

3.0 RESPONSES TO COMMENTS ON THE UPLAND CROSSING SPECIFIC PLAN PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

The comments regarding the Upland Crossing Specific Plan Project Draft EIR (State Clearinghouse No. 2005101030) and the responses to comments are included in this section. The primary objective and purpose of the EIR public review process is to obtain comments on the adequacy of the analysis of environmental impacts, the mitigation measures presented, and other analyses contained in the report. The California Environmental Quality Act (CEQA) requires that the City of Upland respond to all significant environmental issues raised (*CEQA Guidelines*, §15088). Comments that do not directly relate to the analysis in this document (i.e., are outside the scope of this document) are not given specific responses; however, all comments are included in this section so that the decision-makers may know the opinions of the commenters.

In the process of responding to the comments, there were minor revisions to the Draft EIR that are provided in Section 4.0 as an *Addendum to the Draft EIR*. Because there are no substantial changes to the Draft EIR and there is no significant new information (*CEQA Guidelines*, §15088.5 [a]), recirculation of the Draft EIR is not required.

Eleven comment letters have been received. Aside from the courtesy statements, introductions, and closings, pertinent comments within the body of all letters have been identified in the right margin of each letter with brackets and alphanumeric identifiers. Responses to the comments are on the page(s) following each letter.

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Letter A (2 pages)

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A. SOBOBA BAND OF LUISEÑO INDIANS

May 22, 2006

Harold Arres, Cultural Resource Manager

AI Request for additional action. *The commenter requires further consultation, copies of studies, and monitoring of activities.*

Further consultation with the commenter by the City of Upland will be accomplished as required. Copies of studies are included within the Draft EIR compact disk that the commenter received. For the commenter's convenience, the cultural resources, archeological survey report, and historic resources compliance report, are listed here:

- *A Phase I Cultural Resources Investigation for the Upland Crossing Project Area, Foothill Blvd. and Monte Vista Avenue, City of Upland, San Bernardino County, California* (McKenna, et al.), contained in Appendix F of the Upland Crossing Initial Study (Appendix 1);
- *Archaeological Survey Report, The Upland Crossing Project Area, Foothill Blvd. and Monte Vista Avenue, City of Upland, San Bernardino County* (McKenna, et al.), located in Appendix 3; and
- *Historic Resources Compliance Report, The Upland Crossing Project Area, Foothill Blvd. and Monte Vista Avenue, City of Upland, San Bernardino County, California* (McKenna, et al.), which is in Appendix 4.

If the commenter requires another copy of the above studies, the City of Upland should be contacted for them.

Cultural monitoring activities are generally not required for an infill project such as the proposed Project; however, as stated in Section 4.5, *Cultural Resources*, in the event a cultural resource is uncovered during the course of grading or construction of the Project, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by a qualified archaeologist (as determined by the City of Upland). Adherence to the proposed mitigation measure (CUL-1) would reduce potential impacts to archaeological resources to a level of less than significant by ensuring that, if found, the nature and extent of the archaeological resources can be evaluated by a qualified archaeologist, recorded, and/or removed.

Letter B (one page)

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B. CUPA CULTURAL CENTER, PALA BAND OF MISSION INDIANS

June 1, 2006

Shasta C. Gaughen, MA, ABD, Assistant Director

B1 **Thanks for consultation.** *The commenter sends appreciation for the consultation and requests a continuation of consultation in the future.*

The comment is noted.

Letter C (two pages)

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C. MORONGO BAND OF MISSION INDIANS

June 7, 2006

Britt W. Wilson, Project Manager/Cultural Resources Coordinator

C1 Request for mitigation measures. *The commenter requests that the City of Upland impose mitigation measures for the discovery of human remains or cultural resources.*

The California Health and Safety Code states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition.¹ If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. This is required by law as stated in the EIR, and an additional mitigation measure would not be required.

As required by mitigation measures contained in Section 4.5, *Cultural Resources*, In the event a cultural resource is uncovered during the course of grading or construction of the Project, ground-disturbing activities in the vicinity of the find shall be redirected until the nature and extent of the find can be evaluated by a qualified archaeologist. Adherence to this proposed mitigation measure (CUL-1) would reduce potential impacts to archaeological resources to a level of less than significant by ensuring that, if found, the nature and extent of the archaeological resources can be evaluated by a qualified archaeologist, recorded, and/or removed.

¹ California Health and Safety Code, Division 7, *Dead Bodies*; Chapter 2, *General Provisions*, §7050.5.

Letter D (three pages)

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D. CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION, DISTRICT 8

June 14, 2006

Daniel Kopulsky, Office Chief, Special Studies, IGR/CEQA Review

D1. Traffic Impact Analysis. *The commenter states that the Traffic Impact Analysis was not included in the submittal of the Draft EIR for review.*

The entire *Draft Traffic Impact Analysis, Upland Crossing, San Bernardino County, California*, prepared by LSA Associates, Inc., dated April 25, 2006, was included on the compact disk that was sent to the Department of Transportation, District 8. To avoid substantial printing costs, all seven complete appendices were available on the compact disk, as well as the Draft EIR. The seven appendices include the following:

- Appendix 1: Initial Study; Appendices A (Notice of Preparation) through J; Notice of Preparation Response Letters
- Appendix 2: *Air Quality Analysis*
- Appendix 3: *Archaeological Survey Report*
- Appendix 4: *Historic Resources Compliance Report*
- Appendix 5: *Expansive Soil Evaluation*
- Appendix 6: *Noise Impact Analysis*
- Appendix 7: *Traffic Impact Analysis*

D2. Access to State Highway. *The commenter states that new access should be provided to an adjoining local street, rather than the State Highway.*

The proposed Project with Residential Overlay does not create any new access point to the State Highway (Foothill Boulevard). The intersection of at Dewey and Foothill Boulevard is an existing intersection and not a new access; therefore, this comment does not apply to the Project with Residential Overlay. The proposed Project with the commercial component in Planning Area 1, however, does have Project access (Access B) to Foothill Boulevard.

Several mitigation measures were provided to address Year 2006 plus Project intersection level of service impacts at the intersection of Access B/Foothill Boulevard, including Mitigation Measure TRANS-3, which involved submitting plans for review, receiving approval for those plans, and constructing a right in/out only access controlled driveway at the Access B/Foothill Boulevard intersection. Year 2025 impacts would be mitigated with installation of a traffic signal at the Access B/Foothill Boulevard intersection that would result in improvement from LOS E in p.m. peak hour to LOS B in p.m. peak hour.

