

2 Responses to Comments

This chapter of the Final EIR contains the comment letters received during the public review period for the Draft EIR, which started on July 14, 2021 and concluded on September 3, 2021. In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared to address comments received on environmental issues during this review period.

2.1 Commenters on the Draft EIR

Table 2-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter. Comment letters have been ordered according to the type of commenter and then numbered in the order (by date) they were received by UCR and alphabetically. In addition, comments provided during the Draft EIR virtual public hearing on August 4, 2021, are addressed herein.

Table 2-1 List of Commenters

Letter No.	Commenter	Date
Federal/Tribal		
F1	Rincon Band of Luiseño Indians Cheryl Madrigal, Cultural Resources Manager	July 16, 2021
State		
S1	Office of Planning and Research, State Clearinghouse Jillian Knox	July 23, 2021
Local/Regional		
L1	City of Riverside (Email Correspondence) David Murray, Principal Planner; and Scott Watson, Community & Economic Development, Historic Preservation	July 19, 2021
L2	Riverside County Flood Control and Water Conservation District Deborah De Chambeau, Engineering Project Manager	August 3, 2021
L3	City of Riverside Al Zelinka, FAICP, CMSM; City Manager	September 2, 2021
L4	South Coast Air Quality Management District Lijin Sun, Program Supervisor	September 2, 2021
Organizations		
O1	DeLano & DeLano on Behalf of the University Neighborhood Association Isabela Rodriguez, Esq., Attorneys for University Neighborhood Association	September 3, 2021
O2	University Neighborhood Association Gurumantra Khalsa, Co-Chair	September 3, 2021
Individuals		
I1	Letitia Pepper	July 15, 2021
I2	Ellen Whitehead	August 17, 2021
I3	Richard Block	September 2, 2021
I4	Jill Johnson-Young	September 10, 2021*

Letter No.	Commenter	Date
Public Hearing – August 4, 2021		
PH1	Kevin Dawson	August 4, 2021
PH1a	Gurumantra Khalsa	August 4, 2021
PH2	Gurumantra Khalsa	August 4, 2021
PH3	Councilwoman Clarissa Cervantes	August 4, 2021
PH4	Miguel Lujano	August 4, 2021
PH5	Gurumantra Khalsa	August 4, 2021

* Comment Letter I4 was submitted after the close of the formal public review period (September 3, 2021).

2.2 Master Responses

Several comments raised similar issues. Rather than responding to each individual comment separately, master responses have been developed to thoroughly address the comments comprehensively and, where possible, avoid repetition. Master responses are provided for the following topics:

1. Comments on the Project and Other Non-Environmental Issues
2. Constitutional Exemption from Local Regulations
3. Extension of Public Review Period

A reference to the master response is provided, where relevant, in responses to the individual comments.

2.2.1 Master Response 1: Comments on the Project and Other Non-Environmental Issues

Several comments were received during public review of the Draft EIR that indicated a preference for or opposition to the proposed project or elements of the project, which is the 2021 LRDP. In accordance with Section 15088 of the State CEQA Guidelines, UCR is required to “evaluate comments on environmental issues received from persons who reviewed the [D]raft EIR and shall prepare a written response... to comments raising significant environmental issues received during the noticed comment period.” Comments related to the proposed project or elements of the project, as well as the project’s merits, are generally not considered comments on issues related to physical environmental conditions or impacts disclosed and evaluated as part of the Draft EIR and, therefore, do not warrant a response under CEQA. If the comment raises a significant environmental issue, that issue is addressed as required by CEQA. Notwithstanding this CEQA requirement, any comments submitted on the Draft EIR that address the project or project elements will be part of the overall EIR record, which will be provided to the Regents for their review in their deliberations over whether to approve, disapprove, or modify the 2021 LRDP. In some instances, a response is provided to clarify project elements or the LRDP process.

The following provides some additional background information regarding housing affordability and socioeconomic considerations and UCR’s relationship to the surrounding community. Additional information regarding the application of local plans and policies to the 2021 LRDP and on-campus development and the extension of the public review period are discussed in Master Response 2 and Master Response 3, respectively.

Housing Affordability and Socioeconomic Considerations

The State CEQA Guidelines (14 California Code of Regulations Section 15000 et. seq.) establishes the scope of analysis of social and economic impacts of a project and their indirect effects that is required under CEQA. These provisions, which are described below, provide a framework for considering many of the comments received on social and economic effects of the project, including issues such as student housing affordability, job opportunities, property values, and other socioeconomic impacts.

CEQA Guidelines define the parameters under which consideration of socio-economic impacts shall be included in an EIR. Section 15131(a), Economic and Social Effects, of the CEQA Guidelines states, "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."

In evaluating the environmental impacts of a project, an EIR must evaluate indirect physical effects, in addition to the direct effects of a project. Direct effects are effects that are caused by a project and occur at the same time and place. An indirect environmental effect is a change in the physical environment that is not immediately related to a project, but that is caused indirectly by a project. CEQA does not require the analysis of generalized social and economic effects, such as job opportunities and property values, as suggested by many of the comments. A lead agency is also not required to analyze conclusory statements regarding social and economic impacts that are not supported by substantial evidence in the record. Based on the CEQA Guidelines and the requirements of CEQA, this EIR does not address the effects of the project on the potential for environmental impacts due to economic effects such as housing affordability or social changes such as multi-generational or multi-person households.

While local jurisdictions address affordable housing through State-mandated Housing Elements as part of their General Plans, as a State agency, the University of California (UC) is not subject to the same planning requirements. Section 4.12.2, Regulatory Setting, in Section 4.12 of the Draft EIR provides an overview of the various requirements that affect enrollment levels, and resultant housing needs, in the UC system. Housing affordability is an economic and social issue that may inform decisions made by UCR, but it is not treated as a significant effect on the environment (CEQA Guidelines Section 15064(e) and therefore does not require analysis pursuant to CEQA. According to CEQA Guidelines Sections 15064(d) and 15064(e), a CEQA document must consider the reasonably foreseeable environmental consequences of physical changes resulting from a project's economic or social changes. That is, social and economic effects are only relevant under CEQA if they would result in, or are caused by, an adverse physical impact to the environment. A shortage in the supply of affordable housing units is not, in and of itself, an identifiable physical impact on the environment. A project's potential effects on property values or housing prices are also not a physical impact on the environment, unless they would result in reasonably foreseeable physical impacts on the environment (e.g., neighborhood blight).

However, the Draft EIR evaluates the potential impacts associated with displacement under Impact PH-2 (Draft EIR p. 4.12-22). Under the proposed 2021 LRDP, no housing would be permanently removed, nor would any actions occur to substantially displace people. Students may be displaced temporarily as a result of redevelopment or remodeling of UCR housing facilities, but it is likely that redevelopment and/or remodeling would occur over the summer months, when student

populations are reduced, and such displacement would only temporarily occur during construction activities. Furthermore, consistent with existing practice, as development occurs on campus as part of the proposed 2021 LRDP, UCR would monitor on-campus population and stagger the opening of new housing facilities to correspond with any temporary decreases in housing availability, such that the level of on-campus housing is maintained or increased year-to-year and does not decrease.

UCR acknowledges that rising housing prices and the constrained supply of affordable housing are important local and regional issues. A core objective of the 2021 LRDP is to increase the supply of university-provided housing significantly to accommodate a greater share of the UCR student population.

UCR's Relationship with the Surrounding Community

UCR strives to maintain a good relationship with the City of Riverside and especially with neighborhoods directly surrounding the campus. UCR and the City of Riverside encourage student residents and non-residents within Riverside neighborhoods to live up to the tenets of the Good Neighbor Guidelines.¹ UCR is committed to educating its students of the content of the Good Neighbor Guidelines, local regulations and ordinances, and UCR's Principles of Community to ensure students are able to successfully participate in civic life.

The Good Neighbor Guidelines are available to all UCR students, faculty, and staff, as well as the public, and outlines the basic elements of being a considerate and responsible member of the greater Riverside community. Students, registered student organizations, and their neighbors may add additional provisions, as appropriate or needed. Like all residents, students are expected to conduct themselves as responsible members of the community they call home. As such, they are responsible for adhering to all State and city laws and ordinances, especially those relating to noise, traffic, parking, zoning, and substance abuse. In addition, as responsible members of the community, they are expected to foster an atmosphere which nurtures positive educational pursuits, the development of understanding and tolerance of those with different cultural and political points of view, and an environment that encourages responsible behavior in the community. The Good Neighbor Guidelines addresses upkeep and beautification, traffic safety and parking, neighborhood relations, public intoxication and substance abuse, and noise. Several landlords have cited the Good Neighbor Guidelines in their lease agreements with applicable city ordinances and standards of common courtesy.

In an effort to maintain positive University-Community relations, a variety of approaches are used, collectively or individually, to promote compliance with the Guidelines. The University addresses each situation on a case-by-case basis through campus advisors, Office of Legal Affairs (individuals), Student Affairs, and/or the UCR Police Department. University sanctions range from advising students on the Good Neighbor Guidelines to dismissal. Consequences may also include citation or arrest for violation of federal, State, and/or local laws. The City addresses each situation through various city departments and the Riverside Police Department with sanctions ranging from non-binding mediation, citations and/or arrest for violation of federal, State, and/or local laws. It is the intention of all parties involved to find the most amicable resolution process that benefits those involved. Emphasis is placed on neighbor-to-neighbor communication and cooperation.

The University is committed to disseminating the Good Neighbor Guidelines with UCR staff, faculty, and students through UCR Communications, including posting its content on a UCR webpage and/or

¹ University of California, Riverside. 2021a. Good Neighbor Guidelines. [webpage] <https://conduct.ucr.edu/policies/good-neighbor-guidelines> (accessed October 2021)

through new student orientation. The University will review the context of the Good Neighbor Guidelines as needed to ensure applicability and efficacy. The reviews are intended to be conducted by the City and University regularly.

Furthermore, UCR contributes billions of dollars to the U.S. economy each year, with UCR students and visitors contributing hundreds of millions of dollars to the Inland Southern California region alone. The campus regularly partners with entrepreneurs, corporate leaders, and fellow research enterprises from around the world.² For example, in 2019, the California Air Resources Board (CARB) signed a memorandum of understanding to work with faculty and students at UCR, and other Riverside schools, to advance research and inspire students at all levels to learn more about air quality, the impacts of climate change, and CARB's efforts to clean the air. UCR already partners with local school districts and community colleges to offer training programs for area residents to become scientists and technicians in the environmental arena, with an emphasis on educating disadvantaged and underrepresented populations, including women and people of color. The agreements were developed by staff and educators as CARB prepared to move its Southern California headquarters from El Monte to Riverside in early 2021. Now complete and located on land previously owned by UCR (on West Campus), the state-of-the-art facility is home to one of the largest and most advanced vehicle emissions testing and research facilities in the world, offering multiple opportunities for local students to engage in internships and research.³

Finally, UCR is committed to improving the success of low-income, first-generation students, as well as students of color. More than half of the 26,000 enrolled students are first generation, and UCR enrolls more students who receive Pell Grants than nearly every university in the country — and more than the entire Ivy League combined. Off campus, UCR medical students train in hospitals across Inland Southern California, while UCR Health, an affiliate of the School of Medicine, is expanding access to health care across the region. At UCR Extension, lifelong learning opportunities and professional certificate programs are provided to tens of thousands of students each year, including through UCR Palm Desert, which opened in 2005, extends the university's reach specifically to the Coachella Valley, and offers a Master of Fine Arts degree, continuing education courses, and a Future Physician Leaders program.⁴

2.2.2 Master Response 2: Constitutional Exemption from Local Regulations

As noted in Section 2.4.4, Non-UC Policies, Laws, and Regulations, p. 2-26 of the Draft EIR, "As a State entity, UCR is not subject to local land use jurisdiction or related policies, as described in Section 4 of this EIR. Federal and state laws or policies may apply, and these are described in Section 4 in the various applicable resource sections. In some cases, local land use regulations may also warrant consideration, and these are also presented in Section 4 where appropriate. UCR is responsible for project conformance with applicable policies, laws, and regulations."

UCR is constitutionally exempt from local governments' regulations, including city and county general plans and zoning regulations, whenever using property under its control in furtherance of its educational purposes. As such, potential future development on property owned or controlled by

² University of California, Riverside. 2021b. "Economic Impact." [webpage] <https://www.ucr.edu/about/impact> (accessed October 2021).

³ Ober, Holly. 2019. "UC Riverside and CARB partner to train tomorrow's environmental leaders." *Inside UCR*. [web journal] October 17, 2019. <https://insideucr.ucr.edu/stories/2019/10/17/uc-riverside-and-carb-partner-train-tomorrows-environmental-leaders> (accessed October 2021).

⁴ University of California, Riverside. 2021c. "UC Riverside by the Numbers." *About: Numbers and Facts*. [webpage] <https://www.ucr.edu/about/ranks-and-facts> (accessed October 2021).

UCR, which implements the 2021 LRDP, is generally exempt from conformance to local policies and regulations, and taxes and fees, and therefore it is generally not necessary for this EIR to include these local policies and regulations, and taxes and fees when considering potential impacts.

UCR, at its discretion, may consider, for coordination purposes, aspects of local policies and regulations applicable to the communities adjacent to UCR properties when it is appropriate and feasible, although it is not bound by those policies and regulations. Therefore, some sections of the Draft EIR outline the policies and regulations of the City of Riverside and County of Riverside that UCR may consider when evaluating future development projects that implement the proposed 2021 LRDP.

UCR seeks to maintain an ongoing exchange of ideas and information and to pursue mutually acceptable solutions for issues that confront both the campus and its surrounding community. To foster this process, UCR communicates with City of Riverside and community organizations; sponsors various meetings and briefings to keep local organizations, associations, and elected representatives apprised of ongoing planning efforts; and welcomes and considers community input.

2.2.3 Master Response 3: Extension of Public Review Period

Some commenters requested that UCR extend the comment period for the 2021 LRDP Draft EIR. These comments are opinions that address policy considerations regarding the timing for approval of the proposed project and not the analysis of potential project related impacts provided in the Draft EIR or the adequacy of the Draft EIR. As such, they do not require a response. However, the following responses are provided:

The 2021 LRDP Draft EIR was available for a 51-day public review and comment period starting July 14, 2021 through September 3, 2021, which exceeded the minimum 45-day public review period in accordance with Section 21091 of the CEQA Guidelines. With respect to the 2021 LRDP Draft EIR, notices were provided via certified mail and/or email to Responsible Agencies, interested parties, as well as members of the public and posted on the UCR website (<https://pdc.ucr.edu/environmental-planning-ceqa>), in the Press Enterprise, and made available at the UCR Planning, Design & Construction office.

UCR staff reviewed the Office of Planning and Research (OPR) guidance and executive orders issued by the Governor to determine whether any changes have been made to the minimum required timeframe for public review of the 2021 LRDP Draft EIR due to COVID-19 and determined that there have been no changes to the minimum required timeframes for review of Draft EIRs in response to COVID-19. Therefore, UCR determined that the comment period would not be extended beyond the 51-day public review and comment period.

2.3 Comments on the Draft EIR and Lead Agency Responses

The written and oral comments received on the Draft EIR and the responses from the lead agency (UCR) to those comments are provided below. The comment letters and oral comments made at the public hearing are reproduced in their entirety and are followed by the response(s). Comment letters in their original form are included in Final EIR Appendix A; individual comments are bracketed and numbered and correspond to the comments presented in this section.

