemented.

7-10 The comment regarding "particularly significant aesthetic" is parsing words; a project either has a significant visual component or it does not. This project site's significance consists of the adjacent foothill background view and the onsite orange grove. This site is also not an undisturbed or pristine visual setting. There are two residences, graded roads, power lines and highly disturbed areas in addition to the referenced visual resources. Also note that the City has not advanced designation of any Scenic Highways or guidelines for protecting scenic qualities to date so the Mediterra Project incorporated the following features.

1. A detailed land and site plan has been developed for the City's consideration
2. This Plan preserves approximately 95 acres (53%) of the development area as open space in perpetuity. The open space is recognized by the City General Plan as an important view asset and backdrop for the community.
3. Among the view corridors listed in the City General Plan, Greenspot Road offers some of the best and widest views in the City, which includes the hillside backdrop to the north without any development and the Santa Ana wash to the south.
4. The referenced Page in the General Plan (2-29) is cited, but the following finding is not highlighted "within residential developments if not."
5. The elimination of the orange groves and development of residence is consistent with the General Plan and the Initial Study constitutes "full environmental review" as all of the information required regarding the change in view is being provided to the City decision-makers as required by CEQA. Also, the photo referenced in the Highland Community News is an old view north of Highland Avenue and just east of Church Street. Note the City allowed development of this property just below Harrison Mountain about seven years ago and found its conversion to residential development consistent with the General Plan.
6. Additionally, the characterization of the project in this comment is that it eliminates all agricultural qualities from the project site. The project has been designed to preserve visual reminders of the community' agricultural past by including over 13 acres of AG/Eq parcels with operational groves as an integral component of the Mediterra Plan (PA 5-estate lots). These lots are preserved on existing benches that sit at a significantly higher elevation than the remainder of the Mediterra site. This unique feature to the City of Highland combines the character, high elevation and visibility of the estate lots.
7. This comment also includes a discussion of the City or some other party operating a citrus grove at this location. This is not the project proposal being submitted to the City and it is not considered a viable alternative just based on being mentioned. The City has the authority to acquire the property or enter into an arrangement with a private party, but this is a separate issue that reflects the commenter's views, not the view of the property owner or applicant. No such alternative has been shown to be viable and it does not merit further consideration in this Initial Study.
8. Regarding the Greenspot right-of-way (ROW): The tragic accidents that claimed the lives of travelers was mainly due to the old, tight alignment of the Road. The City took the lead in mitigating this condition for the sake of safety of the general public. The property owner, the Arnott Family, dedicated the needed ROW to the City of Highland without compensation. The old ROW was not formally vacated, but will be vacated with the development of Mediterra. The Mediterra plan is providing significantly more ROW area than it is getting back from the City.

In summary, the Mediterra project incorporates all the elements of conservation along Greenspot to meet the General Plan policies referenced in this comment. It is a planned development that retains elements of the large lot agriculture/equestrian development; it provides for retention of elements of the citrus groves; it incorporates landscaping that will meet the City's design requirements; and it protects the foothill backdrop of the property with minimal disturbance. The site is not a pristine open space in its current condition and conversion of the site to the Mediterra development plan does not rise to a level of significant adverse aesthetic impact. Finally, the aesthetic issue is fully discussed in this Initial Study and preparing an EIR is not necessary to provide decision-makers and the public with full disclosure on this issue.

- 7-11 Actually the Mediterra project incorporates a design feature that fully mitigates impacts on nearby public land managed by the U.S. Forest Service (USFS). Specifically 53% of the site, about 95 acres of private land will serve as a buffer between the proposed residential development and the public land. Specifically the Mediterra plan treats the interface with the USFS land in a most sensitive manner. The plan preserves land in perpetuity where under the existing zoning a maximum of two residential units per acre could be developed. Also, the plan enhances access to road 1N16 with new fully improved streets designed to the City of Highland's standards. The USFS was contacted and a copy of the Mediterra Plan has been provided to them. The USFS has responded with samples of directional signs to be located during the final design process of the community. The USFS was also provided a copy of the CEQA Initial Study and did not provide any negative comments on the plan. Regarding ultimate ownership of the open space, the applicant will work with the USFS and other parties to determine which party should acquire and manage the open space over the long term.
- 7-12 This comment is a wide ranging discussion of policy as set by City relative to heritage trees. The reference to General Plan Goal 5.7 "Maintain, protect and preserve biologically significant habitats, including riparian areas, woodlands and other areas of natural significance" ignores that this section is not intended to address agricultural crops which constitute an economic commodity to the property owner. It is clear that the citrus grove is a commercial agricultural operation where trees can be replaced as needed without resorting to either Goal 5.7 (not applicable) or Municipal Code Section 16.64.040, heritage trees as there were none identified during the field investigations by qualified biologists.