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D3 Long-range forecast year. *The commenter recommends that the forecast year be 2030 rather than 2025.*

The Project site is one-half mile from the approved College Park project at Monte Vista Avenue/Arrow Route, for which the *College Park Traffic Impact Analysis* was prepared.¹ In consultation with SANBAG staff, it was determined that the existing and future traffic volumes reported in that study should be used in the present analysis for consistency and to avoid duplication of effort. SANBAG staff also stated that the SCAG-CTP model overestimates 2025 trips; therefore, the 2025 model could be referred to as the 2030 model. Hence, SANBAG staff directed the use of 2025 projections for 2030 projections.

D4 Analysis consistent with CMP requirements. *The commenter suggests that the updated 2005 Preparation of SANBAG and Caltrans TIA Reports be used for the traffic analysis.*

Updated references are always preferable in the rapidly changing world of environmental analysis; however, the updated 2005 report was not available at the time this analysis was started. The *Traffic Impact Analysis* is intended to satisfy the requirements established by the San Bernardino County Congestion Management Program (CMP), adopted November 3, 1993, and revised December 2003, as well as the requirements for the disclosure of potential impacts and implementation of mitigation measures per the California Environmental Quality Act (CEQA). In addition, because the proposed Project does not generate more than 250 peak hour trips, the proposed Project does not meet the requirements for a SANBAG TIA. The Project proponent went beyond what was necessary for this Project by completing a TIA.

D5 Drainage impacts. *The commenter states that the existing capacity of affected State drainage systems cannot be exceeded and mentions the requirement for compliance with NPDES standards.*

As stated in the EIR (Section 4.8, *Hydrology and Water Quality*), the project must comply with NPDES standards. The proposed Project furthermore cannot exceed State drainage systems capacity. Preliminary drainage plans include the westerly 17 acres of the Project site draining to the San Antonio Creek Channel, which currently bisects the property. Flows from the east side of the Project site are projected to be captured by the Upland Basin, which is located at Arrow Route and Monte Vista Avenue. The Upland Basin would have adequate capacity to capture and hold runoff coming from the easterly half of the Project.

D6 Encroachment permits. *The commenter illustrates the encroachment permit process.*

The comment is noted.

¹ *College Park Traffic Impact Analysis*, prepared by Linscott, Law & Greenspan Engineers, December 17, 2003.

Letter E (three pages)

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E. CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS

June 19, 2006

Ron Bolyard, Airport Environmental Specialist

E1 California Airport Land Use Planning Handbook. The commenter declares that the California Airport Land Use Planning Handbook¹ should be used as guidance for development within an Airport Land Use Compatibility Plan and that the Handbook generally recommends limits on residential uses within certain safety zones that encompass the Project site.

The City consulted the State of California Department of Transportation's 2002 California Airport Land Use Planning Handbook in considering the land use compatibility for this Project. The Handbook is a guidance document and it expressly stresses that its recommendations are not binding: "However, despite the statutory references to it, the Handbook does not constitute formal state policy or regulation." Handbook, p. S-1 (emphasis in original). Moreover, Public Resources Code Section 21096 and its legislative history are clear that the Handbook is simply guidance and not state policy that should be used as a reference along with other documents.

According to the Handbook, there are suggested safety land use compatibility zones for a "Short General Aviation Runway" of 4,000 feet length or less, and a "Medium General Aviation Runway" of from 4,000 to 5,999 feet long. The Medium has slightly larger safety compatibility zones. The Cable Airport has a 3,864-foot-long runway, oriented northeast (R-6) – southwest (R-24). Thus, Cable Airport has a Short General Aviation Runway, however, the City conservatively considered the safety zones under both Short and Medium General Aviation Runway standards.

Both classes of runway, and associated safety compatibility zones were plotted (See Figure 4.7.1) the Project site. The Zone 3 (Inner Turning) area overlies a portion of the Project site under both scenarios. The Handbook recommends limited residential development in Zone 3 but does not prohibit such use. Handbook, p. 9-44. Moreover, as to density of uses, the Handbook offers countervailing issues agencies should consider in assessing density decisions. Handbook, p. 9-52. These factors are weighed, as discussed below, in the land use planning process.

In general, the Handbook allows local flexibility in applying the guidance contained therein. For example, as regards application of the illustrative safety compatibility example diagrams, the Handbook states, on pages 9-35 through 9-37, the following:

- While the material presented here is intended to represent Department of Transportation guidance, it is not the intent or expectation that the methodologies or examples constitute the only acceptable approaches to the issue of airport land use compatibility. In development of policies for a specific airport, careful attention must be made to the characteristics of that airport's design and use. Characteristics of the airport environs are

¹ State of California, Department of Transportation [Caltrans], Division of Aeronautics, *California Airport Land Use Planning Handbook*, January 2002, prepared by Shutt Moen Associates in association with Brown-Buntin Associates and Gatzke, Dillon & Ballance.

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potentially factors as well. The safety zones and/or compatibility criteria appropriate at one airport may be inappropriate at a different airport. The process is no different from that necessary in calculation of noise contours and establishment of noise compatibility policies. Handbook, p. 9-35.

- Development of safety compatibility zones must be done in unison with the definition of criteria applicable within those zones. For both of these components, the particular physical and operational characteristics of the individual airport must be considered. The guidance presented in this chapter serves as a starting point for this process. Handbook, p. 9-36.
- When applying these basic safety zones to a particular airport, it is important to recognize that not every runway will fit neatly into one of the categories shown. In many cases, a combination of shapes and sizes from different diagrams may be appropriate. Also, it may be appropriate to establish different safety zone geometry at opposite ends of a runway. Handbook, p. 9-37.

The zones depicted in the Handbook are illustrative examples to be used as a departure point for local authorities to further define applicable safety compatibility zones, and land use recommendations, for the uniqueness of both the operation of the local airport and the existing and planned community development surrounding the airport. Handbook, p. 9-35 to 9-37. The Handbook, on page 9-41, states that when applying safety zones to specific airports that local factors need to be considered including:

Factors such as nearby airports, high terrain, or noise sensitive land uses may affect the size of the airport traffic pattern or otherwise dictate where and at what altitude aircraft fly when using the airport. These procedures may need to be taken into account in the design of safety compatibility zones.

The City consulted local airport guidance and found that the Cable Airport has already established "voluntary" departure and arrival routings in the interest of airplane overflight noise abatement. These operations are published in several pilot guide books, including AirGuide Publications, Inc., which updated the Cable Airport guide in 2004, as well as on the Cable Airport VFR Noise Abatement Arrival and Departure Runway 24 provided on the Cable Airport's website (<http://www.cableairport.com/images/vfr24.gif>). These are "voluntary" in that the airport does not have authority to "direct" pilot operation of his/her own aircraft, because such direction is federally preempted. In point of fact, nearly all pilots will voluntarily fly the airport's requested departure and arrival routings. It is a common practice that all airports request pilots voluntarily fly suggested departure and arrival routes.

