

Attachment 2

Recommended Revisions to Planning & Environmental Documents (March 25, 2003)

This attachment includes a variety of revisions to various documents related to The Preserve that are recommended to the City Council by Staff. Recommended changes include: minor modifications to the Open Space Designations and the circulation component of the Specific Plan; a few corrections to the Final EIR; minor changes to the Resources Management Plan; and clarification to the Water Supply Assessment, a technical document that is a component part of the Final EIR.

Recommended Specific Plan Revisions

Open Space Land Use Designations

As part of the Planning Commission's action on February 24, 2003 they recommended some modifications to the Open Space Land Use Designations of the Specific Plan. These changes were made to address concerns raised by the Orange County Water District (OCWD) and environmental interests. Following the hearing, OCWD requested a few additional minor changes, some of which had been inadvertently omitted from the Commission-recommended revisions. The attached copy of the designations, included as Exhibit 1, contains the text recommended by the Planning Commission on February 24th and also includes the few minor changes requested by OCWD. The specific recommended minor changes asked for by OCWD after the February 24 hearing are indicated below under items one and two.

In addition, staff is recommending additional language (item three) to allow legally established residential uses and structures that existing prior to annexation to be allowed to continue.

Revise subsections AG2(f.), A/OS2(e.), OS-R2(i.), OS-N(e.) to read as follows:

Public infrastructure facilities including but not limited to those necessary for: drainage and flood control including watershed, water recharge and percolation areas, the retention or detention of flood waters, and **other facilities necessary to provide water quality improvements**; reducing water runoff pollutants; public communications; and other publicly owned facilities necessary to provide for public safety or health.

1. Revise subsections AOS4(f.)(3) and OSN(3)(d)(1.) to read as follows:

The use of herbicides to control or kill vegetation is not permitted, **except for the use of EPA approved herbicides to kill invasive exotic species.**

2. Revise the last sentence of section of OSN1 to read as follows:

This designation also permits the use of open space areas for crop farming, passive outdoor recreational uses and other low intensity uses in some instances.

3. Add the following language as new subsections AG2(g), A/OS2(f), OSR2(j) and OSN2(f)

Existing residential uses and structures. A residential use legally established within the unincorporated areas of the County of San Bernardino prior to the effective date of the annexation of the Preserve into the City of Chino may be expanded, changed, or replaced, subject to the following:

1. The expansion, change, or replacement shall be subject to Administrative Review in accordance with Section 20.03.100 of the Zoning Ordinance and shall comply with all other applicable requirements of the Zoning Ordinance and The Preserve Specific Plan;
2. The expansion, change, or replacement shall not adversely affect, or be materially detrimental to, adjoining properties;
3. The expansion, change, or replacement shall be subject to review in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, as applicable;
4. The expansion, change, or replacement will improve the appearance or stability of the vicinity.
5. The expansion, change or replacement will not result in a greater number of legally established residential structures than currently exists on the property.

Circulation Plan and Street Cross Sections

There were some minor errors made in the Circulation Plan and a couple of the street cross sections contained in the Final Draft of the Specific Plan (January, 2002). Corrections recommended by the Planning Commission at the February 24, 2003 hearing are attached. On the Circulation Plan (Figure 9, p. 149) two of the Right-of-way (ROW) widths are incorrect. The ROW for "Loop Local Collector, With Paseo" should be 83' instead of 89'. The ROW for "Loop Local Collector, With Paseo and Transit" should be 94' instead of 100'.

Two of the street cross sections do not include Paseos, although they are referenced on the Circulation Plan (Figure 9). These are:

1. "Local Collector With Paseo and Transit" which is the segment of Bickmore Avenue located between Euclid Avenue and Bon View Avenue.
2. "Local Collector With Paseo", which is the North-South segment of Chino-Corona Road between Pine Avenue and the East-West segment of Chino-Corona Road.

Total rights-of-way for these two segments remain unchanged on the Circulation Plan. Exhibit 2 contains the recommended revised Figure and cross-sections.