2.3.1 Federal/Tribal

LETTER F1 RINCON BAND OF LUISEÑO INDIANS

Cheryl Madrigal, Cultural Resources Manager
July 16, 2021

Comment F1-1

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government. Thank you for providing us with the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the above referenced project. The identified location is within the Territory of the Luiseño people, and is also within Rincon’s specific area of Historic interest.

Response F1-1

Comment noted. This comment notes that the Rincon Band of Luiseño Indians is a federally recognized Indian Tribe and sovereign government. This comment also notes that the main UCR campus is located within the Territory of the Luiseño people and Rincon Band’s specific area of Historic interest. UCR appreciates the Rincon Band taking the time to review the 2021 LRDP Draft EIR. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment F1-2

The Band has reviewed the provided documents and we have no further comments regarding this project and can conclude consultation at this time. We understand that other Tribes potentially have knowledge particular to this project site and may request additional measures. Please note that the Rincon Band supports all efforts to completely avoid cultural resources as preferred mitigation.

Response F1-2

Comment noted. This comment notes that the Rincon Band has no further comments on the 2021 LRDP Draft EIR and Assembly Bill (AB) 52 tribal consultation has been concluded. Appendix K of the Draft EIR includes the correspondence between UCR and tribes as part of the AB 52 tribal consultation process; and Section 4.16, *Tribal Cultural Resources*, of the Draft EIR includes appropriate measures based on the government-to-government tribal consultation process.

Comment F1-3

We do request that the Rincon Band be notified of any changes in project plans. In addition, we request a copy of the final monitoring report, when available.

Response F1-3

Comment noted. The proposed project is the 2021 LRDP which is a plan to guide development, but not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a commitment to any specific campus project. The Rincon Band will be sent a notice to see if the Band would like to initiate government-to-government consultation, when future campus projects are

proposed in accordance with AB 52 and the CEQA Guidelines. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment F1-4

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at [contact information on file with UCR]. We look forward to working together to protect and preserve our cultural asset.

Response F1-4

This comment includes closing remarks and does not require a response pursuant to CEQA Guidelines Section 15088(a).

2.3.2 State

LETTER S1 OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE

Jillian Knox
July 23, 2021

Comment S1-1

Office of Planning and Research (OPR), State Clearinghouse (SCH) Unit is no longer accepting hard copies of environmental documents and notices of determinations and exemptions starting on November 3rd, 2020. Email method of notices of exemptions and determinations to the state.clearinghouse@opr.ca.gov are also no longer be[sic] accepted as of that date. All agencies are required to submit online to the CEQA Database, where your CEQA notices and documents will be filed and posted. Please email the State Clearinghouse to request registry to the database.

We cannot accept environmental document through email, so if you would like to file with the State Clearinghouse, you can email us at state.clearinghouse@opr.ca.gov to request registry to the online database.

Response S1-1

An email response was provided to the OPR, SCH Unit on July 26, 2021, noting that the 2021 LRDP Draft EIR and associated notices (Notice of Availability [NOA]/Notice of Completion [NOC]) was submitted online to the CEQA Database. The OPR, SCH Unit was included in UCR's CEQA distribution list and therefore OPR, SCH Unit also received a hard copy of the NOA/NOC. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

2.3.3 Local/Regional

LETTER L1 CITY OF RIVERSIDE (EMAIL CORRESPONDENCE)

David Murray, Principal Planner and Scott Watson, Community & Economic Development,
Historic Preservation
July 19, 2021

Comment L1-1

I tried looking for the LRDP documents today, but they don't seem to be on the website (see screenshot below). Can you please verify the link/website and direct us to the documents?

Response L1-1

An IT update over the weekend of July 17, 2021 and July 18, 2021 inadvertently caused the links on the UCR website containing the 2021 LRDP, NOA/NOC, and Draft EIR and associated appendices, to be temporarily inaccessible. The website was restored by the afternoon of Monday, July 19, 2021, and the documents were once again accessible at the same website provided in the NOA. The public comment period was extended to September 3, 2021, providing a 51-day public review period to account for the time during which the documents were inaccessible, which was outlined in the corrected NOA/NOC. The corrected NOA/NOC was sent to the SCH, Responsible Agencies, interested parties, as well as members of the public, and published in the Riverside Press Enterprise. This comment does not raise an issue with the analysis in the Draft EIR, and therefore no additional response is required.

Comment L1-2

Would it be possible to get a flash drive of the documents? I can meet up with you if that helps.

Response L1-2

A flash drive containing the 2021 LRDP, the 2021 LRDP Draft EIR and appendices, and the corrected NOA was provided to the City of Riverside on Tuesday, July 20, 2021, for their use in reviewing the document. It was confirmed at the City of Riverside Planning Division office that staff was able to successfully copy over all documents onto staff's computer. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

LETTER L2 RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Deborah De Chambeau, Engineering Project Manager
August 3, 2021

Comment L2-1

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are

normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received July 23, 2021. The District has not reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

Response L2-1

Comment noted. It should be noted that UCR is part of the UC system, a State entity. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L2-2

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Box Springs Storm Drain. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid (see attached letter dated 7/17/20).

Response L2-2

Comment noted. It is understood that the proposed 2021 LRDP would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed. An encroachment permit would be required for any construction related activities occurring within District right of way or facilities. The proposed project is the 2021 LRDP which is a plan to guide development, but not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a definitive commitment to any specific campus development project. Any future campus projects that would occur within District right of way or facilities would obtain an encroachment permit from the District. The District's notice of preparation (NOP) comment letter is included. Please refer to the Response L2-6 below.

This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L2-3

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

Response L2-3

Comment noted. The proposed project is the 2021 LRDP, a plan to guide long range development. It is not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a commitment to any specific campus project. Future campus projects would be required to adhere to applicable federal, State, and regulatory regulations such as the NPDES. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L2-4

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

Response L2-4

Comment noted. The proposed project is the 2021 LRDP which is a plan to guide long range development. It is not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a commitment to any specific campus project. Future campus projects would be required to adhere to applicable federal, State, and local or regional regulations, such as FEMA map revisions. For additional information, on flooding, the commenter is directed to Section 4.10, *Hydrology and Water Quality*, of the Draft EIR. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L2-5

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Response L2-5

Comment noted. The proposed project is the 2021 LRDP which is a plan to guide long range development. It is not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a commitment to any specific campus project. Future campus projects would be required to adhere to applicable federal, State, and regulatory regulations such as a Section 1602 Agreement, Section 404 Permit, and/or Section 401 Water Quality Certification. For additional information, on flooding, the commenter is directed to Section 4.10, *Hydrology and Water Quality*, of the Draft EIR. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L2-6

- ☒ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Box Springs Storm Drain or University Wash Spruce Street Storm Drain. For further information, contact the District's Encroachment Permit Section at 951.955.1266.

Response L2-6

Comment noted. It is understood that an encroachment permit would be required for any construction related activities occurring within District right of way or facilities. The proposed project is the 2021 LRDP which is a plan to guide development, but not an implementation plan. Adoption of the proposed 2021 LRDP does not constitute a commitment to any specific campus project. Any future campus projects that would occur within District right of way or facilities would obtain an encroachment permit from the District. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

LETTER L3 CITY OF RIVERSIDE

Al Zelinka, FAICP, CMSM, City Manager
September 2, 2021

Comment L3-1

The City of Riverside (the City) has reviewed, and hereby submits comments, on the Draft Environmental Impact Report (DEIR) prepared for the UC Riverside's (UCR's) 2021 Long Range Development Plan (LRDP).

UCR is an important part of the City of Riverside's history and the social, environmental, and economic fabric comprising California's 12th largest municipality. In the context of our shared geography, the University and the City have achieved much together, and the formal and informal partnerships have yielded many local and regional benefits. As with all beneficial relationships, shared responsibilities also need to be openly identified, articulated and addressed. In this instance, given the ambitious expansion of UCR represented in the LRDP, the City of Riverside greatly appreciates the ability to review the LRDP and DEIR in order to better understand UCR's growth plans in order to articulate the possible effects of that growth on the Riverside community and City services.

The 2021 LRDP will guide development on the main UCR campus for the next 15 years and impacts various matters such as long-range land use development, open space preservation and improvements, multi-modal mobility planning, and infrastructure sustainability and resiliency efforts. The Draft LRDP proposes a net increase in development of approximately 5.5 million gross square feet of additional academic buildings, support facilities; and student housing of approximately 7,489 new on-campus beds to accommodate the anticipated increase of approximately 11,000 students and 2,845 faculty and staff by academic year 2035/2036.

Response L3-1

Comment noted. This comment is an introductory statement and summary of the 2021 LRDP project description and does not require a response pursuant to CEQA Guidelines Section 15088(a). This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L3-2

After reviewing the DEIR and Draft LRDP, the City is seriously concerned about the lack of any enforceable commitment by UCR to provide adequate housing and the necessary City services for current and future students, staff and faculty, as well as mitigation of the impacts of the growth on the quality of life for all Riversiders. As explained in the *Save Berkeley's Neighborhoods v. Regents of the University of California* case, "CEQA requires public universities to mitigate the environmental impacts of their growth and development."

In this context, growth includes student enrollment increases, which the Legislature has acknowledged "may negatively affect the surrounding environment." "Consistent with the requirements of [CEQA]," the Legislature intends that the University of California "sufficiently mitigate significant off-campus impacts related to campus growth and development." (*Id.*, (2020), 51 Cal.App.5th 226, 231) The CEQA Guidelines mandate that a lead agency should consider impacts to population and housing when analyzing a project. (Cal. Code Regs., tit. 14, §15126.2 (a), (e) ["Guidelines § 15126.2 (a), (e)"] [EIR must discuss "changes induced in population distribution" "population concentration" and must "[d]iscuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."]) The state CEQA Guidelines' Checklist Form asks the lead agency to determine whether the project ("(b) would [d]isplace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere." (Guidelines, appx. G, § XIV, subds. (a), (b)).

Each public agency shall mitigate or avoid the significant effects on the environment of projects it carries out or approves whenever it is feasible to do so. (Pub. Res. Code § 21002.1; see also Pub. Res. Code § 21002) Even if a lead agency finds that environmental impacts would remain significant, it must still adopt feasible measures to mitigate or avoid those impacts.

Given the influence of UCR on many dimensions of the City, the absence of meaningful mitigation to address impacts is not representative of the years of collaboration between UCR and the City. To this end, the following comments outline the City's concerns with the DEIR and Draft LRDP – all of which the City expects meaningful consideration and good-faith mitigation:

Response L3-2

Comment noted. The commenter expresses an opinion about the commitment by UCR to provide adequate housing and the necessary City services for current and future students, staff, and faculty, as well as mitigation of the impacts of the growth on the quality of life for all Riversiders. Multiple sections of the Draft EIR address the topics of concern, providing impact analyses and mitigation measures, as needed and feasible. The commenter's concerns are independently addressed in the responses to Comment Letter L3, below. The commenter can also refer to Section 4.1, *Aesthetics*; Section 4.2, *Agricultural Resources*; Section 4.3, *Air Quality*; Section 4.5, *Cultural Resources*; Section 4.8, *Greenhouse Gas Emissions*; Section 4.10, *Hydrology and Water Quality*; Section 4.12, *Population and Housing*; Section 4.13, *Public Services*; Section 4.14, *Recreation*; Section 4.15, *Transportation*;

Section 4.17, *Utilities and Service Systems*; and Section 6, *Alternatives*, of the Draft EIR for additional detail.

Comment L3-3

Chapter 4. 1: Aesthetics

The UCR main campus is identified as being within the City, with levels of light typical for a highly urbanized setting with substantial sources of ambient lighting. In 2018, the City adopted an ordinance to reduce night-sky light pollution. The UCR main campus is located within Zones 2 and 3.

<https://riversideca.legistar.com/View.ashx?M=F&ID=6711468&GUID=3C2E377C-3A93-418B-AC0E-0A4B8635DBC6>

To avoid light impacts to the surrounding community and biological resources, all future development must conform with the development standards for outdoor lighting as specified in Chapter 19.556 of the Riverside Municipal Code, or an equivalent-or-higher standard of UCR's own choosing. This must be addressed in the EIR.

Response L3-3

The comment notes that the Draft EIR describes the campus as situated in an area of the city where light levels are typical of an urbanized area (Draft EIR p. 4.1-51). The comment goes on to state that the Draft EIR does not consider how lighting will be limited to align with City ordinances that protect night-sky pollution.

As the Draft EIR indicates, existing conditions include moderate to high levels of nighttime illumination, depending on the location, that allow for secure nighttime operation of campus facilities and events as well as on-campus residential life. The Draft EIR notes that the 2021 LRDP anticipates infill development along roadways in and around the campus which may improve lighting conditions by making them both safer for pedestrians traveling on the campus and within its residential neighborhoods, and by using the latest lighting technology and specifications that would reduce heat and the amount of light that would spill into public places from uncovered windows and exterior fixtures. Furthermore, the EIR notes that surface parking areas where parking lot lighting currently exists would be removed under implementation of the 2021 LRDP and replaced by structures that would reduce the amount of light within those redeveloped areas.

UCR is constitutionally exempt from local government regulations, including city and county general plans and zoning regulations, whenever using property under its control in furtherance of its educational purposes. As such, potential development on property owned or controlled by the University of California that implements the proposed 2021 LRDP is generally exempt from conformance to local policies and regulations. Please also see Master Response 2: Constitutional Exemption from Local Regulations. Therefore, it is generally not necessary for the project to address local regulations such as the City's night sky ordinance. However, that does not mean that the issues of night lighting were not considered in the 2021 LRDP EIR or otherwise taken into account in the University's development process.

As the Draft EIR states, projects that would implement the proposed 2021 LRDP would be subject to the Campus Construction and Design Standards that regulate the design of structures and associated lighting. In addition, p. 4.1-52 of the Draft EIR includes MM AES-1, which is designed to minimize potential off-site spillover of lighting and glare from new development on campus grounds, including in the multi-family residential areas. Site- and project-specific design

considerations noted in MM AES-1 to minimize light and glare include but are not limited to the following:

- New outdoor lighting adjacent to on-campus residences and adjacent off-campus sensitive uses shall utilize directional lighting methods with full cutoff type light fixtures (and shielding as applicable) to minimize glare and light spillover.
- All elevated light fixtures such as in parking lots, parking structures, and athletic fields shall be shielded to reduce glare.
- Provide landscaped buffers where on-campus student housing, uses identified as Open Space Reserve and UCR Botanic Gardens, and off-campus residential neighborhoods might experience noise or light from UCR activities.
- All lighting shall be consistent with the Illuminating Engineering Society of North America (IESNA) Lighting Handbook.
- The UCR Planning, Design, & Construction staff shall review all exterior lighting design for conformance with the Campus Design and Construction Standards.

Verification of inclusion in project design shall be provided at the time of design review and lighting plans shall be reviewed and approved by UCR staff prior to project-specific design and construction document approval.

MM BIO-6B also includes measures to reduce permanent lighting in or adjacent to Open Space Reserve lands by requiring selective placement, shielding, and direction to minimize potential impacts to sensitive species. In addition, lighting from buildings or parking lots/structures abutting Open Space Reserve lands shall be shielded and/or screened by vegetation to the extent feasible. The points raised in the comment are fully addressed in the Draft EIR; thus, revisions to the analysis in the Draft EIR are not necessary.

Comment L3-4

The DEIR analysis does not consider the additional light and glare from the additional vehicular traffic associated with the LRDP. Those impacts must be addressed too.

Response L3-4

The comment states that the Draft EIR does not consider the effects of increased light and glare associated with more vehicles entering and exiting the campus.