The Cable Airport guidance requests pilots departing Runway 24 to the west to turn left approximately 45 degrees to track outbound west of the San Antonio Wash and east of Claremont Boulevard. Following this route, airplanes should not routinely overfly the project site, regardless of either of the two safety compatibility zone categories. Since the visual overhead traffic pattern is "standard" (i.e., left hand turns from the respective downwinds to land either runway direction), pilots landing on Runway 24 will be making their left turn from downwind to base leg and then base leg to final leg north of the project site, and therefore should not normally overfly the project site. The Cable Airport guide also requests pilots arriving use the opposite side of the runway and as such will not fly

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over the Project site. Thus, the issue related to Zone 3, aircraft turning from the base to final approach legs of the standard traffic pattern, will not actually occur over the project site.

Lastly, it is important to note that the Handbook stresses that safety, unlike noise which inevitably occurs with every flight, is impossible to predict because it is not possible to know when or where an airplane incident will occur and there is very little data on the topic. Handbook, p. 9-1 and 9-18. Because of this uncertainty, federal and state regulations focus on reducing risks by controlling structures that cause flight hazards (i.e., height of buildings and electrical frequencies) but the regulations are "particularly lacking in guidance regarding protection of people and property on the ground in the event of aircraft accidents." Handbook, p. 9-8. Local agency's balance the unknowable risk with the need to develop near airports and because of the flight patterns surrounding Cable Airport, the City concludes that there is not a significant safety risk in the development of the Project site. Handbook, p. 9-2.

In addition, a study was commissioned for the Project site, Aviation Safety Implications Study of Potential Land Uses, Specific Parcels Southwest of Cable Airport,¹ and it assessed the Project under the Cable Airport Comprehensive Airport Land Use Plan (CACALUP). Under the CACALUP, the Project site is located in Safety Zone 2 and residential uses are allowed under Zone 2. Thus, the Project is consistent with the safety zones set forth in the adopted CACALUP.

Based on the CACALUP and the study of the Handbook and local practice, the City concludes that as to safety residential use is acceptable in this location and that does not constitute a substantial adverse environmental effect of the project, no mitigation is needed, and does not constitute significant new information.

E2 *Cable Airport Comprehensive Airport Land Use Plan. The commenter writes that there are several requirements in the Cable Airport Comprehensive Airport Land Use Plan that apply to the Project site.*

It is agreed that there are several requirements for development on the Project site that are discussed within the *Cable Airport Comprehensive Airport Land Use Plan*. The discussion concerning impacts from Cable Airport is located in Section 4.7, *Hazards and Hazardous Materials*, of the EIR. The proposed Project site is located within Safety Area 2, which is an area of moderate crash hazard. The *Cable Airport Comprehensive Airport Land Use Plan* establishes the following land use restrictions within Safety Area 2:

No structure should be constructed or object permitted within Safety Area 2 that would penetrate the airport imaginary surfaces as defined in Federal Aviation Regulations Part 77. Because of the proximity to aircraft operations, structures in

¹ Prepared by Heliplanners on July 11, 2005.

⁵ West Valley Planning Agency Airport Land Use Commission, *Cable Airport Comprehensive Airport Land Use Plan*, adopted December 9, 1991. The Cable Airport Noise Impact Zones can be found in Figure 6.

Deleted: E1 California Airport Land Use Planning Handbook. The commenter declares that the California Airport Land Use Planning Handbook² is available at <http://www.dot.ca.gov/hq/planning/aeronaut/>.

¶ The comment is noted. The *California Airport Land Use Planning Handbook* is often consulted when there is no Airport Land Use Plan for a particular airport. To analyze Cable Airport land use impacts for this Project, the *Cable Airport Comprehensive Airport Land Use Plan*³ was utilized. In addition, a study was commissioned for the Project site: *Aviation Safety Implications Study of Potential Land Uses, Specific Parcels Southwest of Cable Airport*.⁴ The conclusion of this report was that there was no land use impact associated with development of the proposed Project.¶

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this area should not reflect glare, emit electronic interference, or produce smoke so as to endanger aircraft operations.

Federal Aviation Regulation, Part 77 establishes a series of imaginary surfaces in the airspace surrounding a runway or helicopter landing area. No object should penetrate into any of these surfaces to ensure an obstruction free airspace for pilots using the airport. The proposed Project site does not penetrate any of these surfaces, but it does underlie parts of the Horizontal Surface (150 feet above the airport elevation) and the Transitional Surface (135 feet to 275 feet above the ground where it meets the Horizontal Surface).

Although the City of Upland's zoning requirements restrict structure height to 40 feet, the Upland Crossing Specific Plan Project proposes a maximum structure height of 45 feet. With a maximum structure height of 45 feet, structures constructed as part of the proposed Project would not enter the Horizontal Surface or Transitional Surface areas. In addition, the proposed Project does not include any uses that would produce smoke, emit electronic interference, or reflect glare.

As development of the proposed Project site is required to comply with the requirements of Federal Aviation Regulation, Part 77 and the *Cable Airport Comprehensive Airport Land Use Plan*, obstruction impacts from or to the Cable Airport are considered to be less than significant.

E3 Noise impacts from Cable Airport. *The commenter declares that residential uses are unacceptable in this area unless it can be conclusively shown that such uses are sufficiently sound attenuated to limit interior noise to 45 dB CNEL.*

Residential uses within the Upland Crossing Specific Plan Project are sufficiently sound attenuated to limit interior noise to 45 dB CNEL. As stated in Section 4.11, *Noise*, of the EIR, occasional noise-producing flights occur over the proposed Project site. These single-event noise exposure levels from aircraft takeoff or landing operations would be reduced somewhat by standard building construction for residential exterior walls, doors, and windows. The exterior-to-interior noise reduction would be at least 12 dBA with windows open and more than 24 dBA with windows closed.

Based on a review of the airport noise contour map for the Cable Airport in the *Cable Airport Comprehensive Airport Land Use Plan*,⁵ the project site is within the 60 dBA CNEL contour but outside of the 65 dBA CNEL contour. As stated in the noise impact analysis prepared for this project, combinations of exterior walls, doors, and windows, all standard construction for southern California buildings, would provide more than 24 dBA in exterior-to-interior noise reduction with windows closed and 12 dBA or more with windows open.¹ Therefore, with windows and doors closed, interior noise levels in these buildings would be below the 45 dBA CNEL standard. With windows or doors open, however, interior noise levels would potentially exceed the 45 dBA CNEL standard.