Recommended Corrections To The Final EIR

There are two errors in the "Response To Comments" Volume of the proposed Final EIR that need correction. These recommended corrections are part of a summary of information that is contained in the body of the Final EIR and do not represent a material change in the information in the Final EIR.

1. On Page 4-43 Under "Loss of Open Space" change the level of significance after mitigation from "Not Significant" to "Significant".
2. On Page 4-77 – Parks and Recreation, First paragraph under the "Environmental Mitigation" columned to be revised to indicate that 100 acres instead of 115 acres of local park and recreational facilities will be needed.
3. **Section 5.2.6** (Mitigation Measures), **Page 5.2-11** of the Draft Environmental Impact Report, Final Environmental Impact Report,

Mitigation measure AG-1 on Page 5.2-11 is hereby revised to read as follows:

The City of Chino shall will propose to participate in the Williamson Act Easement Exchange Program (WAEEP) and any plan that may be adopted pursuant to SB 831 .

4. Revise Item 7 "Agricultural Easements" on Page 5.4-42 of the Recirculated Draft EIR to read as follows, superceding, the change recommended on page 4-5 of the Response To Comments Volume of the Final EIR:

7. Agricultural Easements

Under Mitigation Measure AG-1 (see Section 5.2 in the Draft EIR), which addresses mitigation for the loss of prime agricultural land, the City has committed to **their involvement** ~~actively pursue establishment of agricultural easements within The Preserve, pursuant to SB 831 and the Williamson Act Easement Exchange Program (WAEEP) and any plan that may be adopted pursuant to SB 831 for acquisition of agricultural easements or other conservation easements for the purpose of permanent agricultural land preservation.~~ These easements will also provide mitigation for identified impacts on biological resources in that they will preserve areas in agriculture and prevent the future development of recreational or other non-agricultural uses that could be detrimental to biological resources.

Recommended Changes To The Resources Management Plan

1. The revision below is recommended based on additional discussion with Dr. Bath regarding the burrowing Owl. Recommended revisions start at page 4-25, fourth paragraph of the Resources Management Plan (RMP).

Other Candidate Relocation Areas Below the 566-foot Elevation

~~Three~~ **Four** other general areas below the 566-foot dam inundation area have been identified that could potentially provide land for additional Candidate Relocation Areas, if needed (see Exhibit 8). These sites would only be established as Owl Relocation Areas in the future on an as-needed basis if it is determined that the Drainage Area B site discussed above becomes inadequate to support additional relocated burrowing owls beyond the population that would already occupy this area.

The first area is generally located east of the Chino Airport, including property owned by San Bernardino County as part of the airport facility. It could also include private lands further to the east, as well as land owned by the Southern California Agricultural Land Foundation (SOCALF). The area consists of pasture, crops and dairies that have the potential to provide suitable burrowing Owl habitat. Depending on the location of a specific relocation area, cooperative agreements with San Bernardino County and/or SOCALF, or permission from private property owners would be needed to establish a relocation area. The potential for conflict with airport safety or the agricultural operations of SOCALF would also need to be addressed to the satisfaction of SOCALF and/or San Bernardino County.

The other three candidate relocation areas are located in the southern part of the Specific Plan, below the 566-foot dam inundation area. One area is centered around the riparian and upland habitats associated with Mill Creek as it transitions into the Project Area along the east boundary. The site provides agricultural lands and natural open space needed to provide suitable burrowing owl habitat. A second area is located within the south central portion of the Project Area (see Exhibit 8). The vegetation is comprised of non-native grassland, and fallow lands agriculture. A third area is located at the southeastern corner of the Project Area below the 566-foot inundation line and is comprised of active agricultural fields.

2. Staff recommends the following clarifying revision to Page 4-21, 1st paragraph, 3rd sentence to read as follows to be consistent with Table 4-6:

If avoidance is feasible areas occupied by burrowing owls should not be disturbed within approximately 160 feet outside the breeding season (September 1 through January 31) and 250 feet during breeding season (February 1 through August 31).