The City of Highland allows the removal of heritage trees after securing the required permits. The proper procedure for a residential development is to determine during the final engineering if any Heritage Trees need to be removed subject to review by the Director of Community Development and the City Engineer. Note that because this is mandated by the Municipal Code, there is no mitigation required. Mitigation is required only when an impact may result that is not already mandated by law to occur. For example, a City does not require mitigation for future traffic from a project to obey the speed limits, there are existing laws and regulations that requires speed limits on roadways to be obeyed. Heritage trees fall in this category because any heritage trees identified for removal must be shown on the rough grading plan and submitted for a Tree Removal Permit along with a grading permit. The award of the tree removal permit would coincide with the issuance of a grading permit and would be implemented within the permitted 90-day period from approval, subject to section 8.36.080 Approval Period of the City of Highland Municipal Code which states: *Tree removal permits shall be effective following the 10-calendar-day appeal period and shall be valid for a period of 90 calendar days, subject to extension. Where a tree removal permit is associated with a proposal for development, the 90 calendar days shall start from the date of approval or issuance of building permit, whichever comes first.* (Ord. 103 para 8, 1990)

The site was evaluated by a qualified biologist and no heritage trees were identified. An arborist is not required to conduct such an evaluation, only a qualified professional, such as a botanist. The finding that the project will not conflict with a local policy or ordinance is appropriate both because no heritage trees were identified and because the municipal code must be implemented.

7-13 As noted in this comment, citrus trees can live a long time, but their commercial productive life span is much shorter. The citrus trees on the project site have been randomly replaced by the property owners periodically since the grove was installed prior to 1930 (the earliest aerial photo of the property). A full cultural resources evaluation of the property is provided in Appendix 4 of the Initial Study and all potential historical resources were assessed. The individual trees in the grove and the grove itself do not merit historical recognition because of the pattern of management and replacement of trees on an as needed basis to maintain commercial production. As a general rule, trees in a grove are managed for commercial production and are not considered a significant cultural asset required to be preserved. The City Municipal Code exempts fruit and nut-bearing trees from heritage or other designations and protections. The requirements for removal of citrus trees are outlined in the City of Highland Municipal Code and will be followed by the developer prior to removal of the trees.

7-14 These extensive comments provided herein appear to represent a personal preference of the commenter and not that of the City. Many cultural resource studies have been performed for the area that includes the Mediterra Plan, including a study in January 2015 by CRM TECH for the project site. The CRM TECH report is a part of the CEQA process (Appendix 4). It concludes that even the North Fork Ditch has been modified to the extent that it does not have significance on the property. Further, as noted in the preceding response to comment the citrus grove on the property proposed for development has undergone replanting on a periodic basis since originally installed and no longer contains individual tree or grove values that merit designation as a historic resource.

The City nor the applicant have no relationship with the North Fork pipeline and its connection to the Santa Ana River. The North Fork pipeline is owned by the North Fork Water Company and East Valley Water District owns a large percentage of this Company and currently operates and maintains the North Fork Pipeline. EVWD replaced the old ditch with a 39-inch pipeline in 2007 because the old ditch continued to fail and become progressively less reliable. The Mediterra Plan includes a Multi-Use trail, referred to as the North Fork Trail, in recognition of the old North Fork ditch's role in the area's past. Shareholders of the North Fork Water Company have access to the North Fork water. Once development occurs, the water rights are returned to the Company. The Mediterra project will not have access to North Fork water. Any other existing connections to North Fork water including to the Not-A-Part parcel will be preserved.

Many groves have historically been removed from the East Highland Ranch area and the City has not determined that they contained sufficient historical value to be designated as historical resources. Based on discussions with the City, it does not propose to form a citrus preservation commission to acquire any citrus groves for preservation. As an example, the Redlands Citrus Conservation association currently owns about 153.5 acres of groves after it sold 34 acres to an industrial developer. The funding from such sale helps the City to acquire less expansive "for-sale" groves at locations less beneficial to the community as residential or more productive land uses. The City only considers the purchase of existing groves that are offered for sale by a

land owner at market value and “at arm’s length”...no condemnation or forced sale. Many groves have been sold in the distant and recent past in the City of Highland, but as noted the City has elected not to pursue the purchase and preservation of these citrus groves.