To ensure that people residing within the Project site can close their windows and doors for prolonged periods of time to reduce noise levels from Cable Airport takeoffs and landings, a proposed mitigation measure was suggested in the EIR in addition to the implementation of applicable regulations and ordinances. The proposed mitigation measure (NOISE-1) states that air conditioning

¹ U.S. Environmental Protection Agency, *Protective Noise Levels: Condensed Version of EPA Levels*, EPA 550/9-79-100, November 1978.

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systems shall be required for all residential units to ensure that windows and doors can remain closed for prolonged periods of time. Adherence to the proposed mitigation measure, NOISE-1, would reduce potential noise impacts from Cable Airport to a level that is less than significant.

E4 Structural hazards near airports. *The commenter writes that structural hazards are prohibited near airports and that before construction, a Notice of Proposed Construction or Alteration may be required.*

Structural hazards would not be erected as part of the Upland Crossing Specific Plan Project. Please see the response to Comment No. E2.

Federal Aviation Regulations, Part 77, Section 13¹ indicates what kind of construction or alteration would require a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Some of the kinds of construction are the following:

- More than 200 feet in height above the ground level at its site;
- Greater height than imaginary surface extending outward and upward;
- Located in an instrument approach area; and/or
- Construction or alteration on certain airports and heliports.

None of these circumstances apply to the proposed Project; therefore, a notice would probably not be required.

E5 Buyer notification for lands around airports. *The commenter states that there are buyer notification requirements for lands around airports and gives the source of these requirements.*

Buyer notification requirements for lands around airports are generally not addressed in an EIR; however, the seller would be required to make sure potential buyers are aware of the close proximity to Cable Airport.

E6 Coordination with Cable Airport staff. *The commenter suggests that coordination should occur with staff of the Cable Airport.*

The president of the Cable Airport attended the Scoping Meeting for the Upland Crossing Specific Plan EIR on October 19, 2005, at 6:30 p.m. at the City Hall located at 460 North Euclid Avenue, Upland, California. Responses to this representative's comments concerning traffic and noise were incorporated into the EIR. In addition, two electronic copies of the Draft EIR and its seven appendices were delivered to the staff at the Cable Airport at the commencement of the 45-day public

¹ Title 14, *Aeronautics and Space*; Chapter I, *Federal Aviation Administration, Department of Transportation*; Subchapter E, *Airspace*; Part 77, *Objects Affecting Navigable Airspace*; Section 13, *Construction or Alteration Requiring Notice*.

comment period (May 9, 2006). The president also submitted comments to the Draft EIR, which are included in this document.

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Letter F (three pages)

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F. CITY OF CLAREMONT

June 23, 2006

Anthony Witt, Director of Community Development

F1 Provision of improvements by the City of Upland. *The commenter states that the City of Claremont would like the City of Upland to allocate a portion of the fair-share costs contributed by the applicant to the City of Claremont for the identified improvement or for the City of Upland to make improvements in the amount of the fair share costs at the impacted intersections.*

The City of Upland will work to improve regional intersections directly related to the Project, Monte Vista and Foothill and ensure that transitions to the intersection within Claremont satisfy the concerns of that City. The value of these improvements is anticipated to be well above the fair share contribution identified for intersections in the City of Claremont. No further mitigation is required.

F2 Development at the corner of Base Line and Monte Vista. *The commenter recommends including the Base Line Road Master Plan, Upland Traffic Study in the traffic analysis.*

The *Base Line Road Master Plan, Upland Traffic Study* is not yet available to the public, and therefore, was not included in the traffic analysis.

F3 Traffic mitigation measures. *The commenter declares that some traffic mitigation measures may be infeasible.*

The letter states that the proposed improvements at Foothill Blvd and Mills Avenue will be difficult to implement given the existing geometrics of the intersection. That may be, however, the Project traffic impacts at the intersection of Mills Avenue and Foothill Boulevard were determined to be less than significant with the proposed Project with Residential Overlay. The City of Upland understands the commenter's concerns, but the recommended improvements at this intersection for the proposed Project with its associated retail component would no longer be valid if the proposed Project with the Residential Overlay were chosen by the City of Upland.

F4 Claremont and Sixth Street. *The commenter writes that the levels of service at the Claremont and Sixth Street intersection suddenly drop from "A" to "E" with the 2006 Existing and 2006 Without Project scenarios.*

As indicated on Page 6 of the *Traffic Impact Analysis*,¹ Existing Conditions are defined as Year 2005 conditions. Traffic volumes for the Year 2006 Without Project conditions have been determined by the following two steps:

¹ *Traffic Impact Analysis, Upland Crossing, San Bernardino County, California*, prepared by LSA Associates, Inc., April 25, 2006. This study is included in the Draft EIR (Appendix 7).

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- Application of a growth factor to Year 2005 volumes; and
- Addition of trips from approved and pending projects.

The total approach volume (sum of all approaches) for 2005 was 1,305, which increased to 1,961 vehicles for the 2006 Without Project conditions. This is an increase of over 50 percent, and such an increase in traffic volume would justify the drop in levels of service.

F5 Trip distributions for Monte Vista. *The commenter indicates that the trip distributions allotted for Monte Vista during the a.m. and p.m. peak hours are too low.*

The City of Upland does not agree with the City of Claremont's concern about the low traffic volumes on the State Route 210/Monte Vista Avenue ramps during the a.m. and p.m. peak hours. The trip distribution of the proposed Project is based on the data contained in the *College Park Traffic Impact Analysis*,¹ which was completed for an approved project that is located just south of the current Project.

Within the *College Park Traffic Impact Analysis* are select zone model runs from the SCAG-CTP model. For the analysis contained within the *College Park Traffic Impact Analysis*, approximately 6.0 percent of trips were assigned to State Route 210. Based on discussions with City of Upland staff, 12 percent of the trips for the proposed Project with Residential Overlay have been assigned to Monte Vista Avenue, which is significantly higher than that predicted by the SCAG-CTP model.

The commenter's suggestion to use 35 percent is unreasonable. It would result in almost six times the trips analyzed in the *College Park Traffic Impact Analysis*, and almost three times the trips used in the *Traffic Impact Analysis* for the proposed Project with Residential Overlay.

F6 State Route 210 at Base Line Road. *The commenter says that the levels of service for the With Project and Without Project scenarios at State Route 210 freeway ramps at Base Line Road should both be identified as a below standard intersection.*

The City of Upland concurs with the commenter's contention that the ramps to State Route 210 at Base Line Road are shown to exceed level of service standards during a.m. and p.m. peak hours. The intersection has been identified as a below standard intersection for the Without Project conditions in the *Traffic Impact Analysis* (Appendix 7 of the Draft EIR) for the proposed Project.