As outlined below, this issue was addressed in the EIR, nevertheless some minor modifications have been provided below. As also discussed at the end of this response, the City recently prepared and certified a Final EIR, with an increase of 1,674,194 vehicle miles traveled (VMT), but included no aesthetics discussion of light or glare from those vehicular trips, indicating that it does not believe that vehicular lighting is a substantial factor to glare or lighting impacts.

Draft EIR p. 4.1-39 first explains that “Off-campus lighting sources include overhead street lighting on local streets, *headlights and taillights from vehicles* traveling along the I-215/SR 60 freeway and streets, headlights from the train, as well as traffic lights....These all contribute to the artificial nighttime light levels.” The same information is acknowledged on Draft EIR p. 4.1-50 which notes that “Existing light sources located in the immediate vicinity of the campus area include street and parking lot lighting, lighting associated with recreational uses, campus facilities, commercial and residential uses, as well as lighting from vehicle headlights and taillights.”

Similarly, Draft EIR p. 4.1-50 acknowledges that “Implementation of the proposed 2021 LRDP would create new light sources associated with new or remodeled residential and academic buildings, parking structures, recreational uses, and lighting for pathways, signs, transit hubs, security, and pedestrian crossings. These would include building safety lighting, parking lot lights, street/pathway lighting, lighting from recreational related uses, architectural lighting, signage, lights that could emanate from windows at night, *and cars entering and exiting parking lots and parking structures at night, and cars driving on local roadways and highways.*”

Draft EIR p. 4.1-52 states that “increased vehicular traffic could impact glare effects along Martin Luther King Boulevard and Canyon Crest Drive, University Avenue and Everton Place, east of Iowa Avenue, West Linden Street, west of Canyon Crest Drive, West Linden Street and Blaine Street, and Watkins Drive, east of Canyon Crest Drive, as vehicles enter and exit parking structures.” It also states that these would be temporary and that parking cars within garage structures would limit glare that could be generated from the sun shining on windshields of parked cars.

Furthermore, the Draft EIR includes mitigation MM AES-2 that prescribes designing and situating ingress and egress from new parking areas and structures such that vehicular headlights are directed away from adjacent residences and that landscaping or walls be included to block and shield adjacent residences from this localized increase in light (vehicles quickly become dispersed within the region after exiting UCR, and once on the local roadways, headlights are typically not directed towards residences).

It should also be noted that on October 5, 2021, the City of Riverside certified a Final EIR⁵ associated with its Housing Element and associated General Plan amendments, which analyzed the environmental impacts of building 31,564 new dwelling units and 3,181,930 square feet of nonresidential development.⁶ That development is anticipated to result in 1,674,194 VMT.⁷ The aesthetics chapter in that document contains two and half pages of analysis, with no discussion of lighting or glare impacts from vehicular lights, despite that project including the addition of 1,674,194 VMT.⁸ Instead, the City of Riverside concluded that impacts associated with light and glare would be less than significant because “the City requires all residential and mixed-used development that introduces light sources, or modifications to existing light sources, to incorporate shielding devices or other light pollution– limiting design features (e.g., hoods or lumen restrictions).” Based upon this analysis prepared by the City associated with its Housing Element, the City does not believe that vehicular lighting is a substantial factor contributing to glare or lighting impacts.

Comment L3-5

Chapter 4.2: Agricultural Resources

The DEIR states that the proposed LRDP would reduce land available for agricultural research on farmland in comparison to existing conditions, and the impact is significant and unavoidable. The City of Riverside prides itself on its rich agricultural heritage that is still prominent in the Arlington

⁵ Riverside, City of. 2021a. City Council Meeting Minutes dated October 5, 2021. Riverside, CA. <https://riversideca.legistar.com/View.ashx?M=M&ID=884064&GUID=E0B9D0E9-89CE-4809-B287-7970777A0510> (accessed October 2021).

⁶ City of Riverside. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 2-1. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov.chedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

⁷ Ibid. p.3.12-20.

⁸ Ibid. p. 3.15-3.

Greenbelt as well as the UCR campus. With increased development pressure, the remaining farmland is under constant threat of disappearance.

Response L3-5

The comment states that implementation of the 2021 LRDP would reduce agricultural land and that Riverside takes pride in its rich agricultural heritage. While correct that the 2021 LRDP proposes to convert some existing agricultural land (as disclosed in the Draft EIR conclusions), the current proposal is substantially more beneficial in comparison to the LRDP approved in 2005. The 2005 LRDP defines expansion and redevelopment of the campus north of Martin Luther King Boulevard, whereas the 2021 LRDP reverses that plan's land use designations for West Campus with the result being a retention of the majority of existing agricultural research uses on West Campus.

Comment L3-6

The DEIR makes no effort at all to mitigate for the loss of farmland. CEQA demands that UCR make a good-faith effort to identify and adopt mitigation measures, and to mitigate for the impacts to the extent feasible. "A gloomy forecast of environmental degradation is of little or no value without pragmatic, concrete means to minimize the impacts." [*Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1038]. If UCR agricultural lands contiguous or adjacent to "urbanizing" areas are planned for development, obvious mitigation would include preservation of other farmland in the immediate area or areas in close proximity to the UCR campus.

As stated in the DEIR, the 2005 LRDP resulted in the acquisition of 540 acres of farmland in the Coachella Valley, approximately 80 miles east of main campus, rather than locally. The DEIR states that the "City has identified the Arlington Heights Greenbelt and the Arlanza-La Sierra lands as important lands for protection ..." yet the DEIR does not consider agricultural lands in the Arlington Heights Greenbelt as potential sites for mitigation of lost agricultural lands on campus. The City requests that UCR seek to acquire property in the Arlington Heights Greenbelt for future agricultural land mitigation efforts prior to the development of existing campus agricultural land. This would surely be superior mitigation than acquiring property in the faraway, environmentally distinct Coachella Valley, as was done in the past.

The DEIR states that not all the land presumed to be converted in the 2005 LRDP was actually converted, but that is not relevant. Any mitigation developed for the earlier LRDP is specific to that earlier plan, and does not carry over to this new set of impacts. UCR's observation that only 43 out of 125 acres were converted instead demonstrated that 82 acres remain available for preservation, and also constitute the appropriate baseline for impacts analysis; further, if the remaining 82 acres are to be developed, then this acreage should be preserved by UCR in the Arlington Heights Greenbelt or other nearby locations.

Response L3-6

The comment states that the Draft EIR "makes no effort at all to mitigate" for the loss of Farmland that implementation of the 2021 LRDP would produce, and asserts "Any mitigation developed for the earlier LRDP is specific to that earlier plan and does not carry over to this new set of impacts." The comment also describes a greenbelt in eastern Riverside that the City has identified as "important lands for protection" and asks that UCR acquire property in this area for future agricultural land mitigation efforts. Finally, the comment notes that the undeveloped agricultural land identified in the 2005 LRDP for conversion should not count toward preserved lands as that

acreage could still be developed and that if more preservation lands were needed, they should be purchased in the Arlington Heights Greenbelt.

The primary change in the 2021 LRDP, in comparison to the 2005 LRDP, is to protect the majority of West Campus for land-based research as noted in one of the 2021 LRDP's overarching goals. Based on this overarching goal, the 2021 LRDP focuses nearly all planned academic, research, and student life development on the East Campus, thus reserving most of the West Campus for land-based research. Nevertheless, some agricultural land is anticipated to convert from research crop production. However, these conversions are supportive of agricultural research, as explained in the Draft EIR p. 4.2-8: "Land-based Research land uses may include agricultural field research, instructional and research laboratories, greenhouses, and uses supporting agricultural research...While some lands currently used for agricultural research would be removed from agricultural production to accommodate these secondary uses, such facilities would support agriculture use and associated research."

The commenter provides no support for the assertion that "Any mitigation developed for the earlier LRDP is specific to that earlier plan and does not carry over to this new set of impacts." As discussed on Draft EIR p. 4.2-5, UCR implemented the Agricultural Mitigation Program to offset the loss of 125 acres of agricultural land on West Campus. This program was implemented and acquired 540 acres of agricultural land, but not all UCR's on-campus land has been converted to non-agricultural uses. This mitigation measure was specific to the loss of specific parcels of agricultural land, not a specific planning document. CEQA inherently recognizes that mitigation measures must have a nexus and rough proportionality. (CEQA Guidelines Section 15041.) Under the City's interpretation, UCR would be required to purchase an additional 540 acres of agricultural land each time it updates its LRDP in perpetuity.

The Draft EIR explains that the West Campus agricultural lands were not converted at the rate anticipated in the 2005 LRDP because the School of Medicine was built on the East Campus, thus not impacting part of the 125 acres of Farmland on the West Campus. However, approximately 43 acres of Farmland on the West Campus were converted to accommodate the Solar Farm, the hammer throw area, and the new CARB facility. The remaining approximately 82 acres are still under cultivation. The 2021 LRDP anticipates further conversion of approximately 19.4 acres of Farmland (development on the Agricultural/Campus Research 2021 LRDP land use designation) to be developed with facilities that would support land-based research on the lands in the West Campus currently used for agricultural research purposes. Another approximately 4.3 acres of land between the two solar farms and the Gage Canal (development on the Campus Support 2021 LRDP land use designation) could also be developed under the 2021 LRDP with secondary research support uses (parking, storage, and utility infrastructure). This would total approximately 23.7 acres that would be subtracted from the remaining 82 acres anticipated to be converted under the 2005 LRDP, leaving approximately 58.3 acres of that total 125 acres originally anticipated for conversion available for cultivation. Based upon these calculations, UCR has provided a mitigation ratio of over 8:1 for the loss of agricultural land (i.e., 66.7 acres converted, with 540 acres agricultural acres purchased). Because these totals are still within those originally anticipated in the earlier planning period, they do not require additional mitigation in the form of land purchases.

The commenter also selectively quotes language from Draft EIR p. 4.2-9, which is better read in context. In providing this selective quote the commenter ignores the facts that (1) UCR is not located near to the Arlington Heights Greenbelt, which is approximately 4 miles away from UCR, and (2) the City has zoned West Campus as Public Facilities/Institutional, which allows for public buildings (Riverside Municipal Code § 19.140.020):

The City has identified the Arlington Heights Greenbelt and the Arlanza-La Sierra Lands as important agricultural lands for protection through the City's Measures R and C (approved in 1979 and 1987, respectively). *However, the UCR campus is not located adjacent to either of these areas. Land uses surrounding the UCR campus include developed, urban areas and roadways, and are not used for agriculture. The UCR campus is zoned Public Facilities/Institutional by the City and is not considered an area of important agricultural preservation. Furthermore, the majority of UCR's agricultural lands on West and East Campus would continue to be used for agriculture-based research and teaching purposes (emphasis added).*

Despite this, it should be noted that in 2020, UCR purchased approximately 21.14 acres of land in the Arlington Heights Greenbelt (located at 2350 & 2450 Madison Avenue Riverside, California) for agricultural research and plans to purchase additional adjoining lands in this area (as needs and funding permits) to further the University's long-term agricultural research. Finally, the City of Riverside has concluded for its 2025 General Plan EIR that agricultural conservation easements are infeasible:⁹

No feasible mitigation exists that will reduce [agricultural] impacts to below a level of significance at the programmatic level. [¶] The economic viability of agricultural operations in the Riverside Sphere of Influence and southern California has declined in recent years. Increasing prices of land, higher water and labor costs, increased environmental regulations, higher property taxes, competition from other parts of the state, and growing urbanization have all worked together to put considerable pressure on farming as an economically viable use. The City recognizes Farmland as a finite and unique resource. Once the Farmland within the Project is converted to other uses, that farmland is effectively eliminated.

...

The City has considered both on-site and off-site mitigation, such as easements and conservation zones, for the loss of agricultural land and uses but has found such mitigation to be infeasible. Maintaining agricultural uses outside of the RC and RA-5 Zones is not economically viable. Agriculture needs specialized support services such as feed stores, equipment sales and maintenance, and manure removal services. Without a critical mass of customers, such agricultural support services may relocate further away, thereby increasing the costs of such services and decreasing the profitability of agricultural operations. According to the United State Department of Agriculture, National Agriculture Statistics Service, Census of Agriculture, farm production expenses in Riverside County increased from an average of \$204,052 per farm in 1997 to \$253,339 per farm in 2002. Total sales of agricultural goods decreased from \$1,057,307 in 1997 to \$1,008,273 in 2002. Over the same time period, the number of farms in Riverside County decreased from 3,864 in 1997 to 3,186 in 2002. These trends will continue as the cost of land, supplies, and services increase.

...

To mitigate for loss of farmland on a Citywide and cumulative basis, the City considered implementing a program that would establish a fee for the purchase of agricultural replacement land or a program that would establish agricultural easements. A conservation easement is an easement that is purchased from a willing landowner and which places a permanent deed

⁹ Riverside, City of. 2007. Riverside General Plan 2025 PEIR, 5.1 Aesthetics. p. 5-26. Riverside, CA. Amended November 2012. <https://riversideca.gov/cedd/planning/city-plans/general-plan-0> (accessed October 2021).

restriction on the use of land. Such a mechanism would appear to reduce significant impacts to agricultural lands in the future by ensuring that certain properties are maintained for agricultural use. Additionally, purchasing property with a deed restriction will not ensure that the property is actually employed for agricultural uses. Nor will the purchase of such lands or the establishment of easements reduce any of the financial pressures associated with farming. As discussed above, economic and environmental factors will preclude the long-term viability of agriculture in Riverside County and the Inland Empire. Agricultural easements on different agricultural land would not (1) avoid the loss of farmland, (2) minimize the scope of the project, (3) repair, rehabilitate or restore the affected farmland, (4) or replace the affected farmland with substitute farmland. Thus, such a program would not actually mitigate the significant impact caused by the Project. (State CEQA Guidelines, § 15370.) Further, funding off-site agricultural preservation outside of the Planning Area lacks the essential nexus to the effects of the Project. While preserving agricultural land in other parts of the state may bestow a benefit on other regions, no such benefit is possible for the area affected by the Project. Therefore, such a program would not be legally feasible. Likewise, mitigation measures involving conservation easements and other methods of agricultural preservation have been considered but rejected as infeasible for this Project.

Comment L3-7

Chapter 4.3: Air Quality

To analyze air quality impacts due to construction, the DEIR states that projections were based on 700,000 gross square feet (gsf) of construction in one year. The justification for this amount of construction is impermissibly vague, stating that "historically the campus has developed at a much lower number than 700,000 gsf per year, with only the most intensive years approaching this number." This square footage appears to be arbitrarily chosen, as the highest amount of construction previously completed within one year was not provided. There is no evidence to support if the 700,000 gsf exceeds or is less than the previous maximum buildout within a year. Additionally, the historic average amount of annual construction must be provided for comparison.

Response L3-7

The comment is questioning the air quality impacts due to construction based on the assumption of 700,000 gross square feet (gsf) of construction in one year. The values were not arbitrarily drawn, as acknowledged in the comment, the assumptions were based upon previous rates of historic construction. This is a perfectly reasonable approach. (*High Sierra Rural Alliance v. County of Plumas* (2018) 29 Cal.App.5th 102 [Upholding General Plan buildout assumptions based upon "historic development patterns"]). During preparation of the air quality and greenhouse gas (GHG) analysis, UCR staff gathered data from 2005 to 2020 based on the year projects completed construction. As shown in the table below, the maximum total gsf for completed campus development attributed to a given year is 658,492 gsf (year 2014). The average annual development over 16 years is 139,319 gsf.