3. The following, minor recommended revisions to the RMP were proposed by Chuck Hale, Executive Director of the Southern California Agricultural Land Foundation in his letter of March 7, 2003, contained in Attachment 3.

- a. Revise page 4-36 by adding the following to the bullets following the first paragraph under the heading "Participation in Regional Efforts":

- The Southern California Agricultural Land Foundation:

- b. Revise page 4-36, first paragraph as follows:

Williamson Act Lease Cancellation Fees

Under Mitigation Measure AG-1 (see Section 5.2 in the Draft EIR), which addresses mitigation for the loss of prime agricultural land, the City has committed to **participate in actively pursue establishment of agricultural easements within The Preserve, pursuant to SB 831 and the Williamson Act Easement Exchange Program (WAEEP) and any plan that may be adopted pursuant to SB 831 for acquisition of agricultural easements or other conservation easements for the purpose of permanent agricultural land preservation.** These easements will also provide mitigation for identified impacts on biological resources in that they will preserve areas in agriculture and prevent the future development of recreational or other non-agricultural uses that could be detrimental to biological resources.

**Recommended Clarification Notes To City of Chino
Water Supply Assessment
Dated January 28, 2002, Updated July 19, 2002**

March 14, 2003

EXECUTIVE SUMMARY

Page 1, par. 6, first sentence: Strike "over entitlement."

SECTION 3.1 OVERVIEW OF SUPPLY AND DEMAND

Page 6, par. 5, Water Demand: Change "15,145" to "15,345," to be consistent with Table 3-1.

Page 7, par. 1, sentence 2: Strike the words "begin lower and," to clarify that demands increase according to development phasing.

Page 7, par. 3, sentence 3: Replace "overproduction" with "production," to clarify that production is consistent with safe yield.

Page 7, par. 4, second to last sentence: In second to the last line, replace "Ann" with "Ana."

Page 8, Table 3-1:

- Change year 2005 Recycled – Subarea 2 demand from "325" to "650,"
change Total Water Demand in year 2005 from "18,055" to "18,380."
- Change Imported supply amounts in years 2005 through 2022 from "5,357" to "5,353."
- Change year 2005 Total Water Supply from "22,914" to "22,910";
change year 2010 Total Water Supply from "25,314" to "25,310";
change year 2015 Total Water Supply from "25,824" to "25,820";
change year 2020 Total Water Supply from "27,084" to "27,080";
change year 2022 Total Water Supply from "27,448" to "27,444."
- Change year 2005 Surplus Supply from "4,859" to "4,530"; change year
2010 Surplus Supply from "5,264" to "6,260"; change year
2015 Surplus Supply from "4,814" to "4,810"; change year 2020
Surplus Supply from "4,110" to "4,234"; and change year 2022
Surplus Supply from "3,838" to "3,834".

Page 8, Demand Assumptions, 1. City Potable Demand: Add "Year 2000 is actual demand."

Page 8, Supply Assumptions, 1. Groundwater: Change "use" to "available," to clarify the Year 2000 data presented represents the amount available in 2000.

Page 8, Supply Assumptions 3, Imported: Change “5,357” to “5,353.”

Page 9, par. 4, sentence 1: Change “this” to “the,” and insert “land use” between “from” and “conversion.”

Page 9, par. 5, sentence 2: Change “1000” to “2000,” to correct year of Inland Empire Utility Agency’s Urban Water Management Plan Update.

Page 10, par. 2, sentence 1: Strike “From” and replace with “Imported water is supplied to the City by,” and end the sentence with “IEUA”. Then start a new (2nd) sentence with “The City of Chino is entitled...,” to clarify the relationship between MWD, IEUA and the City.

Page 10, par. 2, (original) sentence 2: Strike “and plans to continue this level of imported supply,” to reflect the City’s plan as shown in Table 3-1.

Page 10, par. 4, sentence 2: Strike “approximately 350” and replace with “368.”

Page 10, par. 6, sentence 1: Insert the word “regional” between “current” and “recycled.”