Based on the Significant Impact Criteria set by the County of Los Angeles,² however, the Project impact at an intersection operating at level of service "E" or worse for the Without Project conditions is considered to be significant if the Project traffic increases the Intersection capability utilization (ICU) by more than 0.010. At the intersection of Baseline Road and State Route 210 ramp, the Project increases the ICU by 0.006 and 0.004 in the a.m. and p.m. peak hours, respectively, for the Year 2006 conditions. With Year 2025 conditions, the Project related increase in ICU was calculated at 0.005 in

¹ *College Park Traffic Impact Analysis*, prepared by Linscott, Law & Greenspan Engineers, December 17, 2003.

² See Table F of the *Traffic Impact Analysis* prepared by LSA Associates, Inc., for this Project, Page 19.

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the a.m. peak hour and 0.004 in the p.m. peak hour. Therefore, although the intersection operates at a level of service below City standards, the Project impact is less than significant.

F7 Park facilities. *The commenter states that the analysis of the provision of park facilities located within the City of Upland is inadequate and that there will be impacts on parks located within the City of Claremont.*

The conclusion included in the EIR still stands. The proposed Project would not result in a significant decrease in the existing-park-acreage-to-population ratio nor result in substantial impacts to existing parks; therefore, impacts to existing neighborhood and regional parks are less than significant.

As stated in Section 4.14 of the EIR, *Recreation and Parks*, there are four existing regional parks that are located between 8 and 28 miles away from the proposed Project (Cucamonga-Guasti Regional Park, Frank G. Bonelli Regional Park, Prado Regional Park, and San Bernardino National Forest). These four parks make up a total of 824,330 acres. In addition, there are 13 local parks located within the City of Upland that total 128.5 acres.

As discussed in Section 4.14, with a population of 68,393 and 128.5 acres of parkland, the residents of the City of Upland have approximately 1.9 acres of existing parkland per 1,000 population. The proposed Project would include 2.5 acres of open space (1.5 acres of trails and 1.0 acre of extended recreational areas in Planning Areas 2 and 3); however, for the purpose of analysis, this acreage is not included in the ratio of parkland. With the proposed Project's anticipated addition of 980 residents, the parkland ratio would increase slightly but would still be around 1.9 acres per 1,000 residents.¹

Four points can be made about parks within the City of Upland:

- There is a long-term existing deficiency of parkland within the City;
- New parkland within the proposed Project is for the exclusive use of new residents;
- The proposed Project results in a slight change in the parkland ratio; and
- It is expected that residents would cross borders to use parks and recreation areas.

The ratio of approximately 1.9 acres of existing parkland per 1,000 population is an existing long-term deficiency within the City of Upland. An existing deficiency cannot be brought upon the shoulders of a 31-acre residential site to solve.

The 2.5 acres of trails and recreational areas within the Project site are for the exclusive use of the Project residents, as described in Section 4.14. For the Project site, the residents would maintain a ratio of 2.55 acres of parkland per 1,000 population if they did not venture out to use other parkland.

¹ The parkland divided by the 2000 population of the City of Upland (128.5 divided by 68,393) and multiplied by 1,000 would result in 1.88 [note that the EIR number is 1.89, but it should be 1.88 – a mathematical error inadvertently occurred] acres of parkland per 1,000 population. With an addition of 980 residents, the ratio would change to 1.85 acres of parkland per 1,000 people.

The change in ratio is so slight as to almost be nonexistent and is not enough to change the existing ratio of approximately 1.9 acres of parkland per 1,000 population. It changes from 1.88 acres to 1.85 acres of parkland per 1,000 population, a change that is measured in the hundredths. However, if the open space in the proposed Project were to be added to the mix, the ratio would be 1.89 acres of parkland for every 1,000 residents,¹ which is almost exactly what the ratio was before the development of the proposed Project.

Residents of surrounding jurisdictions can be expected to use recreational facilities located within the City of Upland; conversely, City of Upland residents would be expected to use facilities located in other jurisdictions. In fact, many residents are expected to frequent regional recreational areas, even including Southern California beaches.

F8 Flood zone information. *The commenter points out that Figure 4.8.1 in the EIR does not correctly show Claremont flood zone mapping.*

This comment is appreciated. The correct map is shown on the following page and is also shown in the Addendum to the Draft EIR. The proposed Project is located within an area that is designated “Undetermined, but Possible Flood Hazard,” and the analysis contained within the EIR does not change.

¹ With an addition of 980 residents and 2.5 acres of open space, the ratio would change to 1.89 acres of parkland per 1,000 people (131 divided by 69,428 and multiplied by 1,000).

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Figure 4.8.1 FEMA Flood Zones (Color Figure) (*Production: This figure is different than that used in the Draft EIR -- near the top border should be an Area D*)

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Letter G (three pages)

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G. JOHN M. BLUCKER

June 27, 2006

Owner of Parcels to the East of Upland Crossing Specific Plan Area

G1 Construction of walls. *The commenter requested that a wall not be constructed on the east side of the future Dewey Way, south of Foothill Boulevard. In addition, he requested that any wall built on the west side of Dewey Way be of a configuration that would not obstruct future visibility of development that may be constructed to the east of Upland Crossing.*

No wall is proposed on the east side of Dewey Way. Furthermore, the wall on the west side of the street is setback 107 feet from the centerline of Foothill Blvd and will be located several feet below the grade of Foothill Blvd. therefore, no obstruction of the first 50 feet of Foothill Blvd frontage will occur.

G2 Driveway access. *The commenter stated that egress and ingress from Dewey Way to the parcels to the east of Upland Crossing Specific Plan should be ensured.*

The reconfigure of the Dewey Way / Foothill Blvd will create access from Dr. Blucker's property to Dewey Way. The issue of access to the future development east of Upland Crossing Specific Plan would be addressed after the development application has been made to the City of Upland.

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Letter H (three pages)

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H. CABLE AIRPORT

June 28, 2006

Bob Cable, President

H1 Helicopter routes of flight. *The commenter states that there is no mention of the Ontario Police Department Helicopter Division on the west end of Cable Airport.*

Operations associated with the Ontario Police Department Helicopter Division on the west end of Cable Airport are part of the airport operations. Noise associated with helicopter operations at the airport has been included in the modeling of the airport noise contours for Cable Airport. The commenter has pointed out an error in the EIR. It should read that the heliport is located on the west end of Cable Airport rather than the east. This is being presented in the Addendum to the Draft EIR as a correction.