Campus Development between 2005 and 2020¹⁰

Year Completed	gsf
2005	295,086
2006	53,034
2007	445,024
2008	122,536
2009	138,160
2010	59,011
2011	126,903
2012	0
2013	0
2014	658,492
2015	1,200
2016	30,865
2017	6,880
2018	-69,493 (demolition only, no new development in 2018)
2019	208,641
2020	152,769
Average gsf (2,229,108 total gsf/16 years)	139,319

Therefore, UCR staff took the highest annual square footage (658,492 gsf in 2014) and rounded to the nearest hundred thousand to obtain the reasonable conservative construction limit for a given year – 700,000 gsf. As demonstrated, most years have been well below this 700,000 gsf assumption.

The above clarification regarding campus construction activities does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as the data provides clarity and does not change the significance of any impact.

Comment L3-8

The assessment for Impact AQ-1 assumes that the 2016 AQMP growth projections accounts for the increase in campus population as part of the regional population growth. This assumption is not supported with appropriate documentation. Impacts to air quality would occur if the campus growth is in addition to the regional projects. This must be resolved.

Response L3-8

As stated in the Draft EIR, the 2016 Air Quality Management Plan (AQMP), the most recent AQMP adopted by the South Coast Air Quality Management District (SCAQMD), incorporates local city general plans and Southern California Association of Government's (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) socioeconomic forecast projections of regional population, housing, and employment growth. The RTP/SCS forecasts are described and displayed in the *Demographics and Growth Forecast* appendix of the 2016 RTP/SCS. The forecasts are based upon a multi-year process that uses demographic and economic experts to

¹⁰ University of California, Riverside. 2021d. LRDP Historical Construction Gross Area Square Foot Revised 10-6-2021. [tabular dataset]. Riverside, CA. October 6, 2021.

forecast growth in the region and includes feedback and review by jurisdictions across the SCAG region.

The forecasts take existing growth patterns and extrapolate them forward until 2040, which is five years past the 2021 LRDP buildout. These existing growth patterns encompass growth in universities throughout the region, which would have included campuses such as UCR. Therefore, the growth patterns inherently contain growth from universities, and since they are used to forecast future growth, would inherently contain future growth from the campus.

In addition, as part of SCAG's growth forecasts, the following variables are used related to universities:¹¹

- One of the six variables used for the population variable is *“Group Quarters Population living in student dormitories (1 variable): Population living in college dormitories (includes college quarters off campus).”*
- One of the 26 variables used for households is *“Households by Number of College Students (3 variables): the number of households with no college student, with one college student, with two college students or more.”*
- One of the two variables used for school enrollment is *“College/University Enrollment (1 variable): the total number of students enrolled in any public or private post-secondary school (college or university) that grant an associate degree or higher, located within a zone. This variable also represents “students by place of attendance.”*

Therefore, as indicated by SCAG's growth forecasts, universities and college students have been considered.

As discussed in the Draft EIR, the proposed 2021 LRDP would incrementally accommodate an additional 7,419 undergraduate students and 3,659 graduate students plus 2,806 faculty and staff, resulting in a net increase to the campus population of approximately 13,884 people by the 2035 horizon year, which would be well within the total regional population projections for 2035 of 356,839 net increase in regional population. In 2018, UCR performed a Student Housing Market Study, and page two of that report shows that approximately 23 percent of students live at home with their parents or relatives and approximately 5 percent own an existing home.¹² In addition, as stated in the Draft EIR, it can be assumed logically that many students, faculty, and staff would be from the region, as according to available zip code information for UCR students, faculty, and staff; approximately 85 percent of the campus population currently resides in a “reasonable” commute radius (approximately 1 hour each way).

Given the large increase in population forecasted by SCAG, this increase from one of the region's major universities would represent less than one percent of the regional population projections. As discussed above, SCAG's population growth forecasts, which are based upon existing growth in the area, include that of schools and universities.

Finally, UCR's 2021 LRDP does not induce an increase in population, rather, enrollment is responsive to population growth. As discussed in Draft EIR Section 4.12.2 under "California Education Code:"

¹¹ Southern California Association of Governments (SCAG). 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Appendix. Los Angeles, CA. April 2016. https://scag.ca.gov/sites/main/files/file-attachments/f2016trtpscs_demographicsgrowthforecast.pdf?1606073557 (accessed October 2021).

¹² University of California, Riverside. 2018. Student Housing Market Study for University of California Riverside. Riverside, CA. May 25, 2018.

The California Education Code contains several provisions mandating certain enrollment plans and admissions practices. Section 66202.5 of the Education Code states the following: ‘The State of California reaffirms its historic commitment to ensure adequate resources to support enrollment growth, within the systemwide academic and individual campus plans to accommodate eligible California freshmen applicants and eligible California Community College transfer students, as specified in Sections 66202 and 66730.’...[¶] Similarly, Section 66011(a) of the California Education Code provides that all resident applicants to California institutions of public higher education who are determined to be qualified by law or by admission standards established by the respective governing boards should be admitted to either a district of the California Community Colleges, in accordance with Section 76000, the California State University, or the University of California. Section 66741 of the California Education Code requires acceptance of qualified transfer students at the advanced standing level. [¶] Additionally, under the California Master Plan for Higher Education, the UC system guarantees access to the top 12.5 percent of California’s public high school graduates and qualified transfer students from California Community Colleges.

As the California Supreme Court explained “CEQA is not intended as a population control measures” (*Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 257; see also *Central Delta Water Agency v. Department of Water* (2021) Case No. __ Cal.App.5th __ [Crop conversion not attributable to the project because such conversion would occur with or without the existence of the project.]).

Comment L3-9

Chapter 4.5: Cultural Resources

Women's and LGBT Resources Centers are mentioned under the Civil Rights Movement and Student Activism at UCR, 1960-1975 theme, but the contributions of these groups to the history and significance UCR are not explored and not included in the analysis.

Response L3-9

The level of detail provided in the EIR is consistent with CEQA Guidelines Section 15125, which notes that “the description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives.” As acknowledged in the Historic Resources Survey (See Appendix E of the Draft EIR), the historic context drew on available information to identify the contexts and themes that are most salient at UCR and its potential historic resources. The contextual framework for evaluations is also intended for use in future evaluations, as the 2021 LRDP is implemented, and more properties reach the age threshold for assessment. Furthermore, the commenter fails to identify any historic resources which have not already been discussed in the Draft EIR.

The issues raised in this comment do not require changes to the Draft EIR; no further response is necessary.

Comment L3-10

While it is understood that UCR is a constitutionally-created State entity and is not subject to municipal regulations of surrounding local governments, Section 21084.1 of CEQA specifies that "Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section

5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant." To fully analyze impacts to historic resources, the Cultural Resources section needs to evaluate structures for local listing eligibility.

Response L3-10

As acknowledged, UCR is a constitutionally-created State entity and is not subject to municipal regulations of surrounding local governments. As such, the City's municipal regulations do not apply to buildings on the UCR campus. Nevertheless, the EIR's historic resource analysis is not as narrowly tailored as implied by the commenter. As acknowledged in the Draft EIR, the historic resource evaluation considered all "built-environment properties 45 years of age or older." (Draft EIR p. 4.5-30.) This included consideration of "changes to the physical characteristics that make a historical resource eligible for listing in the CRHR such that the resource would no longer be eligible for the NRHP, CRHR, or *local historical registers*" (Draft EIR p. 4.5-43). Certain built environment features were determined to be historic based upon local factors. For example, as discussed in Draft EIR Appendix E, the Gage Canal "possesses integrity of location, design, setting, workmanship, and feeling and association that qualify it as a significant resource *to local and regional history*." This is fully consistent with the guidance submitted by the City of Riverside during the Project's Initial Study, which requested analysis of impacts to Gage Canal, which was designated as a City Historic Landmark (Draft EIR, Appendix A, p. 158). The commenter does not identify any additional features they believe should have been considered historic. Therefore, no further response is feasible.

The issues raised in this comment do not require changes to the Draft EIR; no further response is necessary.

Comment L3-11

Policy LU-4.6 of the City's General Plan is included in this Section, yet this policy is only applicable to the Tribal Cultural Resources. Please refer to the Historic Preservation element of the City's General Plan for applicable Objectives and Policies.

https://riversideca.gov/cedd/sites/riversideca.gov.chedd/files/pdf/planning/general-plan/16_Historic_Preservation_Element.pdf

Response L3-11

In response to the comment above, the Regional and Local (Non-Binding) Regulatory Setting information under "City of Riverside General Plan", on page 4.5-42 of the Draft EIR, is amended as follows:

Regional and Local (Non-Binding)

As noted in Section 4, "University of California Autonomy," UCR, a constitutionally-created State entity, is not subject to municipal regulations of surrounding local governments for uses on property owned or controlled by UCR that are in furtherance of the university's educational purposes.

City of Riverside General Plan

The City of Riverside General Plan contains the following policies:

Policy LU-4.6: Ensure protection of prehistoric resources through consultations with the Native American tribe(s) identified by the Native American Heritage Commission pursuant to Government Code Section 65352.3 and as required by CEQA.

Policy HP-1.1: The City shall promote the preservation of cultural resources to ensure that citizens of Riverside have the opportunity to understand and appreciate the City's unique heritage.

Policy HP-1.2: The City shall assume its direct responsibility for historic preservation by protecting and maintaining its publicly owned cultural resources. Such resources may include, but are not limited to, buildings, monuments, landscapes, and right-of-way improvements, such as retaining walls, granite curbs, entry monuments, light standards, street trees, and the scoring, dimensions, and patterns of sidewalks, driveways, curbs and gutters.

Policy HP-1.3: The City shall protect sites of archaeological and paleontological significance and ensure compliance with all applicable State and federal cultural resources protection and management laws in its planning and project review process.

Policy HP-1.4: The City shall protect natural resources such as geological features, heritage trees, and landscapes in the planning and development review process and in park and open space planning.

Policy HP-1.5: The City shall promote neighborhood/city identity and the role of historic preservation in community enhancement.

Policy HP-1.6: The City shall use historic preservation as a tool for "smart growth" and mixed use development.

Policy HP-1.7: The City shall ensure consistency between this Historic Preservation Element and all other General Plan elements, including subsequent updates of the General Plan.

Policy HP-2.1: The City shall actively pursue a comprehensive program to document and preserve historic buildings, structures, districts, sites (including archaeological sites), objects, landscapes, and natural resources.

Policy HP-2.2: The City shall continually update its identification and designation of cultural resources that are eligible for listing in local, state and national registers based upon the 50 year age guideline for potential historic designation eligibility.

Policy HP-2.3: The City shall provide information to citizens, and the building community about what to do upon the discovery of archaeological resources and burial sites, as well as, the treatment, preservation, and repatriation of such resources.

Policy HP-3.1: The City shall conduct educational programs to promote an understanding of the significance of the City's cultural resources, the criteria for historic designation, historic design review processes, building permit requirements, and methods for rehabilitating and preserving historic buildings, sites, and landscapes.

Policy HP-3.2: The Planning Division shall promote an understanding and appreciation of the importance of historic preservation by the City's departments, boards, commissions, and elected officials.

Policy HP-4.1: The City shall maintain an up-to-date database of cultural resources and use that database as a primary informational resource for protecting those resources.

Policy HP-4.2: The City shall apply the California State Historical Building Code to ensure that City building code requirements do not compromise the integrity of significant cultural resources, at the property owner's request.

Policy HP-4.3: The City shall work with the appropriate tribe to identify and address, in a culturally appropriate manner, cultural resources and tribal sacred sites through the development review process.

Policy HP-5.1: The City shall use its design and plot plan review processes to encourage new construction to be compatible in scale and character with cultural resources and historic districts.

Policy HP-5.2: The City shall use its design and plot plan review processes to encourage the compatibility of street design, public improvements, and utility infrastructure with cultural resources and historic districts.

Policy HP-6.1: The City shall provide financial incentives to promote the restoration, rehabilitation, and adaptive reuse of cultural resources.

Policy HP-6.2: The City shall use financial resources from state, federal and private programs that assist in the identification, designation and preservation of cultural resources.

Policy HP-6.3: The City shall ensure adequate funds in its budget for the staffing and maintenance of a historic preservation program in compliance with the California State Office of Historic Preservation's Certified Local Government program.

Policy HP-7.1: The City shall apply code enforcement, zoning actions, and building safety/construction regulations as tools for helping to protect cultural resources.

Policy HP-7.2: The City shall incorporate preservation as an integral part of its specific plans, general plan, and environmental processes.

Policy HP-7.3: The City shall coordinate historic preservation with other activities within its government structure.

Policy HP-7.4: The City shall promote the preservation of cultural resources controlled by other governmental agencies, including those related to federal, state, county, school district, and other agencies.

The addition of these non-binding City of Riverside General Plan policies does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide inapplicable regulatory background information and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration for certification by the Regents.

Comment L3-12

MM CUL-1 Protection of Historical Resources: The City requests to receive a copy of all HABS-like documentation completed as part of this mitigation. Please provide a copy to the Local Historic Archives at the Main Riverside Public Library.

MM CUL-2 Tribal Cultural Resources/Archaeological Monitoring: This mitigation applies to areas with a medium or high potential to encounter undisturbed native soils including Holocene alluvium soils. The technical studies and the DEIR do not identify areas with medium or high potential. These areas must be identified to clarify when this mitigation is applicable.

Response L3-12

As stated in MM CUL-1 (Draft EIR p. 4.5-46), if major modifications, renovations, or relocation of a determined historic resource is proposed and the project is unable to comply with the *Secretary's Standards* or when a historic resource is to be demolished, then UCR shall ensure that documentation shall be carried out by a qualified architectural historian, in accordance with the directions provided in the mitigation measure. A copy of the HABS-like package shall be offered to the Special Collections and University Archives at the Tomás Rivera Library and the California Historical Resources Information System. These are depositories that are accessible to qualified members of the public, including those affiliated with the City. UCR has determined that the submittal of the HABS-like report to the Local Historic Archives at the Main Riverside Public Library would be redundant, would not reduce or avoid a significant impact, and no changes to the Draft EIR text or analysis are necessary regarding this comment.

The commenter faults the EIR for allegedly not identifying areas of medium or high potential for archaeological resources/TCRs. The Draft EIR disclosed that “the southeastern portion of the LRDP area, is considered to have a high sensitivity for encountering archaeological resources.” (Draft EIR p. 4.5-29.) To the extent that the commenter is requesting more precise information, the level of detail is precluded as a matter of law. (CEQA Guidelines Section 15120(d) [“No document prepared pursuant to this article that is available for public examination shall include...information about the location of archaeological sites and sacred lands.”]) Additionally, the EIR notes that a Confidential Appendix to the Cultural Resource Constraint Study for the 2021 LRDP was prepared by Psomas, as acknowledged on Draft EIR p. 4.16-9.

As stated in MM CUL-2 (Draft EIR p. 4.5-48), UCR will determine the need for an archaeological and Native American monitor prior to commencement of ground disturbing activities into an area with undisturbed native soils or when development would occur in the southeastern quadrant of campus, and in areas containing Val Verde Pluton geologic features considered highly sensitive to prehistoric archaeological resources. This determination will be made during the pre-project process, in line with current practices, which may include the request for a geotechnical study. Preliminary assessment of need will be done by staff by referring to soils classified as Qyf and Qya on Figure 4.7-1 (Draft EIR p. 4.7-4). Timing and oversight responsibility for this mitigation measure is detailed in the Mitigation Monitoring and Reporting Program.

The issues raised in this comment do not require changes to the Draft EIR; no further response is necessary.