If the commenter is interested in the purchase of a grove for preservation he could approach landowners to make an offer, or alternatively organize a group to come up with resources to start acquisition of such properties. Note that such preservation is expensive to manage as indicated by the article provided in Attachment 1 of these responses to comment. The City of Loma Linda stopped irrigating groves in 2012 due to operation and maintenance costs.

Please refer to response to comment 7-10 regarding the Greenspot Road shoulder vacation.

- 7-15 This comment indicates an apparent misunderstanding of the geotechnical data provided in the Initial Study and in Appendices 5 through 6a-d. Mr. Wes Reeder, County of San Bernardino Geologist, personally inspected the fault trenches and reviewed the results of many fault investigations within and in close proximity to the Mediterra plan area. The relevant investigations and reports to the Mediterra site are included or referenced in the Initial Study. The trenching for fault investigation conducted for development of the Calvary Chapel and other referenced investigations were sufficient to clear Planning Area 1 of the proposed project for development and human occupancy. Additional fault investigations were conducted immediately to the east of the Mediterra site, which also provides geologic information to the project geologist and Mr. Reeder. Furthermore, a seismic refraction investigation was conducted as a non-invasive method to investigate the potential presence of faulting on PA 2, 3 or 4. The investigation revealed no geologic features or discontinuities that typically imply the presence of active faulting. Mr. Reeder still requires additional fault trench to be conducted prior to the recordation of the respective maps for Planning Areas 2, 3, and 4 to confirm the findings to date. This approach allows the avoidance of premature trenching and disturbance of the land and the current grove operation. Regarding the reference to future analysis, such analysis is not considered deferral of mitigation when a performance standard is included that will be protective of the future resources, in this case structures and human lives. Mitigation measures GEO-1 and GEO-2 incorporate such performance standards to ensure that structures and human lives will be protected.
- 7-16 As stated in the Initial Study, the applicant will submit plans for approval prior to construction and for implementation prior to occupancy. A number of the design standards referenced in this comment have already been implemented in the Mediterra development through a detailed Tentative Tract Map (TTM) which has been reviewed by City Staff including the Fire Marshall. Design standards, such as looped fire access roads, unobstructed road width, maximum road grades, minimum turning radiuses, access to USFS land, cul-de-sac length and width, street vertical and horizontal curves, and many more design standards have already been incorporated in the Mediterra TTM. Furthermore, the Mediterra plan references the City of Highland Municipal Code as the guide for other design standards to be implemented. These include exterior finishes of structures, fencing types and locations, venting and other structure openings, exposed rafter tail dimensions and treatment, as well as type and location of landscaping structures.

The applicant has worked with the Fire Marshall since the inception of the Mediterra plan to incorporate design features into this TTM. Note that the Harmony Specific Plan lists a host of measure that will guide future development because it does not have detailed TTMs submitted for that project. Alternatively, the project TTM already incorporates these measures. The process of preparing a detailed fire mitigation plan occurs with the final landscape design and final engineering of the project. This is not deferral of mitigation, it is achieving a performance standard of fire protection. This is reflected in a series of e-mails between the Fire Marshall's office (Scott DeForge) culminating in the following: *Upon further plan review and a site inspection where **sparse vegetation growth on steep terrain** would create soil erosion if stripped to bare mineral soil, it is my opinion the intent of the 100-foot 'wildland **fire hazard buffer**' can be met through the following **amended FIRE** conditions.*

Amend General, Condition 2. HF3: to read: *a fuel break along the northerly boundary shall include the distance from any home's (North) exterior wall to the lot line, and include the emergency access/community trail and fuel modified zone out to approximately 100-foot. The zone beyond the emergency access road should retain natural ground vegetation up to six inches high) to prevent erosion, but shall be inspected annually by an agency of the HOA and maintained as needed.*

Amend General, Condition 3. HF5: to read: *Provide a maintenance agreement in the HOA bylaws to monitor and maintain the 'fire hazard buffer' beyond the Northerly emergency access road on an annual basis, or as vegetation conditions require.*

Mitigation measure HAZ-7 incorporated a requirement that either the existing tract map design measure or a fire mitigation plan be implemented, but in either case it must be protective of the future structures and occupancy and it must be approved by the City. The incorporation of the 100-foot buffer that meets the City's design requirements must be incorporated into the fire mitigation plan based on these two City conditions of approval. Thus, adequate wildland fire protection is assured as indicated in the Initial Study.