H2 Building façade upgrades. *The commenter suggests that more building façade upgrades are needed to mitigate for helicopter and other aircraft noise from above.*

Helicopters are not more intrusive or annoying than other types of aircraft flying at the same level, and helicopters are not perceived to be more intrusive or noisier than common motor vehicle sources at the same level.¹ Indeed, the noise footprint of a helicopter during approach, landing, takeoff, and departure is considerably smaller than that of many airplanes.² Furthermore, the sound of helicopters is comparable in level to other sounds that are acceptable to the community (e.g., heavy trucks and city buses), and the range of helicopter sound at a moderate distance is well within the range of other sounds that are heard often in the community. As a helicopter flies over an area, it is generally heard for only a brief period of time, and the sound it generates is often masked by ambient noise. Even at a relatively low altitude of 500 feet, the sound level of a helicopter in an urban residential area is typically exceeded for a period of only 10 seconds. At greater altitudes or near noisier locations, the helicopter sounds may go totally unnoticed.

The Project site is outside the Cable Airport 65 dBA CNEL contour (which includes helicopter operations). The noise impact analysis identified that all residential units on the Project site require a form of mechanical ventilation (e.g., air conditioning system) to ensure that windows and doors can remain closed for prolonged periods of time. Standard building construction in southern California provides 24 dBA in exterior-to-interior noise attenuation with windows closed. However, there is also traffic noise to contend with. The Project site is located along two heavily traveled roads (Foothill Boulevard and Monte Vista Avenue). Only residential units along Foothill Boulevard and Monte Vista Avenue would be exposed to noise levels exceeding 45 dBA CNEL (the interior noise standard for residential space) and would require sound walls and building façade enhancements, such as bedroom window upgrades with a sound transmission class 30 (STC-30) rating, which is higher than those provided by standard windows.

¹ *Acoustic Planning Guide for New Heliports*, Helicopter Association International, Acoustic Committee, April 1984.

² *Noise Assessment Guidelines for New Heliports*, FAA Advisory Circular, AC 150/5020-2, December 1983.

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H3 60 dBA CNEL noise contour. The commenter states that portions of the proposed Project are located within the 60 dBA and above level.

The commenter has pointed out an error in the EIR. It should read that the Project area is outside the 65 dBA CNEL. This is being presented in the Addendum to the Draft EIR as a correction.

H4 Airport Land Use Comprehensive Plan. The commenter says that the ALUCP is not used as a reference in the EIR.

The Cable Airport Comprehensive Airport Land Use Plan¹ is used throughout the Draft EIR. Please see the following:

- Section 4.7, Hazards and Hazardous Materials, pages 4.7-3 and 4.7-7;
- Section 4.9, Land Use and Planning, pages 4.9-2 and 4.9-5; and
- Section 4.15, Transportation and Traffic, page 4.15-21.

In addition, an aviation study was prepared for the Project site and can be found in Appendix 1 of the Draft EIR: Aviation Safety Implications Study of Potential Land Uses, Specific Parcels Southwest of Cable Airport, prepared by Heliplanners, July 11, 2005. It is Appendix H of the Upland Crossing Initial Study.

H5 Dewey Way and Foothill Boulevard. The commenter writes that there is no Dewey Way and Foothill Boulevard intersection study.

This intersection has been analyzed in the Traffic Impact Analysis in Appendix 7 of the Draft EIR and summarized in Section 4.15, Transportation and Traffic.

H6a Cable Business Park and Holiday Rock. The commenter states that there is no mention of the Cable Business Park or Holiday Rock and their associated traffic.

Although no mention is made of specific names of surrounding businesses, all existing and project traffic is taken into consideration in the traffic analyses. The Draft EIR contains analysis of circulation impacts associated with the proposed development of the Upland Crossing Specific Plan Project based on a Traffic Impact Analysis prepared by LSA Associates, Inc. in April 25, 2006 (Appendix 7 of the Draft EIR). The Traffic Impact Analysis is intended to satisfy the requirements established by the San Bernardino County Congestion Management Program (CMP), which was adopted November 3, 1993, and revised December 2003. In compliance with CMP requirements, the Traffic Impact Analysis prepared for the Project analyzes weekday a.m. and p.m. peak hour conditions. The a.m. peak hour is defined as the one hour of highest traffic volumes occurring between 7:00 and 9:00 a.m. The p.m. peak hour is the one hour of highest traffic volumes occurring between 4:00 and 6:00 p.m.

¹ Cable Airport Comprehensive Airport Land Use Plan, adopted December 9, 1981.

H6b Safety of residential development. *Commenter notes that the Project includes residential uses within Safety Zone 2 (of the Cable Airport Comprehensive Airport Land Use Plan) and that the potential for airplane accidents and the safety of people on the ground should be considered.*

Unlike noise that inevitably occurs with every flight, it is impossible to exactly predict airplane incidents, and there is less data on the topic. State of California Department of Transportation's 2002 California Airport Land Use Planning Handbook, p. 9-1 and 9-18. Because of this uncertainty, Federal and State regulations focus on reducing risks by controlling structures that cause flight hazards (i.e., height of buildings and electrical frequencies) but the regulations are "particularly lacking ... guidance regarding protection of people and property on the ground in the event of aircraft accidents." Handbook, p. 9-8. Local agencies balance the unknowable risk of airplane accidents with the inevitable need to develop near airports. Handbook, p. 9-2.

The commenter notes that the Federal aviation regulations only require that structures do not cause interference through reflecting glare, emitting electronic interference, or producing smoke. The commercial element of the Project will include lighting but Mitigation Measures AES-1 through AES-3 assure that the Project's lighting will not spill over onto adjacent properties nor cause any offsite glare impact. The project does not emit electronic interference or produce smoke.

The Project site is located in Safety Zone 2 of the Cable Airport Comprehensive Airport Land Use Plan (CACALUP), and Safety Zone 2 does not prohibit residential use. Moreover, because of the flight patterns surrounding Cable Airport (see Response to Comment No. E1), the City concludes that on balance, developing residential use within the Project site is acceptable. Lastly, it is important to note that much of the area within Cable Airport's Safety Zone 2 is already developed as residential use.

H7 Buyer notification requirements. *The commenter requests that a Cable Airport statement be attached to a grant deed for the Upland Crossing Specific Plan property.*

The following regulations address buyer notification requirements for lands around airports:

- Business and Professions Code (§11010); and
- Civil Code (§1102.6, §1103.4, and §1353).

As stated by a previous commenter (Ron Bolyard, California Department of Transportation, Division of Aeronautics), any person who intends to offer land for sale or lease within an airport influence area is required to disclose that fact to the person buying the property, and such disclosures will be provided.

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Letter I (Three pages)

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I. CABLE AIRPORT

July 12, 2006

Bob Cable, President

I1 Commercial uses. The commenter states that commercial uses are discussed within the EIR; however, the proponent plans to develop residential.