Comment L3-13

Chapter 4.8: Greenhouse Gas Emissions

The analysis for Impact GHG-1 does not take into account greenhouse gas emissions from student, staff, and faculty transportation to and from the campus. As only 40% of all students (68% of increased enrollment) will be housed on campus, the majority of students and faculty will be commuting to campus. The Air Quality section DEIR indicates 85% of the campus population resides within a one-hour commute to the campus. This assumption is inadequate because it does not give

a clear picture of the exact percentage of the campus population that commutes rather than using alternative methods of transportation or public transit. With an increase in campus population, the majority of which will not be housed on campus, the amount of commuter transit will increase. This increase in commuters is likely to cause an increase in greenhouse gas emissions.

Response L3-13

Contrary to the assertions in the comment, the GHG analysis expressly considered emissions from student, staff, and faculty transportation. Furthermore, most new students (68 percent) would be housed on campus.

On Draft EIR p. 4.8-28 and 4.8-29 in the description of GHG emissions mobile sources methodology, it is stated that “mobile source emissions from UCR include emissions from UCR vehicle fleet emissions as well as VMT emissions associated with student, faculty, commercial vendor, and visitor populations.” These emissions are included in Table 4.8-3 under “Scope 3,” including “On-Road Transportation (Passenger),” “On-Road Transportation (Commercial/Heavy Duty),” and “Public Transit.” (See also Draft EIR p. 4.8-10 for definition of “Scope 3”). Specifically, the modeled GHG emission factors reflect the average vehicle mix and usage rates forecast for Riverside County in 2035, which is the proposed 2021 LRDP horizon year. Daily VMT were adjusted to annual VMT using a conversion factor of 315 days, which accounts for UCR’s academic schedule, holidays, and enrollment levels during summer and regular academic quarters. VMT modeling was based on specific proposed 2021 LRDP information (e.g., land use types, traffic modeling, building space) and outputs of the current version of the Riverside Transportation Analysis Model (RivTAM), a regional version consistent with the SCAG transportation model.

No off-model adjustments were made during *transportation* VMT modeling, i.e., RivTAM modeling (see Appendix J, Section 3 *Methodology*, of the Draft EIR). However, for purposes of *GHG emissions calculations*, GHG emissions modeling related to VMT was adjusted with input from UCR staff and student travel on transit systems including calculations based on the UCR population that rides bus transit lines that stop, originate, or terminate on the UCR campus. UCR provided ridership data for the Riverside Transit Agency (RTA) bus routes that are subsidized through the UPASS bus subsidy program. UPASS ridership data indicates the number of rides taken under a UPASS and affiliated with UCR. RTA UPASS data was collected on a fiscal year basis therefore UPASS ridership data from 1/1/2018 through 12/31/2018 was summed for 2018. UPASS ridership data indicated 554,396 rides in 2018. This was calculated to be approximately 21% of total annual RTA ridership on routes that stopped, originated or terminated at UCR. To attribute total emissions from RTA to UCR riders, the annual number of miles ridden by UPASS riders was estimated based on the average RTA passenger vehicle revenue miles (VRM).¹³ Total GHG emissions for the Rapid Link Gold Line, Route 1, Route 16, Route 51, Route 52, Route 204, Route 208, and Route 212 were calculated based on total VRMs traveled in 2018. Total ridership on RTA buses was estimated based on RTA ridership statistics for bus routes that stopped, originated or terminated at UCR (i.e., Rapid Link Gold Line, Route 1, 16, 52, 52, 204, 208, 212); there were approximately 2,639,033 annual rides (RTA 2019).

For a detailed description of the GHG emissions model input and output parameters and assumptions, estimation of UCR 1990 GHG emissions levels (82,167 MTCO_{2e}), quantification of 2018 baseline GHG emissions inventory, and forecasted 2025, 2030, 2035, 2040, and 2045 GHG emissions, as well as interpolation and translation of Statewide goals for determination of UCR-

¹³ A vehicle revenue mile is one vehicle traveling one mile with revenue passengers on board.

specific GHG emissions targets for these same years, see the following technical reports in Draft EIR Appendix G:

- Final GHG Inventory-Forecast Data Evaluation Memo
- Final GHG Inventory, Forecast, and Targets Report

Furthermore, the VMT analysis completed for the 2021 LRDP applied the Origin/Destination method. The Baseline (2018) Plus Project and Cumulative (2035) Plus Project VMT per Service Population calculations were determined by measuring the UCR campus-wide VMT plus the proposed 2021 LRDP population growth. These VMT measurements and associated calculations of VMT per Service Population were used to evaluate the VMT impact of UCR with the addition of the proposed 2021 LRDP projects. This calculation methodology reflects the VMT generation characteristics of the UCR campus with the inclusion of more faculty/staff, student housing residents, and commuter students proposed under the 2021 LRDP, which accounts for residential and employment VMT as well as additional VMT generated by nonresidential students who commute to the campus each day.

The issues raised in this comment do not require changes to the Draft EIR; no further response is necessary.

Comment L3-14

Chapter 4.10: Hydrology and Water Quality

The LRDP Hydrology Study states that "the City municipal storm drain system receives runoff from the UCR campus and ultimately discharges to the Santa Ana River," yet it fails to identify specific City discharge locations, and impacts to City storm drainpipes as a result of the increase in impervious surface being constructed with the future development projects. The Hydrology study needs to identify any impacts to City drainage infrastructure and mitigate those impacts as appropriate.

Response L3-14

The comment selectively quotes from Draft EIR p. 4.10-9 (the Hydrology Environmental Setting) and states the Draft EIR does not identify specific stormwater discharge locations or possible impacts to City storm drainpipes from implementation of the 2021 LRDP. In making this assertion, the comment also ignores all 13 pages of Hydrology impact analysis, and the entire Utilities and Service Systems section (Section 4.17 of the Draft EIR), which also includes discussion of stormwater facilities under Impact U-1.

As discussed under CEQA Guidelines Section 15204(a), the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

The UCR LRDP encompasses approximately 1,108 acres of land, which includes hundreds, if not thousands, of stormwater related facilities. All new development is subject to detailed regulatory requirements for on-site stormwater capture and treatment, as discussed in detail in the regulatory setting and impact analysis in Section 4.10, *Hydrology and Water Quality*, of the Draft EIR. Consequently, the level of detail requested by the commenter is unnecessary for the purposes of CEQA. (*Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572, 594 [compliance with design review

can be used to ensure impacts remain less than significant “...even if some people are dissatisfied with the outcome. A contrary holding that mandated redundant analysis would only produce needless delay and expense.”.) Nevertheless, the Draft EIR included detailed information on the location of storm water facilities, which was ignored in the comment. Draft EIR p. 4.10-3 explains, with emphasis added¹⁴:

The general flow of runoff on the UCR campus is in a northwesterly direction (2021 LRDP). As such, the majority of runoff entering the UCR campus does so from the east. The existing storm drain network serving the UCR campus is comprised of UCR, City, and county drainage facilities. On-site and off-site stormwater is collected and discharged through overland flow, underground storm drains, and natural arroyos that ultimately discharge to open channel arroyos and large-diameter county drainage infrastructure. [¶] Two major lines provide stormwater drainage on the UCR campus. The main line, known as the University Arroyo system, conveys the majority of stormwater runoff that flows toward and through campus from the east. *Surface water runoff is collected by an inlet structure located near Valencia Hill Drive and Big Springs Road and is conveyed by the University Arroyo system in an east-west alignment through campus between Valencia Hill Drive and Canyon Crest Drive. The University Arroyo system discharges runoff to the Gage Detention Basin north of University Avenue at Canyon Crest Drive. Discharge is conveyed through aboveground swales, a 72-inch pipe, and finally a seven-foot-diameter box culvert (UCR 2016a).* Surfaces in the University Arroyo system consist of both impermeable materials, such as concrete and asphalt that are used to construct the inlet and culvert facilities, as well as permeable materials, such as soils and vegetation that form the natural channel base. The composition of impermeable versus permeable materials present in the University Arroyo system has been shaped by previous and ongoing development.

Lateral lines drain the north, south, and east areas of East Campus. *A second major storm drain on campus is in West Campus, east of Chicago Avenue and south of Martin Luther King Boulevard, known as the Box Springs Arroyo system.* It handles runoff that accumulates from the foothills near the freeway and from the Agricultural Operations area south of Martin Luther King Boulevard. The Agricultural Operations area consists of mainly unpaved permeable areas, with no subsurface storm drains or catch basins (UCR 2015). No agricultural research irrigation runoff enters into the Box Springs Arroyo conveyance. The agricultural research lands include efficient irrigation system including drainage lines that capture any runoff for recirculation via a salvage and earthen reservoir system. Surface water resources and drainages on and near the UCR campus are shown in Figure 4.10-2 and described below.

As further discussed on Draft EIR p. 4.10-9, two main drainage lines convey surface runoff into the Box Springs Storm Drain system; this is shown on Figure 4.10-6 of the Draft EIR, which depicts stormwater drainage lines on the UCR campus and surrounding area. The Box Springs and University Storm Drain systems are designed to handle peak stormwater flows, including those contributed from the UCR campus. Draft EIR p. 4.10-41 states that the 2016 UCR Physical Master Plan Study assessed stormwater drainage changes associated with planned development on campus. The 2016 study identified 21 UCR sub-drainage areas and computed peak discharges for them under varying flood scenarios; for example, a 25-year flood was anticipated to increase runoff for the East Campus by 10 percent. A direct weblink was provided to this study on Draft EIR p. 4.10-48, which includes

¹⁴ In-text citations provided in this quote are found at the end of Section 4.10, *Hydrology and Water Quality*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

additional detailed figures of existing and future stormwater facilities in Section 6.7, *Stormwater Quality and Management*.

Impact HWQ-3 discusses stormwater related impacts, including the effects of increased flood flows in response to storm events. It discusses measures that would be implemented to control erosion and runoff control during project design, construction, and operation through use of a Stormwater Pollution Prevention Plan (SWPPP) and NPDES permit requirements, which include requirements to control stormwater discharges. The discussion under Impact HWQ-3 further characterizes multiple possibilities for enhancement of existing stormwater retention and conveyance during project-specific implementation of the 2021 LRDP which would serve to reduce runoff. In addition, development under the 2021 LRDP will occur outside of the FEMA-designed 100-year floodplain, which the current stormwater system is designed to accommodate. The Draft EIR concludes that the 2021 LRDP will not substantially alter drainage patterns or increase impervious surfaces such that impacts to stormwater conveyance would be significant. This comment does not result in a change to the Draft EIR.

Additionally, the Draft EIR certified by the Riverside City Council on October 5, 2021 did not “identify specific City discharge locations.”¹⁵ In fact, the entire Hydrology and Water Quality analysis in that EIR was screened out from detailed review, and simply described stormwater facilities as follows:

There are 11 primary drainage areas, 10 of which eventually flow into the Santa Ana River. Surface drainage generally flows in a northerly direction. Approximately 80 percent of the City is covered with impervious surfaces (City of Riverside 2016).¹⁶ Local drainage facilities generally consist of underground closed conduits and storm drains, primarily in developed portions of the City. These collect and convey stormwater to regional facilities, including the Santa Ana River.¹⁷

The City of Riverside then concluded that impacts from construction of 31,564 new Dwelling Units and 3,181,930 square feet of nonresidential development would be less than significant because “the City requires individual development projects to comply with existing State Water Resources Control Board and City stormwater regulations, including compliance with NPDES requirements related to preventing the transport of pollutants. The Santa Ana Drainage Area Management Plan (DAMP) provides a selection of BMPs, as required by NPDES”¹⁸. As noted above, similar, but more detailed analysis is provided by UCR in the Draft EIR for the 2021 LRDP.

The issues raised in this comment do not require changes to the Draft EIR; no further response is necessary.

¹⁵ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.15-19. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

¹⁶ In-text citation provided in this quote is found in Chapter 7, References, of the City of Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft EIR (SCH# 2021040089).

¹⁷ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.15-20. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

¹⁸ Ibid. p. 3.14-22, p. 3.15-21, p. 3.14-24 [Riverside Utilities analysis].

Comment L3-15

Chapter 4.12: Population and Housing

The Draft EIR establishes a benchmark of providing on-campus housing for only 40% of the student population (68% of project increase in student population) and claims this percentage is a result of factors outside of UCR's control, including privately-owned housing options in the neighboring community, projected new supply created by private developers, and future expansion of transit options that will expand the campus' physical reach farther into the community. However, the LRDP's "goal" to provide that housing is based on uncertain, unenforceable "objectives and policies supportive of the increased enrollment and housing goals " (LRDP p. 4.12-17) Those aspirations are unsupported in facts or data. Given the unrelenting housing crisis in Riverside and surrounding areas, UCR must analyze student housing based on current, concrete proposals to perform an adequate analysis, not aspirational 'goals based on supportive policies.' Because the 40% on-campus assumption is unsupported, an impact analysis based on 40% of student residing in on-campus housing is insufficient. If those assumed housing sources are not available, there will be additional, unaddressed impacts to the existing housing supply within the City and neighboring communities. Historic problems associated with inadequate student housing supplies include overcrowding of UCR-area homes, noise complaints, vehicular access and safety issues, and other neighborhood livability issues. Should UCR continue to assume the surrounding area will absorb its LRDP enrollment, then the impacts must be analyzed, addressed and mitigated.

Response L3-15

The commenter asserts that “the 40% on-campus assumption is unsupported, an impact analysis based on 40% of student residing in on-campus housing is insufficient. If those assumed housing sources are not available, there will be additional, unaddressed impacts.”

This argument has been rejected by the Courts. (See *Environmental Council of Sacramento v. County of Sacramento* (2020) 45 Cal.App.5th 1020. In that case, Petitioners similarly faulted the project description for a 2,669 acre Master Plan because “the construction and development of a university is uncertain and unlikely. Substantial evidence indicates a strong likelihood that a university will never be built.” The Court rejected this assertion, explaining that “the County, in drafting the EIR was required to assume all phases of the Project, including the university would be built.”

It should be noted that since the baseline year (2018), UCR has added 2,326 student beds and the university's contract with American Campus Communities (ACC) to fully develop the North District area does in fact provide a commitment for approximately 3,758 additional student beds in the North District area. ACC is already committed to this specific development, and the UC is committed to implementation of the 2021 LRDP's housing goals.

Even assuming, arguendo, the proposed UCR bed counts were not built out in entirety, there is adequate housing capacity within the region to accommodate the increase in students. As discussed in Section 4.12, *Population and Housing*, the City of Riverside most recently received its Regional Housing Needs Assessment (RHNA) allocation of 18,458 housing units for the 2021-2029 Housing Element Cycle (Riverside County's RHNA allocation was 167,351 units). As part of this process, the City has approved a buffer of approximately 5,500 dwelling units (approximately 30 percent over and above the RHNA allocation), and the City will identify space for up to 24,000 new homes [31,564

dwelling units with 75 percent development rate] for the 2021–2029 RHNA cycle.¹⁹ To implement the SCAG RHNA allocations, the City of Riverside has already increased development capacity in Ward 2 (which contains UCR) of 3,770 dwelling units (10,993 persons, assuming 2.90 persons per household [PPH], or 12,347 persons assuming 3.28 PPH). As acknowledged in the City of Riverside’s Comment letter to SCAG, “in the past, the region was only obligated to *accommodate* housing; now the region is essentially obligated to *construct* housing.”²⁰ Please see Final EIR Chapter 4, *Revisions to the Draft EIR*, for additional clarifications to the Population and Housing analysis, and refer to Appendix B of the Final EIR for the updated Population and Housing section discussion. Please also see Response L3-16 for discussion of students living off-campus.