- 7-17 The referenced three wells were identified in a July 2005 LOR Geotechnical investigation (Appendix 5) conducted on the entire Arnott property of approximately 240 acres. The Mediterra plan covers approximately 120 acres of the total 240 acres of the Arnott property. Two of the referenced wells (wells 1 and 2 shown on Attachment 2 of these responses) are located at least 1,600 feet east of the easterly limits of the Mediterra plan site. Well 3 is located north of the existing residence within Planning Area 5 of the project and has been identified on the TTM. There are no plans to develop the area where well 3 is located. Although that area is already developed it is included in the Mediterra plan to ensure compatibility with the surroundings. Yet, if the area of the well location were to be developed in the future then it must be abandoned according to the current regulatory requirements.

The existence of the wells does not pose an overt significant impact to the site. The closure is to eliminate a potential uncontrolled access to the groundwater aquifer beneath the project site. Based on the findings of the several Phase 1 Environmental Site Assessments, the potential for encountering abandoned wells on the project site is small, but not impossible. Mitigation measure HAZ 3 will ensure that prior to completing site grading any such wells will be closed properly and capped. It is not necessary to locate and close such abandoned wells prior to grading since they will become apparent after the site is cleared and the site grading is implemented. This is a contingency measure, similar to those in the Cultural Resources section where exposure of subsurface resources (which cannot be known prior to initiating site ground disturbance)

is addressed by monitoring and then implementing appropriate management measures. Well closure in accordance with current regulations is the appropriate management measure if any abandoned wells are found. This is appropriate contingency mitigation for an impact that cannot be fully characterized prior to development.

- 7-18 A CEQA Initial Study does not evaluate an existing activity; it focuses solely on a forecast of the changes in the environment that will result from a proposed project. The proposed project in this case is the replacement of the existing mix of agricultural activity and open space that exists within the project area of potential impact. Like all agricultural activities the application of pesticides and herbicides must be conducted in a manner that will not cause harm to those applying the material or those on adjacent properties. The several data sources used to assess historic pesticide use within the project area of potential impact indicate that there are some locations with historic concentrations greater than compatible with residential use. This is not unusual when agriculture has been practiced on a site for many years. However, the existing concentrations of DDT do not pose a significant hazard for the existing uses nor to adjacent properties. Mitigation measure HAZ 5 identifies specific measures that will reduce the concentration of DDT within the onsite soils to acceptable levels prior to implementing mass grading. This constitutes full mitigation for this issue and eliminates any potential for adverse impacts to future residents. Relative to future use of pesticides on the NAP parcel, as long as they are registered and implemented in accordance with label requirements, there should be no significant hazard to adjacent properties.
- 7-19 This is a specious issue as septic tanks do not pose a hazard to humans. It is likely that the existing leach lines (field) on the NAP property are 3 to 5 feet below the existing grade and assuming the site was developed with proper setbacks from the property line, the existing septic tank should not adversely impact lots 56 through 58. However, as detailed in the Initial Study, the project will be served by a wastewater collection system and once a sewer connection to the NAP property is available, the NAP property will have the opportunity to abandon the septic tank and connect to the wastewater collection system. If not, lots 56 through 58 can be reengineered to be raised to a point that the leach field will not be adversely impacted by the proposed project. In any event, the presence of a septic tank does not pose any significant impact on the adjacent lots.
- 7-20 The reason that the ongoing well use was not given further consideration is that there was no mechanism for adverse impact to a well. Substantial percolation does not occur in the immediate vicinity of the identified well because there are no stream flows crossing the property nor any percolation basins. In essence, the current topography on and around the NAP parcel dictates a drainage pattern away from the NAP parcel. Therefore, the identified well is intercepting the regional groundwater table and the proposed project has no potential to adversely impact this aquifer.

The Mediterra site design captures discharge from common storm events from the development and directs it to the Water Quality Management Plan Basin immediately to the south side of Greenspot Road. The basin is designed to retain the whole volume of stormwater discharge from a 2-year storm event with full infiltration within 48 hours. The WQMP Basin will recharge stormwater into the regional aquifer in a positive manner compared to the existing situation.