SECTION 3.2 GROUNDWATER – CHINO WATER BASIN

Page 12, par. 3, sentence 2: Strike the “s” on “rights.”

Page 15, par. 2, Overdraft – 1978 Judgement: Add “the Appropriative Pool’s share of Safe Yield” before “or,” and add “more than” before “10,000 acre-feet.”

Page 16, last par., Item 2: Strike the last sentence.

Page 17, par. 4, sentence 1: Insert “Individual” before “Producers,” to clarify that an individual producer’s production ability is different from the pools’ total production ability.

Page 19, par. 1, sentence 3: Insert “was” between “City” and “also.”

Page 19, par. 4, last sentence: Insert a period at end of sentence.

Page 21, par. 2, sentence 1: Insert “I” after “Chino Basin Desalter.”

SECTION 3.3 IMPORTED WATER

Page 24, par. 2, sentence 2: Change “seven” to “five,” strike “Fontana Water Company” and “and San Antonio Water Company,” and insert “and” before “Monte Vista...”

Page 24, par. 5, sentence 1: Insert "located" between "water connection" and "in the City of Upland."

Page 24, par. 6, sentence 1: Change "5,357" to "5,353."

Page 24, par. 6, sentence 3: Add an "s" to the end of "standard," and insert "and" before "demand," to clarify that the City uses imported water for two purposes.

Page 25, par. 4, sentence 2: Change "their" to "its."

Page 25, par. 5, sentence 2: Strike the "s" from "frameworks."

Page 26, Notes to Table 3-5: Add an "n" after the "r" in "Easter" to read "Eastern."

SECTION 3.4 RECYCLED WATER

Page 27, par. 3, sentence 2: Strike ":1" after "500."

Page 27, par. 6, sentence 3: Strike "approximately 350" and replace with "368;" also add "landscape irrigation and industrial" before "customers."

Page 28, par. 4, sentence 5: Strike the "for."

Page 28, par. 5, sentence 3: Replace "1984" with "1982."

Page 28, par. 5, sentence 1: Change "thirty-seven" to "thirty-eight."

Page 28, par. 5, sentence 2: Add "24 users with a total of" before "45," and strike "of these."

Page 29, Table 3-6: Change "1984-83" to "1982-83."

Page 29, Table 3-7, Second Source: Add "Draft" before "Water Master Plan," and strike the remaining source information, and add "April 2002."

Page 30, par. 4, sentence 2: Change "350" to "368," and add "from the CCWRF" following "afy."

Page 30, par. 6, end sentence: Add footnote "7a" as "7a, Inland Empire Utilities Agency Urban Water Management Plan 2000 Update, Page 2-14."

SECTION 4.0 RELIABILITY OF WATER SUPPLIES

Page 33, par. 3, last sentence: Add a "d" after the "e" in "place" to read "placed."

Page 33, par. 4, sentence 1: Add “after” before “the conversion.”

Page 33, par. 4: Change “CDA” to “IEUA and WMWD acting independently, or in their complete discretion, acting through Project Committee 14 consistent with the “Peace Agreement” dated June 29, 2000 by the major producers in the Chino Basin, including the Appropriative Pool, Overlying Non-Agricultural Pool, Overlying Agricultural Pool, MWD member agencies IEUA, WMWD, TVMWD and the State of California.”

Page 34, par. 1, sentence 2: Change “use is expected” to “production is expected.”

Page 34, par. 1, sentence 2: Add a “0” to “28,00” to read “28,000.”

Page 34, par. 1, sentence 2: Change “100 af” to “1,000 af.”

Page 34, par. 5, sentence 2: Change “two-“ to “multi-.”

Page 34, Footnote 9: Add “Tables 3-11, 6-2, and 6-10” after “October 2001.”

Page 36, par. 1, sentence 3: Add “located” before “in the City of Upland.”

Page 36, par. 1, sentence 4: Capitalize “f” in “feeder” to read “Feeder.”

Page 36, par.1, sentence 5: Change “5,267” to “5,353.”