The commercial component (Planning Area 1) of the Upland Crossing Specific Plan contains a Residential Overlay that has 20 dwelling units. The option of developing either commercial or residential in Planning Area 1 was given to the proponent by the City of Upland to increase flexibility in a changing real estate environment. Implementing the Residential Overlay would mean that the commercial/retail land uses would not occur, and there would be a total of 375 residential units (355 dwelling units plus 20 dwelling units) for the Project site. The two scenarios of the Project (with and without the Residential Overlay) were analyzed equally in the EIR, and whichever way the proponent chooses is a factor of shifting market conditions.

I2 General plan amendment. The commenter challenges the general plan amendment as being in direct conflict with the Cable Airport Comprehensive Airport Land Use Plan.

The Upland Crossing Specific Plan is not in direct conflict with the Cable Airport Comprehensive Airport Land Use Plan. This plan establishes certain areas in which particular types of land uses are discouraged due to potential aviation safety impacts. The Project site lies completely within Safety Area 2, which is an area of moderate crash hazard. The Cable Airport Comprehensive Airport Land Use Plan establishes the following land use restrictions within Safety Area 2:

No structure should be constructed or object permitted within Safety Area 2 that would penetrate the airport imaginary surfaces as defined in Federal Aviation Regulations Part 77. Because of the proximity to aircraft operations, structures in this area should not reflect glare, emit electronic interference, or produce smoke so as to endanger aircraft operations.

Federal Aviation Regulation, Part 77 establishes a series of imaginary surfaces in the airspace surrounding a runway or helicopter landing area, and no object should penetrate into any of these surfaces to ensure an obstruction free airspace for pilots using Cable Airport. The proposed Project site does not penetrate any of these surfaces, according to Aviation Safety Implications Study of Potential Land Uses, Specific Parcels Southwest of Cable Airport.¹

The Project site underlies parts of the Transitional Surface and the Horizontal Surface, but *the Horizontal Surface is 150 feet above the established airport elevation [emphasis added]*. Because the Upland Crossing Specific Plan restricts structure height on the proposed Project site to 45 feet, structures would not enter the Horizontal Surface area.

¹ Aviation Safety Implications Study of Potential Land Uses, Specific Parcels Southwest of Cable Airport, prepared by Heliplanners, July 11, 2005. This study is located in Appendix H of the Upland Crossing Initial Study.

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Additionally, the Transitional Surface varies from **135 feet above the Project site to approximately 275 feet aboveground where it meets the Horizontal Surface** [emphasis added]. Structures located on-site would not penetrate into the Transitional Surface area, either. In addition, the proposed Project does not include any uses that would produce smoke, emit electronic interference, or reflect glare, and finally, development of the proposed Project site complies with the requirements of Federal Aviation Regulation, Part 77 and the *Cable Airport Comprehensive Airport Land Use Plan*.

I3 65 dBA noise contour. The commenter indicates that the Project is within the 65 dBA noise contour, which is higher than that recommended in the California Airport Land Use Planning Handbook for residential use.

The Project area is outside the 65 dBA noise contour, according to the *Cable Airport Comprehensive Airport Land Use Plan (CACALUP)*, Figure 6. In addition, the Project is consistent with the *California Airport Land Use Planning Handbook*, which recommends that 65 dBA is the appropriate threshold for residential development. *Handbook*, p. 7-23-30, 7-7. While it is true that the *Handbook* recommends new development be located within the 60 dB contour, it further states that new development may be acceptable "in hot climates where most buildings are air conditioned." *Handbook*, p. 7-29. Thus, Mitigation Measure NOISE-1 requires mechanical ventilation (air conditioning) to ensure that windows and doors can remain closed for prolonged periods of time. Air conditioning, along with standard building construction, provides 24 dBA in exterior-to-interior noise attenuation, which reduces the interior noise to less than 45 dBA as recommended by the *Handbook*. *Handbook*, p. 7-29 and 7-35-36

I4 Cable Business Park. The commenter reiterates that there is no mention of Cable Business Park and its associated traffic.

See the response to Comment No. H6. Although no mention is made of specific names of surrounding businesses, all existing and project traffic is taken into consideration in the traffic analyses. The Draft EIR contains analysis of circulation impacts associated with the proposed development of the Upland Crossing Specific Plan Project based on a *Traffic Impact Analysis* prepared by LSA Associates, Inc. in April 25, 2006 (Appendix 7 of the Draft EIR).

I5 Goals. The commenter is concerned that Goals 4C and 5A mention commercial areas of development.

As stated in the response to Comment No. I1, the proponent had the option of developing either commercial or residential in Planning Area 1. The two scenarios of the Project (with and without the Residential Overlay) were analyzed equally in the EIR, and, as such, any goals that mention commercial uses would apply to the proposed Project without the Residential Overlay.

I6 Density with the Residential Overlay. The commenter states that residential density rates would increase with the Residential Overlay, and these are not reflected in Table IX.A.

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The commenter is referring to Table IX.A on page 31 of the *Upland Crossing Specific Plan Initial Study*, dated October 2005. The Initial Study, along with the Notice of Preparation for the Draft EIR was distributed to State, regional, and local agencies on November 5, 2005, for a 30-day review period. The objective of distributing the NOP and Initial Study was to solicit public comment to identify and determine the full range and scope of issues of concern so that these issues might be fully examined in the Draft EIR.

The Draft EIR, dated May 2006, shows the residential density for the proposed Project without and with the Residential Overlay, in Tables 4.9.C (page 4.9-6) and 4.9.A-RO (page 4.9-14), respectively. These tables show the maximum densities that would occur within each planning area. With 31.6 acres and the number of dwelling units at 355 and 375, the maximum density for the Project site would be an average of 11.23¹ and 11.87² dwelling units per acre.

I7 **65 dBA noise contour.** *The commenter repeats that the Project is within the 65 dBA noise contour.*

Please see the response to Comment No. I3.

I8 **Ontario Police helipad.** *The commenter states that the helipad is not mentioned in the noise study or initial EIR.*

Please see the response to Comment No. H1.

I9 **Cable Business Park.** *The commenter states that there is no mention of the Cable Business Park in the Phase I Environmental Site Assessment.*

The commenter is referring to the *Phase I Environmental Site Assessment and Limited Site Characterization*.³ The purpose of a Phase I Environmental Site Assessment is to identify, to the extent feasible, recognized environmental conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to the Project site. Cable Business Park is not listed in the report, because the property did not fall under any of these circumstances. As stated on page 1 of the report:

There are no properties listed with the regulatory agencies within a one-mile radius of the subject site which might pose an adverse environmental impact to the subject site.