Based on these facts and conclusions, the proposed project will not adversely impact the NAP existing well. In addition, the project will bring potable water to the NAP parcel from East Valley Water District and the NAP parcel owner will have the opportunity to connect to this system.

- 7-21 This is a manufactured issue. The higher density residential (Planned Development) is still residential and it is not juxtaposed to any non-residential development. The Ag/Eq Residential and Low Density Residential uses are both designated as residential land use districts in the City of Highland General Plan and Municipal Code. The key issue is that the activity patterns for each residential uses is comparable. First, adult residents typically leave home for work in the morning and return in the evening. Second, any children typically leave for school or day care in the morning and return in the afternoon. Sources of noise within residential area range from roadway traffic to child play activity, to residential living activities. Thus, the allowed uses in both districts are very comparable and compatible, including equestrian activities which would be supported by access to trails and open space to the north of the developed area. There are numerous locations in the City where Ag/EQ and Low Density Residential uses are contiguous (Baseline and Weaver and Browning Road north of Baseline) and there has been minimal conflicts between these uses. Thus, the Initial Study concluded that there would not be any conflicts between these uses.
- 7-22 The City is aware that the project site could be developed with Ag/Eq uses at a maximum density of 2 units per acre. The developer has requested a General Plan Amendment to allow Planned Development, but the total number of residences would not exceed that allowed under the existing land use designation. The benefit to the community of allowing higher density residential development under the Planned Development land use designation is that a density transfer can occur which allows the northern 53% of the site to be preserved in perpetuity and allows the incorporation of recreational elements, paseos and other desirable community designs and features. As indicated in response to comment 7-21, there is minimal potential for conflict between the two types of residential uses (Ag/Eq and residential development at varying density). The Mediterra plan includes a range of densities spanning between a maximum of 12 units per acre to 2-acre lots. The intent of the Mediterra Specific Plan is to provide a diversity of housing density as promoted in the General Plan. Additionally, the existing subdivision immediately to the west of the Mediterra site is Low Density Residential and no incidents of conflicts have been reported.
- 7-23 As indicated in the two preceding responses, there is no basis for assuming land use conflicts or incompatibilities between different densities of residential uses. This conclusion is based on existing comparable examples in the City and the common pattern of land use activities exhibited by residential uses. While the proposed Mediterra plan is not consistent with Ag/Eq residential use, there is no basis for concluding that it is incompatible with Ag/Eq use and includes this use as part of the Mediterra community. The NAP parcel has been used as a residential property for many decades. The last evidence of agricultural use on the NAP parcel is in 1953, and aerial photographs show that no agricultural or equestrian uses have existed on that property since at least 1959.

One objective of the Mediterra plan is to avoid disturbance of the hillside portion of the property and to limit the development to the alluvial portion of the property. This approach is considered more environmentally friendly while the maximum allowed number of units under the existing land use designation will not be exceeded.

The Mediterra Planned Development Plan shows the specific densities to each Planning Area in order to identify the Residential District that each Planning Area falls under (e.g. Ag/Eq, Low Density, Medium Density, Open Space, etc...). The Mediterra overall density is also shown in order to compare to that allowed under the Ag/Eq residential district. The overall density of the Mediterra plan is approximately 1.76 units per acre, well under the maximum density of two units per gross acre allowed by the General Plan and Municipal Code for Ag/Eq Residential District.

The open space area of the Mediterra plan is comparable in grade and topography to that of the East Highlands Ranch Master Planned Community. With the concurrence of the City of Highland planning staff, the property owner elected from the initial stages of the project planning process to avoid the development of the hillside portion of the property and limit the development to the alluvial portions of the property. The presence of roads and easements on vacant properties is common and does not preclude the property from development. The General Plan does not identify any portion of the Mediterra property as "Restricted lands or lands unsuitable for development" and designates the entire property as Ag/Eq residential use with a maximum density of two units per acre.