Comment L3-16

Per the DEIR, "a primary goal of the proposed 2021 LRDP is to expand enrollment capacity up to 35,000 students through 2035, a net increase of approximately 11,000 students or a 46 percent increase from the 2018/2019 academic year student population." The City and the residents of the communities surrounding the UCR campus have historically been impacted by the ever-increasing enrollment and UCR's lack of providing sufficient on-campus housing. This has resulted in quality-of-life impacts such as noise, overcrowding, increased traffic and parking as well as physical changes to established single family neighborhoods resulting from the modification of single-family homes into mini-dormitories.

In 2014-2015 the City worked closely with residents of the University Neighborhood and the Canyon Crest Neighborhood to develop a "Residential Protection Overlay Zone" to help combat the direct physical and indirect quality-of-life impacts of these so called "cut-ups." The City Council adopted the RP Overlay Zone on September 22, 2015. Hundreds of hours of staff time were used to develop the RP Overlay Zone, including hosting monthly meetings for over a year with the residents, UCR students, faculty, staff, real estate representatives, Fair Housing representatives, and property management representatives, all as a direct result of UCR's lack of providing adequate on-campus housing. Those impacts from inadequate student housing were significant, and UCR's increasing off-campus private housing will cause those very same impacts. UCR must address, analyze, and mitigate those very real impacts.

Response L3-16

Comment noted. This comment expresses an opinion about the quality of life in surrounding campus neighborhoods and the City’s development of a Residential Protection Overlay Zone as it relates to the sufficiency of on-campus housing. A primary goal of the proposed 2021 LRDP is to expand on-campus residential facilities to include approximately 14,000 beds (40 percent of the student population and 68 percent of the increased student population) in university-managed or controlled housing in proximity to the Academic Center (an increase from the 27 percent housed on campus in Fall 2018). This is in direct response to the need for additional housing for UCR students. It should be noted that since the baseline year (2018), UCR has added 2,326 student beds and the university’s contract with ACC to fully develop the North District area does in fact already provide

¹⁹ Riverside, City of. 2021c. Riverside Draft Housing Element. Riverside, CA. October 2021.

<https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach> (accessed October 2021)

²⁰ Riverside, City of. 2019. Jay Eastman, AICP, Principal Planner City of Riverside letter to Kome Aljise, Executive Director Southern California Association of Governments, regarding the methodologies used to address the 2021-2029 Housing Element planning horizon. September 13, 2019. <https://scag.ca.gov/sites/main/files/file-attachments/091319cityofriverside.pdf?1605504907> (accessed October 2021).

for another approximately 3,758 student beds in the North District area. ACC is committed to this development subject to the demand study and UCR is committed to its LRDP housing goals.

The analysis of potential impacts related to population and housing is in Section 4.12.3, Environmental Impacts and Mitigation Measures, of the Draft EIR which begins on p. 4.12-16. As discussed in the updated Population and Housing analysis (see Final EIR Chapter 4, *Revisions to the Draft EIR* and Appendix B of the Final EIR), approximately 28 percent of new off-campus students would reside in an existing home, and 52 percent of the remaining new students living off-campus would share a dwelling unit. Therefore, more realistically, new students would need at most 1,704 dwelling units over the next 15 years, and faculty/staff would need 2,806 or fewer residential units (not considering those new faculty and staff which already reside in the area, and not considering PPH), for a total of 4,510 regional residential units (301 units per year).²¹ This represents 3.97 percent of the net increase of total regional housing unit projections for 2035 (4,469 off-campus housing units/113,401). As discussed in the Population and Housing section of the Draft EIR, this population growth is not “unplanned” under OPR’s recently updated significance thresholds.

The Draft EIR considered Noise in Section 4.11, which included analysis of off-site impacts from increased vehicle use, which is the primary source of off-campus noise. (Draft EIR p. 4.11-24). UCR does not have site-specific information on where the increased off-campus students would live. As discussed on Draft EIR page 4.12-11, only 10 percent of students in off-campus housing reside in the City of Riverside, with the remainder dispersed throughout the region. Off-campus housing options for students, faculty, and staff vary greatly and include multi-family apartment complexes, condominiums, and single-family homes. Housing options in the near-vicinity (i.e., within a few miles) of campus consist mostly of apartment buildings and are a result of housing market demands near the university. UCR does not sponsor, encourage, or recognize concentrations of student housing such as a fraternity or sorority row, wherein multiple (i.e., dozens) of students may occupy one large home. The leasing of single-family homes to one or more UCR students, or UCR faculty or staff, is at the discretion of individual landlords.

UCR anticipates off-campus living to generally continue to be dispersed throughout the region under the 2021 LRDP, with the only potential new location of increased off-campus student populations potentially occurring within the University Avenue Specific Plan area, which focuses mixed use residential development along University Avenue away from single-family neighborhoods. The Specific Plan itself “is envisioned as primarily a multi-family housing area *catering to the University populace.*” (City of Riverside 1992: 4-15.²²) The Specific Plan further notes that “Multi-family residential rental housing is recommended as the dominant land use...and primarily serving local student and community needs.” (City of Riverside 1992: 8-38.) This Specific Plan area is currently commercial in nature and subject to existing noise sources from vehicular travel along University Avenue, and the associated commercial uses. Buildout under the Specific Plan has already been subject to CEQA review associated with Resolution Numbers 18587, 19686, 19715, 21054, and most recently in the City’s Housing Element Update (SCH# 2021040089). As discussed in the revised Population and Housing section (please refer to Final EIR Chapter 4, *Revisions to the Draft EIR* and Appendix B of the Final EIR), this Specific Plan was amended in 2021

²¹ At UCR, approximately 82 percent of the non-student population is comprised of staff, and approximately 18 percent are academic faculty (850 faculty). Upon taking a position at UCR, approximately 81.3 percent of UCR Staff maintained their current residence and 18.7 percent moved (please refer to Final EIR Chapter 4, *Revisions to the Draft EIR* and Appendix B of the Final EIR).

²² The University Avenue Specific Plan is available at:

<https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2020/University%20Avenue%20SP%20%28With%20Figures%209.pdf>, and the October 2021 amendments thereto are available at:

<https://riversideca.legistar.com/View.ashx?M=F&ID=9837982&GUID=294E3A09-A502-4222-980C-6B360D34F8DD>

as part of the City's RHNA allocation process and is the focus of the 2021 Housing Element opportunity sites. The amendments to the Specific Plan explicitly added "Student Housing" to subdistricts 2, 3, 4a, and 4b, and the City estimates a "realistic" development of 1,315 dwelling units during the current Housing Cycle (up to 3,813 individuals). As also detailed in Master Response 1, UCR is committed to encouraging good neighbor behavior in all students, faculty, and staff as they live in and interact with the Riverside community. As noted above, most new students will be largely dispersed throughout the region and operational noise associated with outdoor residential use areas (i.e., balconies and yards) would potentially include conversations, music, television, or other sound-generating equipment typical of existing residential properties (i.e., air conditioning units). These noise-generating activities would be comparable to those of existing residences in the vicinity of UCR and less than the existing roadway noise and the existing commercial uses along University Avenue and would not result in an adverse change to existing noise levels. Furthermore, development of new structures along University Avenue have the potential to shield adjacent land uses from roadway noise, which is the predominant noise source in the area. As discussed on Draft EIR, "any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver."

Moreover, noise from conversation would be an intermittent and temporary noise source that would typically be limited to the daytime, where there is greater activity, and this type of noise source is acceptable. Noise levels from outdoor use areas would be required to adhere to the respective daytime or nighttime exterior noise level standards as regulated by Riverside Municipal Code (RMC) Section 7.25.010. Furthermore, according to RMC Sections 7.15.005, 17.15.010, and 7.35.010, it is unlawful for any person to make, continue, or cause to be made or continued any noise disturbance. "Noise disturbance" means any sound which, as judged by a City police officer or code enforcement officer, annoys or disturbs a reasonable person of normal sensitivities or exceeds a standard set forth in RMC Section 7.10.125. These regulations set specific acceptable noise levels standards, which are enforceable through fines and misdemeanor charges. While there would potentially be some increased student population within the University Avenue Specific Plan, this location has been subject to CEQA review, replaces existing commercial development, would provide noise shield against existing roadway noise, and is separated from the single-family residential areas.

Page 4.11-13 of the Draft EIR, is amended to include:

City of Riverside Municipal Code - Title 7 (Noise Control)

It shall be the policy of the City to maintain and preserve the quiet atmosphere of the City, to implement programs aimed at retaining ambient noise levels throughout the City, and to mitigate noise conflicts.

It is determined that certain noise levels are detrimental to the public health, safety and welfare and are contrary to the public interest. Therefore, the City Council declares that creating, maintaining, causing or allowing to create, maintain or cause any noise in a manner not in conformity with the provisions of this title, is a public nuisance and shall be punishable as such.

In order to control unnecessary, excessive and/or annoying noise in the City, it is declared to be the policy of the City to prohibit such noise generated by the sources specified in this title. It

shall be the goal of the City to minimize noise levels and mitigate the effects of noise to provide a safe and healthy living environment.

Sections 7.15.005 and 17.15.010 provide for enforcement actions and fines for individuals who violate these regulations. While such regulations are not applicable to the University, they are applicable to all individuals, including students, located off-campus.

Potential impacts related to the transportation system were analyzed in Section 4.15, *Transportation*, of the Draft EIR. The increase in parking structures on campus with the 2021 LRDP will accommodate the travel demand for faculty/staff and students that will continue to commute to campus by personal vehicles (approximately 28 percent of new students would reside in an existing home). In addition, the parking structures will replace some existing surface lots that will be redeveloped with the 2021 LRDP projects. The parking structures themselves would not generate new vehicle trips or VMT, and would be subject to the UCR parking permit program. Rather, vehicles that would travel to the parking structures reflect student and faculty/staff growth expected to occur with the 2021 LRDP and vehicles already traveling to campus that would park in these structures because of the removal of surface parking lots on campus.

Comment L3-17

The Housing and Population chapter of the DEIR identifies an 1,831-unit surplus on the Regional Housing Needs Assessment (RHNA) count that could be associated to lower income residents. The existence of this surplus beyond a planning number is questionable, as is the unsupported hope that solely UCR students and staff, rather than the general public, might fill the units. The DEIR cannot rely on this potential surplus as a means to house the increase in campus population. (DEIR p.4.12-6). To the extent the DEIR does rely upon that, it displaces residents who the City will have to accommodate elsewhere, with the attendant impacts. UCR must analyze the full impacts of its population growth, and cannot presume that it disappears somewhere in the City without impacts. Impacts need to be analyzed, addressed, and mitigated.

Response L3-17

As discussed in Response L3-21 below, Campus Growth has been considered in regional growth projections. As noted in the Population and Housing analysis, 68 percent of the increase in student population would be housed on campus. Furthermore, not all of these students would be new to the region. Approximately 28 percent of the 3,589 new students living off-campus would reside in an existing home (1,005 students), and 52 percent of the remaining new students (2,584) would share a dwelling unit. Consequently, it is reasonable to assume that new UCR students would need approximately 1,704 off-campus units²³ or fewer over the next 15 years (or 114 dwelling units per year). Please also see Response L3-16.

Comment L3-18

The DEIR states that "due to their numbers in Riverside, college students are considered to have special housing needs" but does not articulate what the needs are, and how UCR fully plans to meet those needs. The analysis notes that there has been a market rate student housing shortage around the UCR campus, but never correlates that shortage with UCR's inadequate plans to only house a

²³ $((0.52 \times 2,584 \text{ students}) / 2.90 \text{ PPH}) + (0.48 \times 2,584 \text{ students}) = 1,704 \text{ dwelling units for off-campus students through 2035}$

portion of its increased student load, which necessarily spills over to the greater overall development market with no analysis (DEIR p. 4.12-7).

Response L3-18

The language stated as being from Draft EIR p. 4.12-7 originates from the City of Riverside 2014-2021 Housing Element and was included as part of the Environmental Setting section of Section 4.12, *Population and Housing*, of the Draft EIR. It is not an assertion by UCR that college students have special housing needs, but that of the City. The Environmental Setting section is included to provide background to the reader on the existing conditions for student housing in the general area. The analysis of potential impacts related to population and housing is in Section 4.12.3, Environmental Impacts and Mitigation Measures, of the Draft EIR which begins on p. 4.12-16.

This comment does not present information that requires changes to the Draft EIR.

Comment L3-19

The Population and Housing analysis does not analyze how distance/online learning might impact the need for housing.

Response L3-19

Section 6.4, *Alternatives Considered but Rejected*, of the Draft EIR identifies alternatives that were considered by the lead agency but were rejected during the planning or scoping process, and briefly explained the reasons underlying the lead agency's determination. A Remote/Distance Learning Alternative was considered by UCR but not evaluated further in this EIR, because the alternative is not consistent with the University's current instruction model wherein remote learning is complementary to in-person learning. Further, this alternative would not fulfill most of the basic project objectives, including the objective of increasing on-campus housing opportunity for students, activating and enlivening East Campus through strategic mixed-use development to facilitate a living-learning campus environment, consolidating and densifying the center of campus, and incorporating efficient planning and design practices in support of minimizing the effects of climate change. Because this alternative would not meet most of the basic project objectives relative to the proposed plan, this alternative is not considered feasible and is not analyzed in further detail. (Draft EIR p. 6-4) This comment does not present information that requires changes to the Draft EIR.

Comment L3-20

The Accessory Dwelling Units (ADUs) section of the Population and Housing chapter is inadequate. The DEIR recommends that the City make efforts to increase the development of ADUs in order to offset UCR's expansion. While ADUs could conceivably help to fill some small part of the housing gap for the campus population, this is speculative, and cannot be considered as part of this analysis without much more study. Additionally, ADUs are being used to meet market and affordable housing needs in general; there is no basis offered by the LRDP for them to be considered solely as student housing. (DEIR p. 4.12-3)

Response L3-20

The Draft EIR does not "recommend that the City make efforts to increase the development of ADUs." The commenter appears to be citing Draft EIR p. 4.12-13 under "Regulatory Setting" which

simply notes recently approved State legislation related to Accessory Dwelling Units. The cumulative analysis does note that “new state requirements related to Accessory Dwelling Units, discussed above in Section 4.12.2, make their approval subject to a ministerial process which will also increase cumulative access to residential structures.” This is an accurate statement and made in the context of the cumulative analysis. This is also consistent with the City of Riverside’s own planning documents.

More specifically, the City of Riverside’s recently adopted Housing Element contains Program HE-5-9 that states “Accessory Dwelling Units (ADUs) represent an important affordable housing option to lower and moderate-income households. The State has passed multiple bills in recent years to remove constraints to the development ADUs (including AB 587, AB 671, AB 68, and SB 13, among others). The City has updated its ADU ordinance to comply with State law.”²⁴ Similarly Program HE-4-5 states that “The City applied for CalHome funds for housing rehabilitation and ADU development in October 2020.” Finally, Program HE-6-2 is in place “To ensure the City reaches its goal of developing approximately 1,014 ADUs over eight years, it should develop a monitoring program.”

This comment does not result in changes to the Draft EIR; no further response is necessary.

Comment L3-21

The DEIR presumes that, “... The RHNA factors in the housing needs generated by universities in the region, including UCR,” but never explains how the RHNA analysis considers campus growth and its development impacts (DEIR p. 4.12-16). In fact, the City’s RHNA analysis does not account for student housing. The DEIR must correct that error in presumptions and analysis.