I10 **Dewey Way.** *The commenter states that there is no mention of Dewey Way with respect to truck noises.*

¹ 355 dwelling units divided by 31.6 acres for the proposed Project without the Residential Overlay.

² 375 dwelling units divided by 31.6 acres for the proposed Project with the Residential Overlay.

³ *Phase I Environmental Site Assessment and Limited Site Characterization*, prepared by LOR Geotechnical Group, Inc., May 9, 2005. This document is located in Appendix B of the Upland Crossing Specific Plan Initial Study.

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All traffic noise on Dewey Was has been incorporated into the noise analysis. As stated in the *Noise Impact Analysis*¹ on page 6, the analysis includes, among other items, the determination of long-term noise impacts, including vehicular traffic, on on-site and off-site noise-sensitive uses. The traffic noise prediction model of the Federal Highway Administration (FHWA D-77-108) was used to evaluate traffic-related noise conditions in the Project vicinity. Traffic volumes, in turn, were taken from the *Traffic Impact Analysis*.² As the *Traffic Impact Analysis* includes the ambient and forecasted traffic at Dewey Way intersections, the noise generated on Dewey Way was also analyzed.

I11 65 dBA noise contour. *The commenter says again that the Project is within the 65 dBA noise contour.*

Please see the response to Comment No. I3.

I12 Aircraft noise. *The commenter writes that there are no mitigation measures for aircraft noise.*

Airport noise differs in many respects from other sources of noise, including other transportation noise. Although there may be relatively high single-event noise exposure associated with aircraft takeoffs and landings, the 24-hour weighted average community noise equivalent noise (CNEL) level, which is used in the State of California for airport land use planning guidelines, provides a more balanced criterion to determine potential annoyance effects from airport operations.

Based on the *California Airport Land Use Planning Handbook*, newer homes constructed to meet current energy-conserving building codes can provide 25 to 30 dBA aircraft noise reduction. This means that many homes will meet the 45 dBA CNEL interior noise standard in an aircraft noise environment up to 65 dBA CNEL without additional acoustical treatment, assuming that windows and doors are closed. The project site is located south of Foothill Boulevard and, as shown in the *Cable Airport Comprehensive Airport Land Use Plan* (December 9, 1981), is outside the 65 dBA CNEL noise contour from Cable Airport. The project includes air conditioning systems in all residential units fronting Foothill Boulevard and Monte Vista Avenue pursuant to Mitigation Measure NOISE-1. This mitigation measure addresses noise from all sources. In addition, Mitigation Measures NOISE-5 through NOISE-8 require sound barriers between these units and Monte Vista Avenue. Therefore, even with the combined effect of roadway noise and aircraft noise, with the 24-hour weighted average CNEL, the proposed residential uses will meet the 45 dBA CNEL interior noise standard.

I13 Dewey Way and Foothill Boulevard. *The commenter states that there is no noise analysis of Dewey Way and Foothill Boulevard.*

As alluded to previously in the response to Comment No. I10, all traffic noise in the Project area has been analyzed. A traffic noise prediction model was used to evaluate traffic-related noise conditions

¹ *Noise Impact Analysis*, prepared by LSA Associates, Inc., March 2006 (Appendix 6 of the Draft EIR).

² *Traffic Impact Analysis*, LSA Associates, Inc., 2006 (Appendix 7 of the Draft EIR).

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in the Project vicinity. Traffic volumes, in turn, were taken from the *Traffic Impact Analysis*, which includes the ambient and forecasted traffic at Dewey Way intersections (including the intersection at Foothill Boulevard); therefore, the noise generated at that intersection was also analyzed.

I14 Dewey Way and Foothill Boulevard. *The commenter that there is no Dewey Way and Foothill Boulevard intersection traffic analysis.*

Please see the response to Comment No. H5.

I15 Dewey Way traffic increase. *The commenter writes that there is an unrealistic 13 percent growth in traffic on Dewey Way.*

The commenter may be referring to a 12 percent increase in traffic volumes. This 12 percent increase does not refer to traffic volumes on Dewey Way itself; rather it refers to a 12 percent increase at the *intersection* of Dewey Way and Foothill Boulevard. This is well within the parameters of the study with the various assumptions that are required such as the following:

- San Bernardino County Congestion Management Program (CMP), adopted November 3, 1993, and revised December 2003;
- Requirements for the disclosure of potential impacts and implementation of mitigation measures per the California Environmental Quality Act (CEQA); and
- Requirements for a SANBAG Traffic Impact Analysis
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-

I16 Dewey Way truck traffic. *The commenter states that truck noise on Dewey Way was not analyzed.*

Please see response to Comment Nos. I10 and I13.

I17 Table B5. *The commenter refers to Table B5 when referring to traffic counts decreases.*

Table B-5 does not indicate that traffic counts will decrease with implementation of the project. Table B-5 indicates the extrapolation of College Park approved project volumes, and does not show traffic counts for the project.

I18 Initial Study. *The commenter writes that Scoping Meeting comments were not addressed in the Initial Study.*

The purpose of a Scoping Meeting, as explained on page 1-3 of the Draft EIR, is to:

- Introduce the proposed Project;

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- Solicit input on the potential environmental impacts that may result from the construction and operation of the proposed Project; and
- Provide direction and scope of the analysis in the EIR.

The Scoping Meeting, which was held on October 19, 2005, at 6:30 p.m. at the City Hall, was for the Upland Crossing Specific Plan EIR, not for the Initial Study.

I19 Cable Airport noise contours. The commenter states that Cable Airport noise contours were ignored as well as helicopter and jet operations.

Please see responses to Comment Nos. H1, H2, H4, I3, I7, I8, I11, and I12.

I20 Holiday Rock. The commenter states that there is no mention of Holiday Rock and its associated traffic.

Please see response to Comment No. H6.

I21 Dewey Way counts. The commenter writes that there are no traffic counts on Dewey Way and questions the traffic volumes.

Traffic counts at the intersection of Dewey Way and Foothill Boulevard go down for the Year 2025 conditions during the p.m. peak hour. After the extension of 11th Street, which is expected to take some traffic off Foothill Boulevard, these volumes are expected to go down in the a.m. and p.m. peak hours without Project conditions.

Letter J (Two pages)

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J. STATE OF CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL

June 20, 2006

Greg Holmes, Unit Chief

J1 *Comments on NOP. The commenter writes that the comments on the NOP have been addressed.*

The comment is noted.

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Letter K (One page)

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K. STATE OF CALIFORNIA PUBLIC UTILITIES COMMISSION

June 23, 2006

Rosa Muñoz, PE, Utilities Engineer

K1 *Safety factors. The commenter states that safety factors should be included in the design of the Project with respect to railways.*

The comment is noted.