- 7-24 The General Plan requires "Compatibility," not "Consistency," with adjacent existing and planned land uses. Implementing Consistency between adjacent uses would conceptually lead to a single land use in the entire City. The General Plan is clear in its goals and objectives to provide different land uses as well as diversity in residential neighborhoods. That diversity could not be achieved if adjacent properties have to be exactly the same, i.e., consistent, in their uses. If Consistency were required then the existing development immediately to the west of Mediterra would not be consistent with the current use on the Mediterra plan area or the NAP parcel. The Mediterra plan provides land uses that are compatible with the Ag/Eq residential use on the NAP parcel as well as with the existing subdivision to the west of the plan area. The Mediterra plan does not seek to provide land uses that are "Consistent" with the adjacent land uses, only compatible.
- 7-25 The allowed land uses within the Ag/Eq Residential and Low Density Residential districts as defined by the General Plan and Municipal Code. The land use on the NAP parcel has been residential since at least 1959 and future land uses are governed by the assigned land use district, Ag/EQ. The Mediterra plan will provide additional landscaping along the side of the lots which are contiguous to the NAP parcel for the purpose of buffer. Otherwise a buffer is not needed as the uses onsite and adjacent to the site will be comparable.
- 7-26 The NAP parcel converted partially from agriculture to residential use prior to 1930 when the main residence was constructed. The conversion to a residence only appears to have occurred in or prior to 1959 when all agricultural activities ceased based on a review of aerial photos. The transition to sole residential use occurred well before the incorporation of the City of Highland. The Mediterra plan includes all of the remaining properties, from the contiguous development to the west to the easterly edge of Mediterra, and designates the land uses for all portions of the plan area. The Mediterra plan implements the City GP Policy 5.2-1 which states: "Ensure the farmland converted to other uses are consistent with the East Highlands Ranch Planned Development". In summary, the land uses immediately around the NAP will change to residential; the activity patterns of both uses are comparable; the potential for significant land use conflict does not exist; and the NAP parcel will be provided with connection stubs to EVWD for water and wastewater. The NAP is not an isolated Ag/Eq development, it is an existing residence that will be surrounded by a new community of residences.
- 7-27 As previously described, the project has created effective boundaries with surrounding uses: open space to the north; residential uses adjacent to the subdivision to the west; Greenspot Road to the south; and a transition agricultural area to the east. Although the preceding comments have focused on the General Plan land use designation, Ag/Eq, these comments verify that the site has functioned solely as a single-family residence for the past 50+ years. The Mediterra community provides Low Density planning area contiguous to the NAP parcel. In essence the NAP single-family residence will be

surrounded with other single-family residences. Due to absence of conventional agricultural land use on the NAP, the City concludes that the surrounding uses will be compatible with this existing use and no buffer or land use transition is required. The referenced buffers in the Harmony project are designed to create a transition to large parcels with remaining active agricultural operations.

- 7-28 Please refer to the preceding response which addresses the need for edge treatment associated with the NAP parcel.
- 7-29 The Mediterra project has been designed to preserve functional visual reminders of the community's agricultural past by including over 13 acres of operational Ag/EQ parcels as an integral component of the Mediterra plan (PA 5 - estate lots). The Ag/Eq lots are preserved on existing benches that sit at a higher elevation than the remainder of the project site and these lots will be visible from Greenspot Road. This is a unique feature to the City of Highland due to the character and relative visibility of the Mediterra Ag/Eq estate lots. The City of Highland has chosen not to acquire commercial agricultural property and this leaves the decision on how to meet the objective of visually reminding the public of its agricultural past to the project's planning and design. Mediterra incorporated the design discussed above to achieve this objective.
- 7-30 This comment raises the same issues as comment 7-12. Please refer to the responses in this section. As previously noted, the quoted section is from Goal 5.7: "Maintain, protect and preserve biologically significant habitats, including riparian areas, woodlands and other areas of natural significance..." This Goal is not intended for industrial citrus crops which constitute an economic commodity to the property owner. Also, with the exception of the area in the foothills to the north of the proposed development, there are no biological significant habitats on the project site.
- 7-31 The referenced noise barriers related to temporary construction activities are the first to be implemented in the City of Highland out of sensitivity to neighboring properties. Based on personal visits and review of historic aerial photographs, there are no ongoing agricultural uses on the NAP, nor has such use existed since at least 1959. Ag/Eq residential use is identified in the General Plan and Municipal Code as a residential district. The noise at the project site is dominated by traffic on Greenspot Road and will continue to be dominated by this noise source well into the future. In fact, future noise from the roadway will be attenuated at the NAP parcel in the future due to sound walls and the intervening residential structures. If necessary, a 6-foot barrier can be installed between the NAP parcel and adjacent Mediterra lots to attenuate exterior noise activities.
- 7-32 The Mediterra plan includes sufficient park and recreational areas to exceed the City of Highland requirements. The Neighborhood Park alone accounts for 2.16 acres in total. The private recreation center is anticipated to be approximately 15,000 square feet in area, or 0.34 acre. That leaves 1.82 acres for Public Park area. The whole area of Public Park counts as credit towards the City park requirements. Also, the City policy allows half credit for private recreation centers, thereby 0.17 acre of credit is given against the City park requirements. Furthermore, the Mediterra plan provides a linear park along Avenida Ramblas which contains widened sidewalks and landscaping, along with exercise stations for use by the general public. The area of the Linear Park is approximately 1.0 acre which qualifies as credit towards the City Park requirements. Additionally, the plan incorporates approximately 1.24 acres for public access for use as a multi-use trail. This recreational element will be called the North Fork Trail. The plan also sets aside a mini park of approximately 0.5 acre along the North Fork Trail, which will be accessible by the general public and qualifies as credit towards the City park