Response L3-21

The RHNA is based upon projections from SCAG. As part of SCAG’s Demographics and Growth Forecast, SCAG considers university growth, through the following variables:²⁵

- One of the six variables used for the population variable is “*Group Quarters Population living in student dormitories (1 variable): Population living in college dormitories (includes college quarters off campus).*”
- One of the 26 variables used for households is “*Households by Number of College Students (3 variables): the number of households with no college student, with one college student, with two college students or more.*”
- One of the two variables used for school enrollment is “*College/University Enrollment (1 variable): the total number of students enrolled in any public or private post-secondary school (college or university) that grant an associate degree or higher, located within a zone. This variable also represents “students by place of attendance.”*”

Therefore, as indicated by SCAG’s Demographics and Growth Forecast, the regional agency that develops the growth forecasts considers universities and college students within their forecasts. The

²⁴ Riverside, City of. 2021c. Riverside Draft Housing Element. Riverside, CA. October 2021. <https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach> (accessed October 2021).

²⁵ Southern California Association of Governments 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Appendix. Available at: https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs_demographicsgrowthforecast.pdf?1606073557

City of Riverside’s recently approved Housing Element EIR further notes that it “has a substantial number of units targeted for seniors (both independent and group), *students*, and people with disabilities”²⁶ The City of Riverside also adopted the University Avenue Specific Plan, which has a realistic development capacity of 1,315 dwelling units, and is specifically aimed at “*catering to the University populace.*” UCR student enrollment growth is also linked to population growth, as discussed above under the Regulatory Setting discussion of the "California Education Code" in Draft EIR Section 4.12.2, which explains the UC System’s mandate to accept a certain percentage of the population.

Comment L3-22

The DEIR assumes in studies and projections throughout that campus growth is accommodated at the local and regional level, but never correlates these analyses with specific needs for campus growth. The DEIR must analyze whether local residential development growth can accommodate the students, staff, and faculty increases. Campus growth is an exogenous factor to other population and economic growth factors that drive the need for housing, even as the study makes clear that the campus is exempted from local requirements. Effectively, UCR has improperly exempted itself from analyzing its growth impacts on the City. While UCR is exempt from local requirements, the University is a part of the Riverside community and the impacts it has on Riverside must be identified, analyzed, addressed and mitigated; the DEIR's information in this regard is unacceptable.

Response L3-22

Please see Response L3-21 and Draft EIR Section 4.12, which explains that student growth is not an “exogenous factor.”

Comment L3-23

The DEIR admits that a 46% increase in students and a corresponding 60% increase in faculty and staff will result from campus growth by 2035. The study admits that only 40% of students can be housed on campus at buildout. Faculty and staff must be accommodated off-campus. The DEIR takes as fact the commuter nature of the campus will continue, and presumes that increasing local growth levels will cover any housing impacts. However, the DEIR never addresses the increase in other service levels related to residential development (public safety, infrastructure, additional economic growth) that will be needed to serve stated population increases. (DEIR p. 4.12-17)

Response L3-23

The commenter is asserting that the EIR should have analyzed the impacts of housing only 40 percent of students on campus. However, the purposes of the Draft EIR is to analyze changes in comparison to baseline conditions. As discussed in the Population and Housing analysis, approximately 68 percent of the increase in student population would be housed in on-campus housing. Additionally, approximately 28 percent of the 3,589 new students would reside in an existing home (1,005 students), and 52 percent of the remaining new students (2,584) would share a dwelling unit. Consequently, it is reasonable to assume that new UCR students would need

²⁶ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 2-2. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

approximately 1,704 off-campus units²⁷ or fewer over the next 15 years (or 114 dwelling units per year).

The commenter further alleges that “the DEIR never addresses the increase in other service levels related to residential development (public safety, infrastructure, additional economic growth) that will be needed to serve stated population increases.” As discussed in Response L3-21 and Draft EIR Section 4.12, population growth would be within the growth projections planned for by the surrounding jurisdictions. As further discussed in Section 4.12.3, *Significance Criteria*, the Draft EIR analyzes whether the project would “induce substantial *unplanned* population growth.” As noted on page 69 of OPR’s November 2018 Statement of Reasons for Regulatory Action for amending the CEQA Guidelines Appendix G, “The Agency clarified that the question should focus on whether such growth is unplanned. Growth that is planned, and the environmental effects of which have been analyzed in connection with a land use plan or a regional plan, should not by itself be considered an impact.”²⁸

Furthermore, the City of Riverside certified its Housing Element EIR on October 5, 2021, which analyzed the impacts of regional growth, and concluded that the development of over 31,000 homes would have less than significant impacts on Public Services (Fire, Police, Schools), Recreational Facilities, and Utilities.²⁹

Comment L3-24

The Mobility section of Population and Housing Chapter notes that the campus would “promote” public transit. A mobility hub project at UCR failed last year. The mobility section study needs more specific actions related to car use and access to public transit for what is assumed to be a dependent population. Recommendations are unclear and have no clear targets or funding sources to provide assurances of implementation. (DEIR p. 4.12-18) Speculative, uncertain future acts cannot serve as substantial evidence to support analysis, or mitigation. To effectively “promote” public transportation, the LRDP must make actual, quantifiable, detailed commitments in the LRDP and fund those commitments. The DEIR and the LRDP do not make those commitments, and thus cannot rely upon such uncertain speculation.

Response L3-24

The comment requests that the 2021 LRDP make “quantifiable, detailed commitments “in the LRDP regarding promotion of public transportation and ascertains that the LRDP cannot rely on uncertain speculation.

The commenter appears to be referencing the description of the 2021 LRDP Mobility policies on Draft EIR p. 4.12-18. The Draft EIR impact analysis took no quantitative credit for a potential future mobility hub, and this policy is not proposed as a CEQA mitigation measure (as assumed in the comment). UCR’s policy is also similar to the City of Riverside’s General Plan policy which states

²⁷ $((0.52 \times 2,584 \text{ students}) / 2.90 \text{ PPH}) + (0.48 \times 2,584 \text{ students}) = 1,704$ dwelling units for off-campus students through 2035

²⁸ California Natural Resources Agency. 2018. Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines. OAL Notice File No. Z-2018-0016-12. Sacramento, CA. November 2018. https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/2018_CEQA_Final_Statement_of%20Reasons_111218.pdf (accessed October 2021).

²⁹ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

“Promote and support an efficient public multi-model transportation network that connects activity centers in Riverside to each other and to the region.”³⁰

The Mobility Hub project stalled because the bids that came in were over budget and neither the RTA nor the City of Riverside had the capacity to provide additional funding. However, it should be noted that the University’s projected growth in the 2021 LRDP (2021 LRDP p. 72) underscores the need for an integrated transportation strategy that promotes the use of public transportation, ride-sharing supported by safe and convenient access points, autonomous vehicle integration, walking, and biking. To this end, 2021 LRDP p. 88 includes the following supportive policies:

Policy: Promote public transit as a convenient and preferred mode of commuting to campus and connecting campus residents to the community and regional destinations.

Policy: Develop the University Avenue and Canyon Crest Drive Gateway streetscapes to support increased use and functional efficiency of the RTA system, improved clarity of drop-off and pick-up locations for ride-sharing services, reduced conflict, and improved safety for cyclists, pedestrians, and emerging micro-mobility solutions in these increasingly busy mixed-mode circulation areas.

Policy: Improve access to public transit on campus by providing connectivity to access points via pathways or shuttles, as well as comfortable waiting facilities, proximate to commuter related services, where appropriate.

Furthermore, the Canyon Crest Gateway and University Avenue Gateway 2021 LRDP land use designations are supportive of multi-modal transportation support facilities. Please see Response L3-38 for additional discussion of transit, and Section 4.15, *Transportation*, of the Draft EIR which discusses UCR’s existing UPASS transit program, and its numerous Transportation Demand Management (TDM) measures.

The comment does not raise any environmental issues related to the adequacy of the EIR analysis, and no further response is required. Please also see Response L3-42 which addresses similar concerns. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

Comment L3-25

The DEIR mentions providing housing in "privately-owned housing options in the neighboring community ... " The City has had to reduce student impacts to single family neighborhoods. In SFR neighborhoods around campus, there have been City efforts to address student rentals, overcrowding, etc., that impact quality of life for these areas. "Privately owned" housing is no assurance that there will be no impacts; in fact, the contrary has shown to be the rule. (DEIR p. 4.12-20) Off-campus impacts induced or caused by the envisioned growth and expansion of the University and its associated population of students, faculty, and staff must be identified, analyzed, addressed, and mitigated.

Response L3-25

The commenter citation to language on Draft EIR p. 4.12-20 is providing the rationale behind UCR’s selection of its 40 percent housing goal in the 2021 LRDP. It is not part of the reasoning for the

³⁰ Riverside, City of. 2018. Circulation and Community Mobility Element. [Objective CCM-9]. *City of Riverside General Plan*. Riverside, CA. Amended February 2018. https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/general-plan/12_Circulation_&_Community%20Mobility_Element_with%20maps.pdf (accessed October 2021).

impact conclusions, as assumed in the comment. It is simply an acknowledgement that there are existing privately owned homes that are used as housing options for students. Furthermore, “quality of life” is a social issue. As discussed under CEQA Guidelines Section 15131, “Economic or social effects of a project shall not be treated as significant effects on the environment.” Please also see Response L3-16 and L3-23 for additional discussion of off-campus student populations.

Comment L3-26

The DEIR notes that, "In 2018, approximately 59 percent of new California freshmen enrollees and 64 percent of new California transfer enrollees at UCR previously resided in a home within a 50-mile radius of the campus (UC 2019)," demonstrating that Riverside and surrounding communities bear the brunt of that growth. As international student attendance won't match that of larger UC campuses, local student growth would be the largest driver at UCR. This equates to thousands of new students and related faculty and staff. The Study's reliance on RHNA and other sources merely speculates that housing may be built, not that regional residential market units will be built. The analysis does not consider if projected housing is not constructed. As California has a long history of not meeting housing goals, and as economic downturns have impacted the local market, it is not a given that the growth will occur. (DEIR p. 4.12-21)

The DEIR concludes that, " ... Therefore, the new campus population residing in non-UCR affiliated housing could be absorbed into the existing housing stock, and there would be no need to construct new housing or infrastructure as a direct result of the proposed 2021 LRDP." The DEIR mentions previously that there has been a shortage of market rate housing for students around campus. The impacts of student growth would need to be absorbed regionally in additional projected (40,000 per decade) ambient population growth in Riverside. The analysis fails to fully analyze the impacts if a shortage of market rate housing for students continues.

Response L3-26

Please see Response L3-16 and L3-23, which explains that the Population and Housing analysis addresses impacts from “unplanned growth” consistent with OPR’s recent directives. Similarly, Response L3-21 explains that student population growth has been accounted for in regional population projections. As discussed in the Section 4.12, *Population and Housing*, of the Draft EIR, the City of Riverside most recently received its RHNA allocation of 18,458 housing units for the 2021-2029 Housing Element Cycle (Riverside County’s RHNA allocation was 167,351 units). As part of this process, the City has approved a buffer of approximately 5,500 dwelling units (approximately 30 percent over and above the RHNA allocation), and the City will identify space for up to 24,000 new homes [31,564 dwelling units with 75 percent development rate] for the 2021–2029 RHNA cycle. To implement the SCAG RHNA allocations, the City of Riverside has already increased development capacity in Ward 2 (which contains UCR) of 3,770 dwelling units (10,993 persons, assuming 2.90 PPH, or 12,347 persons assuming 3.28 PPH). Additionally, the City recently approved amendments to the University Avenue Specific Plan which provide a realistic development capacity of 1,315 dwelling units (housing up to 3,813 individuals). The Specific Plan itself “is envisioned as primarily a multi-family housing area catering to the University populace.” (City of Riverside 1992: 4-15.) The Specific Plan further notes that “Multi-family residential rental housing is recommended as the dominant land use...and primarily serving local student and community needs.” (City of Riverside 1992: 8-38.)

As acknowledged in the City of Riverside’s Comment letter to SCAG, “in the past, the region was only obligated to accommodate housing; *now the region is essentially obligated to construct housing*” (Emphasis added).³¹

Comment L3-27

The DEIR states, “It is conservatively assumed the entire new campus population would be from outside the region, necessitating relocation upon enrollment or employment with UCR.” This implies that Riverside and surrounding cities that must bear the brunt of new growth, as it assumed to not be localized in nature. Yet, the DEIR fails to analyze impacts to the surrounding communities that would be impacted by the inadequate on-campus housing. (DEIR 4.12-24) Off-campus impacts induced or caused by the envisioned growth and expansion of the university and its associated population of students, faculty, and staff must be identified, analyzed, addressed, and mitigated.

Response L3-27

The cited language has been revised, as provided in Final EIR Chapter 4, *Revisions to the Draft EIR* and included in Appendix B of the Final EIR. Please see Response L3-23, which explains that the Population and Housing analysis addresses impacts from “unplanned growth” consistent with OPR’s recent directives. Similarly, Response L3-16 and L3-21 explain that student population growth has been accounted for in regional population projections.

Because the 2021 LRDP is a long-range planning tool, it would be speculative for this EIR to determine the demographics of future university students and employees and their housing needs. UCR anticipates off-campus living to continue to be dispersed throughout the region, with the only new location of potentially increased student density occurring within the University Avenue Specific Plan area (up to 10 percent of the increased student population, i.e. 170 dwelling units). While the Draft EIR describes and evaluates the potential place of residence of future students and employees based on existing place of residence data, it would be speculative to determine precisely where students who are not accommodated in university-provided housing would choose to live. In accordance with CEQA Guidelines Section 15145, Speculation, the Draft EIR is not required to consider issues that are too speculative for evaluation. Please see Response L3-16 and L3-23 for discussion of off-campus impacts. Furthermore, off-site impacts were analyzed in Section 4.3, *Air Quality*; Section 4.11, *Noise*; Section 4.12, *Population and Housing*; Section 4.13, *Public Services*; Section 4.14, *Recreation*; Section 4.15, *Transportation*; and Section 4.17, *Utilities and Service Systems* of the Draft EIR. Please refer to those sections for additional information. The points raised in the comment are fully addressed in the Draft EIR; thus, revisions to the analysis in the Draft EIR are not necessary.

Comment L3-28

Chapter 4.13: Public Services

Riverside Police Department (RPD) has comments that UCR Police Department (UCRPD) will not be able to address the anticipated increase in crime and livability issues occurring on the UCR campus and in the University Neighborhood that will be generated by the increased campus population. UCR currently attracts thousands of people, most who live within close proximity to the University

³¹ Riverside, City of. 2019. Jay Eastman, AICP, Principal Planner City of Riverside letter to Kome Aljise, Executive Director Southern California Association of Governments, regarding the methodologies used to address the 2021-2029 Housing Element planning horizon. September 13, 2019. <https://scag.ca.gov/sites/main/files/file-attachments/091319cityofriverside.pdf?1605504907> (accessed October 2021).

area, yet UCRPD has been partially defunded. Currently, UCRPD has six vacancies, four officers, one in dispatch, and one administrative. Of the four officer vacancies, one is the Police Chief, and one is a Lieutenant.

Furthermore, even though other UC campus police departments are currently hiring sworn officers, UCR is not. The four officers that have been defunded came from the University Neighborhood Enhancement Team (UNET) which was a collaborative effort between the Riverside Police Department and UCRPD to specifically address crime and livability issues within the University Neighborhood. UCR pulled its officers from UNET last year, citing budget issues. Both Riverside residents and UCR students live within the University Neighborhood and there is currently no collaborative strategy between RPD and UCRPD to deal with the crime and livability issues due to UCRPD being understaffed. Expansion of the campus will add a greater burden on RPD to provide police services in the University Neighborhood. That burden brings with it environmental impacts, which must be analyzed and mitigated. UCR must invest in personnel and measures that implement community safety in coordination with the Riverside Police Department and that advances UCR's community policing program and addresses campus and student-induced demands for proactive public safety measures, community engagement, collaboration with RPD, responses to calls for service, and crime prevention both on- and off-campus.