Page 36, par. 3, sentence 2: Capitalize “o” in “optimum”, “b” in “basin”, the first “m” in “measurement” and “p” in “program.”

Page 36, par. 4, sentence 2: Add an “n” after the “w” in “know” to read “known.”

Page 37, par. 5, sentence 1: Change “Enhancement” to “Expansion.”

Page 38, par. 2, sentence 3: Change “Plan” to “Program.”

Page 38, par. 6, last sentence: Strike “ing” from “finding” to read “find.”

Page 39, Table 4-1: Demand and supply figures are expressed in terms of million acre feet (MAF).

Page 40, par. 1, sentence 4: Add “and multiple-dry years” after “single dry year,” and strike “single” before “worst dry year scenario.”

Page 40, par. 2, sentence 3: Change “.” between “Conservation” and “while” to “;”.

Page 42, par. 9, sentence 1: Add “in diameter” after “2 inches.”

Page 42, par. 9, sentence 3: Add "in diameter" after "2 inches."

Page 42, par. 9, sentence 4: Add "and" before "therefore encourages conservation."

Page 43, par. 5, sentence 3: Add "Chino" before "Public Works" and strike "Services."

Page 44, par. 7, sentence 4: Strike "According to "MWD," and begin the sentence with "Data shows."

Page 45, Clarify Table 4-3 as follows: Further analyses by MWD and IEUA contained within their Urban Water Management Plan 2000 Updates demonstrate that projected water use during periods of multiple-year drought reflect that water demand would increase in the first and second years of the drought and then decrease in the third year of the drought. This is based on the 1990-1991-1992 hydrologic sequence, with the first of the three years being the worst, so conditions improved over the next two years. No other three-year sequences in the 77-year hydrologic record had as great an impact on the supply/demand balance. The tabulation below presents the 20-year water supply and demand comparison in dry-year scenarios based on this model, which is consistent with MWD and IEUA projections.

Page 45, Table 4-3: Add sub-heading as "Current Condition Water Supply and Demand Comparison during single and multiple dry years."

Page 45, Table 4-3: Add note as "Recycled Water: Average/Normal Water Year reflects current use; Recycled Factors: single-dry year = 1.00, multiple-dry year 2 = 1.107, dry year 3 = 1.145."

Table 45, Table 4-3:

1. Change Total Supply in Average/Normal Year from "17,202" to "17,852."
2. Change Total Supply in Multiple-Dry Years, Year 2, from "17,912" to "18,182."
3. Change Surplus Supply in Average/Normal Water Year from "4,000" to "4,650."
4. Change Surplus Supply in Multiple-Dry Years, Year 2, from "848" to "1,118."

20-Year Water Supply and Demand Comparison (afy) during single and multiple dry years including Subarea 2

2020 Supply & Demand Through Year 2022	Normal	Single Dry	Multiple 1	Multiple 2	Multiple 3
Demand Total	22,850	24,787	24,787	25,846	24,447
Groundwater	11,557	12,181	12,181	13,034	14,142
Imported	5,353	4,603	4,603	4,077	3,611
Desalted	5,000	5,000	5,000	5,000	5,000
Recycled	5,170	5,170	5,170	5,723	6,553
Supply Total	27,080	26,954	26,954	27,834	29,306
Surplus	4,230	2,167	2,167	1,988	4,859

Dry Year Factors Used for Comparison: Consistent with IEUA Urban Water Management Plan Year 2000 Update, Table 3-14.

Dry Year Factors	Single Dry	Multiple 1	Multiple 2	Multiple 3
Demand	1.08478	1.08478	1.04270	0.94589
Supply				
Groundwater	1.054	1.054	1.070	1.085
Imported	0.85984	0.85984	0.88574	0.88574
Desalted	1.000	1.000	1.000	1.000
Recycled	1.000	1.000	1.107	1.145

Page 45, par. 1: Strike sentences 2 and 3.

Page 46, par. 4, sentence 1: Change “2035” to “2022.”

Page 46, par. 5, sentence 1: Strike “over entitlement.”