requirements. The passive open space set aside by the Mediterra plan is approximately 95 acres in area along the foothills in the northern portion of the site. The trail that traverses the open space will be preserved for access by the general public. The Mediterra plan also provides unique landscape and open space areas in the form of parkways, medians and roundabouts; although these features do not qualify as park elements, they do enhance the project's walkability and attractiveness as part of the outdoor environment. The cumulative package provided by the Mediterra plan exceeds the park requirements of the City of Highland.

- 7-33 Ag/Eq residential use has traffic generation factors that are comparable to Low Density Residential on a per unit basis. The anticipated traffic volume from the NAP parcel, with a maximum potential of 3 residential units, is accounted for in the City of Highland Traffic projections. The Mediterra Traffic Study followed the City of Highland guidelines for the assessment of traffic impacts from Mediterra project while taking into account the ambient (existing background) and cumulative impacts including those from the Harmony project. Refer to discussion in response to comment 7-9. The traffic generation from the NAP parcel should be consistent with the City allowed uses for Ag/Eq residential. The allowed uses for Ag/Eq residential land use designation consist of the following:

From the City of Highland Municipal Code: 16.16.020 Residential development districts:

- A. *Agricultural Equestrian (A/EQ) District. The primary purpose of the Agricultural Equestrian District is to provide for and protect a rural atmosphere and lifestyle. This district is intended as an area for development of low density, large lot, single-family detached residential dwelling units at a maximum allowable density of two dwelling units (DUs) per gross acre.*

From the General Plan Land Use Element, Chapter 2, page 2-11: Agricultural Equestrian (AG/EQ):

Areas designated as Agricultural/Equestrian are appropriate for rural and equestrian-oriented residential development. The Agricultural/Equestrian land use category permits and protects the keeping of large animals, as well as the ability of landowners to carry on light agricultural activities.

While commercial Agriculture is permitted within Commercial Districts (Table 16.20.030.A, Highland Municipal Code, only "light agricultural activities" are intended within Ag/Eq Residential.

Based on the above, commercial agricultural activities on the NAP cannot be conducted without a zone change and general plan amendment. This hypothetical activity creates a strawman for a future that is not required to be analyzed in a CEQA environmental document. CEQA requires an evaluation of the existing environment for potential impacts not some unrealistic hypothetical use. In fact, if such a use were proposed on the NAP property, it would require a separate environmental review and entitlements. The type of equipment on an Ag/Eq site would be limited to horse trailers, trailers to haul small quantities of equipment or product, and perhaps a small tractor. All of these pieces of equipment will benefit from access on paved roads of adequate width for these types of equipment. Further, a primary access from the development onto Greenspot Road that meets the most current design and safety standards will be more protection of slow or cumbersome equipment than the current access onto this roadway.

7-34 According to Mr. Arnott, the Mediterra plan site does not contain bee hives in support of current operations. Therefore, the proposed project has no potential to adversely impact pollinators. The current property owner does not intend to allow the use of the property for bee keeping. Bee hives may be installed in other areas, but the proposed project will not adversely affect bee keeping activities within the area of the Mediterra plan.

ATTACHMENTS

ATTACHMENT 1

City to cease watering aging citrus grove

Loma Linda can't afford \$4,200 per month bill

By Ryan Hagen Staff Writer

LOMA LINDA — The decision to stop watering one of the last citrus groves in town symbolizes the end of an era, locals said last week.

But Tuesday night's decision was long expected and the only responsible choice the City Council could make, said Jim Shipp, the chairman of the city Historical Commission.

"There are very few groves left," Shipp said. "Mostly what remains is just to protect the value of the land or because someone has a strong interest.

It's not like the days of the Van Leuven and the Coles and the Curtises, the folks who made substantial fortunes starting in the late 1800s."

Anthony Van Leuven planted some of the Inland Empire's first oranges along Mission Road in what would become Loma Linda, and for a century those pioneers' orange trees — along with the hospital — defined the city.

But growers say citrus has become less profitable every year, and about 300 acres of citrus remain in the city.

One turning point came in 2010 when the company that had been maintaining the city's aging 60-acre grapefruit and orange grove in exchange for the right to sell the fruit bowed out, leading the city's Redevelopment Agency to pay \$4,200 a month to maintain the grove as it considered other options.

A final twist came when the state Legislature eliminated redevelopment agencies statewide, leaving the city no realistic funding source and a responsibility to sell what had technically become the property of California.

"Unfortunately, I think that those who buy it will probably be buying it to develop it," Councilman Ovi Popescu said

Wednesday. "I really am not concerned whether it produces oranges or not, I'm more concerned we have beautiful green trees."

Popescu, who was elected on a pledge to preserve groves and said he and many residents remain committed to that, joined the unanimous vote to stop watering the trees.

The vote did require maintaining two rows along Mission Road and behind Heritage Park and telling city staff members to look for a private or government agency to help out.

"I don't want to see the oranges die from lack of water," Popescu said. "I know the state is a huge proponent of

trying to save open space, open land.

"I've spoken to many residents who are sad to see the land gone."

City Manager Jarb Thaipejr said he's been looking for an outside solution and will continue to do so, but he isn't optimistic.

The state has no money to spare, and it will be hard to motivate people to preserve a property that will probably be sold to developers anyway, he said.

If no alternative is found after several months, most of the trees will likely be cut down by someone willing to do the task in exchange for the firewood, Thaipejr said.

City plans voted on earlier require that the 300-acre area of the city where the grove is located — south of Redlands Boulevard and west of California Street — include at least 60 acres of park or open space.

"Whoever's going to take over that (land), I think they're going to find themselves beholden to community desires to still have some orange groves as part of that open space," Popescu said.

The loss is sad but unavoidable, Councilman Stan Brauer said after Tuesday night's unanimous vote.

"All of us wish we had other choices, but we have to be fiscally responsible," Brauer said.

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ATTACHMENT 2





Department of Public Works

Gerry Newcombe Director

- Environmental & Construction • Flood Control
• Operations • Solid Waste Management
• Surveyor • Transportation

COPY

December 21, 2015

Ms. Megan Taggart, Senior Planner
City of Highland
Community Development Department
27215 Baseline
Highland, CA 92346

Dear Ms. Taggart,

This letter is in reference to a recent meeting in Flood Control District (District) offices with Camille Bahri and Bernie Mayer regarding the Mediterra Development project. We appreciate the details given and the time they have taken to address our comments. The question we were most interested in is how the project was going to address our access concerns over our existing access easement from Greenspot Road to the Forest Service (USFS) Road, named 1N16 (Road 1N16). This easement was acquired as a result of Seven Oaks Dam project.

The District has a 60-ft wide easement that connects from Greenspot Road and USFS Road 1N16. The easement was designed for heavy equipment to access the top of Seven Oaks Dam in an emergency from the USFS Road 1N16, which is otherwise termed Alder Creek Road. We discussed the alterations to the access road with them for equipment off-loading in the area.

Regarding the existing easement, there is a process the project proponent will have to pursue in order for the District to review and relinquish the easement. These surplus property procedures are in place in order to allow the District to determine if the subject property is surplus to its needs. We are sending to the project proponent a copy of the Surplus Property Guidelines and a current Fee Schedule.

Our discussion focused on the need for the development plans to address the access road for offloading equipment, for parking and appropriate width/space for large equipment to gain access from Greenspot Road and USFS Road 1N16. The District comment can be satisfied by this resolution of this issue. Again, we appreciate the project proponent for coming to meet with us and look forward to discussing this matter further during the final design phase of the plans.

Sincerely,

David W. Lovell (handwritten signature)

DAVID W. LOVELL, PWE III
Flood Control Planning Division

DL:dja

Attachments: 2015-16 Fee Schedule Summary-Flood Control
San Bernardino County Flood Control District Surplus Procedure 2015-2016

cc: Camille G. Bahri

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