Response L3-28

This comment expresses an opinion from RPD regarding potential crime and livability issues on campus and in the University Neighborhood because of increased campus population. The comment notes that the UCRPD is underfunded and has reduced staff. The commenter states that increasing the campus population would increase the need for police protection on campus and in the nearby neighborhoods.

The comment also purports to discuss environmental impacts associated with police services; however, the focus of the comments appears to be on providing services, rather than physical environmental impacts. As discussed by the Court of Appeal, "The need for additional fire [or police] protection services is not an environmental impact that CEQA requires a project proponent to mitigate" (*City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833, 842, 843). While the City of Riverside requested additional analysis of fire services during the NOP/IS process (which UCR carried forward into the EIR), no similar concerns were raised for the police service analysis (See Draft EIR Appendix A, pdf p. 156). Consequently, as explained on Draft EIR p. 4.13-12, this issue was discussed in the attached Initial Study, consistent with CEQA Guidelines Sections 15063(c)(3)(A) and 15128. Additionally, as outlined at the end of this response, the City of Riverside just concluded that impacts associated with police services would be less than significant, even with the buildout of 31,564 new dwelling units and 3,181,930 square feet of nonresidential development under the newly adopted 2021-2029 Housing Element. That analysis included no discussion of the need for new police facilities.

The Initial Study for the 2021 LRDP (Draft EIR Appendix A) concluded that the need for police services on campus would incrementally increase in relation to student, staff, and faculty population anticipated under the proposed 2021 LRDP. The increased on-campus population would require additional routine services to provide patrols of the campus and maintain police presence; additional administrative staff may be necessary to support the increases in patrol personnel, and the UCPD may need to purchase additional equipment and/or hire more personnel, which may result in the need for further facility space. However, it is anticipated that the proposed 2021 LRDP would accommodate these facility needs as part of the approximately 1,344,344 gsf new

administrative and support facility space proposed in the buildout of the proposed 2021 LRDP, and there would be no additional environmental impacts beyond those already being analyzed as part of the proposed 2021 LRDP. The proposed 2021 LRDP includes numerous land use designations on East Campus which allow “Public Safety” facilities, which include police and fire facilities.

Furthermore, the Initial Study determined planning for new or physically altered RPD stations is based on an assessment of Riverside’s need for new facilities relative to cumulative growth in the city. The incremental contribution to demand for increased RPD protection services would be offset by payment of proportionate property taxes and sales taxes to the City by the residents of Riverside. Likewise, property taxes and sales taxes from new residents in neighboring jurisdictions would support the appropriate police protection agency. Therefore, no further evaluation was required in the Draft EIR. This comment does not raise an issue with the analysis in the Draft EIR.

The EIR certified by the City of Riverside on October 5, 2021 in support of its Housing Element Update reached a similar conclusion. More specifically, that EIR analyzed the environmental impacts from construction of 31,564 new dwelling units and 3,181,930 square feet of nonresidential development, and concluded impacts related to police services would have less than significant impacts because:

Implementation of the Housing Element Update would increase demands of police services over time. However, RPD would evaluate its budget annually to provide adequate police services, including police staffing increases, to accommodate additional growth associated with development facilitated by the Project. The City would continue to meet the recommended police response times (7 minutes to Priority 1 calls and 12 minutes for Priority 2 calls); therefore, the Project would not cause any adverse effects. Therefore, impacts on police services would be less than significant. Compliance with the above-mentioned state and local regulations would ensure that there would be sufficient police protection service and facilities to accommodate additional population resulting from development and associated population growth facilitated by the Project. As such, impacts related to police protection services would be less than significant.³²

Comment L3-29

Engine #4, which provides service to the UCR campus, is the busiest single company unit in the City, with 4,024 calls for service in 2019. The City of Riverside Fire Department is the primary source of emergency medical services to the UCR, which has no such services on campus. The additional traffic, students, faculty, and construction would have a definite increased call volume for that station and the City as a whole. That additional burden which could require new facilities would have impacts, must be analyzed, addressed and mitigated for. All new fire facilities would require a commitment of proportionate and ongoing funding by UCR to operate, manage, and maintain the facilities and fire services

The additional buildings and high-rises would require additional resources such as Truck Companies (the closest truck is downtown) that are used for these types of structures. That additional burden, which could require new facilities or construction, which would have impacts, which must also be

³² Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.10-18. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

analyzed under CEQA. All new fire facilities would require a commitment of proportionate and ongoing funding by UCR to operate, manage, and maintain the facilities and fire services

The expansion of the East Campus is a high-risk area with dorms and labs. The fire department does not have fire facilities on the east side of the freeway, which may cause problems in earthquakes and potential lack of access to East Campus. The increased demand for fire services could require new facilities or construction, which would have impacts, must be analyzed too. All new fire facilities would require a commitment of proportionate and ongoing funding by UCR to operate, manage, and maintain the facilities and fire services

There is no direct route through campus for existing fire station locations. Example: to access to Valencia Hill, Big Springs, and E. Campus, the fire department experiences longer-than-industry-standards response times. A fire station located on the East Campus side would mitigate these areas of concern. However, new facilities or construction, which would have impacts, must be analyzed under CEQA. All new fire facilities would require a commitment of proportionate and ongoing funding by UCR to operate, manage, and maintain the facilities and fire services.

Response L3-29

The commenter raises concerns about the availability and accessibility of emergency services for an increased on-campus population and new development. Please see Response L3-28, which discusses the treatment of public services under CEQA.

Physical environmental impacts associated with providing fire protection services and related emergency services was discussed in detail in the Draft EIR Section 4.13, *Public Services*, under Impact PS-1. That analysis acknowledged that the City's population is anticipated to increase by 16,286 residents between 2020 and 2035. It can be anticipated that the Riverside Fire Department (RFD) would potentially need to increase fire protection staff and it could require additional equipment to accommodate an increased call volume. As continuing best practice, UCR would continue its partnership with RFD to ensure adequate fire and emergency service levels to UCR facilities. This partnership includes consultation on the adequacy of emergency access routes to all new UCR buildings. UCR would also continue to work closely with external fire management partners related to regional wildfire prevention, including the CAL FIRE, and other local fire jurisdictions. As mentioned previously, UCR and RFD is currently working on preparing an updated MOU.

The increase in campus population accommodated by the proposed 2021 LRDP may increase the Riverside County Fire Department's call volume, although to a lesser degree than RFD. The proposed 2021 LRDP off-campus population would be distributed throughout the Inland Southern California region and, subsequently, across fire protection districts. The Riverside County Fire Department provides fire protection services to several cities in Riverside County, including cities neighboring Riverside, such as Moreno Valley, Eastvale, and Jurupa Valley.

For the project specific analysis, the Draft EIR explained that fire protection facility maintenance and acquisition needs in the region are regularly evaluated by jurisdictions in light of population growth, locational needs, and budget. The City's ongoing budget process assesses the needs for RFD service and infrastructure to meet goals and standards. Likewise, the County's budget and Riverside County Fire Department's strategic planning process for new stations evaluates multiple factors for new stations, including area needs and land acquisition costs. Through the collection of development impact fees and tax revenue, increases in the demand for public services, including fire facilities, would be addressed as part of general plan implementation for the respective jurisdictions. As

outlined at the end of this response, the City of Riverside concluded that impacts associated buildout under its General Plan and Housing Element related to fire services would be less than significant.³³

As further acknowledged under the cumulative impact analysis for fire services on Draft EIR p. 4.13-21, there are no specific plans at this point for new RFD facilities, such as a new fire station or expansion of an existing station. If new RFD facilities are needed in the future, such facilities will undergo their own environmental review pursuant to CEQA when details about the project are known. While there are no specific plans at this juncture for a new RFD facility, in the event a new fire station is required, it would be in the city limits of Riverside. Development of fire stations typically only disturb between approximately 0.5 acre and 1 acre of land. A new RFD station would likely be on an infill lot (between approximately 0.5 acre and 1 acre), since most of the City is highly developed and urbanized. The development at such a scale (a two-story high fire station on approximately 1 acre of land) is unlikely to result in a significant and unavoidable environmental impact.

Discussion of on-site emergency services demand is also addressed under Impact PS-1, which explains that the proposed 2021 LRDP would not fundamentally change the nature of campus operations, and several older structures would be retrofitted or replaced with modern structures requiring compliance with current and more stringent fire code requirements, providing fire safety benefits in comparison to the baseline structures. Proposed developments would primarily be infill development in locations generally already served by existing fire access lanes and emergency infrastructure such as hydrants, water lines, and call boxes. Additionally, campus development under the proposed 2021 LRDP would be designed to comply with building and fire codes and include appropriate fire safety measures and equipment. Additionally, the proposed 2021 LRDP includes numerous land use designations on East Campus (within the Student Neighborhood and Canyon Crest Gateway 2021 LRDP land use designation on East Campus) which allow “Public Safety” facilities, which include police and fire facilities within UCR’s campus buildout projections. Please also see Impact T-4 and Impact WF-1 in Section 4.15, *Transportation* and Section 4.18, *Wildfire* of the Draft EIR for discussion of emergency response plans.

The commenter’s suggested mitigation for “a commitment of proportionate and ongoing funding by UCR to operate, manage, and maintain the facilities and fire services” would not reduce or avoid physical environmental impacts. Nevertheless, as discussed above, UCR and RFD are currently working on preparing an updated MOU.

Comment L3-30

Chapter 4.14: Recreation

The City’s Trail Master Plan includes a multi-purpose trail segment through the UCR campus, connecting the campus population to neighboring residential neighborhoods, retail/commercial centers, services, open space and other points of interest to both the north and south of campus. The LRDP has the potential to impact city parks and that trail system, as described below.

The City assesses a Local Park Development Impact fee (LPF) on development projects to mitigate for negative impacts of increased park use associated with increases in population (City Municipal

³³ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.10-18. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

Code Chapter 16.60). However, this fee is not assessed on projects with governmental use by the state, and therefore the impacts of additional UCR student population on public parks needs to be fully assessed in the EIR and appropriately mitigated. It is unrealistic to assume that students residing on-campus will only use on-campus recreational facilities. Students, especially those with families, will look to surrounding city parks to supplement their recreational needs for sports courts/fields, playgrounds, barbecues, picnic shelters, and other park amenities.

The Operation Off-Campus discussion (Draft EIR p. 4.14-17) states that "The campus population would continue to have full access to on-campus parks and recreational facilities, which would reduce the need to use off-campus community facilities," which is internally inconsistent and thus erroneous. "Continuing" access does nothing to "reduce" off-campus park use; if anything, it continues the current trend. Furthermore, this discussion also overlooks the thousands of faculty and staff and their families, who will also use City parks and facilities. After listing several City facilities within a mile of UCR, the DEIR speculates that "because these facilities are not in the immediate vicinity of UCR, they are unlikely to be used by campus population on a regular basis." That is in direct conflict with UCR's claim elsewhere in the DEIR that "In 2018, approximately 59 percent of new California freshmen enrollees and 64 percent of new California transfer enrollees at UCR previously resided in a home within a 50-mile radius of the campus (UC 2019)." The DEIR itself admits the greater area where the newly attracted students will live, which is well beyond the unsupported, arbitrary "immediate vicinity of UCR", outside of which the new students and all of the new staff and faculty, and their families and friends, are impermissibly assumed to not recreate.

UCR clearly, impermissibly shifts the burden of mitigating the impacts of its LRDP to the City when it states that "it is the responsibility of each jurisdiction to provide and maintain recreational facilities, and it is anticipated that this would occur pursuant to its General Plan and/or community plans." (DEIR p. 4.14-17). UCR cannot intentionally increase its enrollment, faculty, and staff, refuse to accommodate them, and then wash its hands of their needs. UCR knows it is increasing the population and attendant burdens on parks and recreation, and thus pursuant to CEQA it must analyze those impacts and must mitigate for them in accordance with CEQA's dictates.

Response L3-30

The commenter (1) cites approximately three sentences which do not accurately summarize the Draft EIR's 24 page recreational analysis, (2) applies the incorrect legal standard to the analysis of physical impacts associated with recreational analysis by asserting "The proposed increase in beds for on-campus student housing has the potential to create financial and quality of life impacts on the City," (3) incorrectly asserts that the EIR "assume[s] that students residing on-campus will only use on-campus recreational facilities," (4) ignores that a portion of the new off-campus students, faculty and staff living off-site would not be new residents to the region and would have paid their fair share of Quimby act and related fee payments imposed by the City, (5) ignores that UCR's recreational facilities are used by individual residing within the City of Riverside, and (6) ignores the conclusions from the City of Riverside's own EIR, certified on October 5, 2021, that an increase of 31,564 new dwelling units (with at least 2.90 people per home) would not result in significant impacts associated with recreational resources.

As discussed by the Court of Appeal, "The need for additional [public] services is not an environmental impact that CEQA requires a project proponent to mitigate." (*City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833, 842, 843; see also *Save Our Access San Gabriel Mountains v. Watershed Conservation Authority* (2021) Case No.

B303494 __Cal.App.5th__.) The Draft EIR p. 4.14-17, as revised (see Final EIR Chapter 4, *Revisions to the Draft EIR*), explained that:

The proposed 2021 LRDP would incrementally accommodate a net increase to the campus population of approximately 13,884 people by the 2035/2036 academic year. As discussed in Section 2.3.5.3, Project Description, the UCR Campus currently has seven outdoor recreational fields, and 211,061 gsf of indoor recreational facilities. While buildout of the proposed 2021 LRDP would remove some existing recreational facilities, the proposed 2021 LRDP would also incrementally develop an additional 97,740 gsf of indoor recreation space and four additional outdoor fields on the UCR campus to serve the increased campus population.

...

The campus population would continue to have full access to on-campus parks and recreational facilities, which would reduce the need for new students/faculty/staff to use off-campus community facilities. However, the proposed 2021 LRDP would incrementally result in an increase in off-campus residents of approximately 3,589 new students and 2,806 faculty and staff 6,395 people (13,884 net increase to the campus population – 7,489 new on-campus beds) by academic year 2035/2036. There are four State parks and two State Recreation Areas near the UCR campus that the campus population may utilize. Additionally, there are five off-campus parks near the UCR campus that the campus population may utilize. ~~The closest~~ Nearby off-campus parks to the UCR campus are include Andulka Park, approximately 0.1 mile southwest of West Campus (approximately 1 mile from International Village and more than 2 miles from the center of East Campus), Islander Park, approximately 0.3 mile east of East Campus at the base of the Box Springs Mountains (approximately 0.3 mile from Glen Mor and 0.8 mile from the center of East Campus), the Box Springs Mountain Reserve (approximately 1 mile east of the center of East Campus), Two Trees Trail (approximately 1.5 miles east of the center of East Campus), and Bordwell Park, approximately 0.3 mile west of the West Campus (approximately 0.9 mile from International Village and nearly 2 miles from the center of East Campus). Other parks near the UCR campus include Highlander Park, approximately 0.2 mile northeast of East Campus (approximately 0.2 mile from Falkirk Apartments and 0.8 mile from the center of East Campus) and Mt. Vernon Park, approximately 0.7 mile from East Campus (approximately 0.2 mile northeast of Glen Mor and 1.2 miles from the center of East Campus). ~~However, because~~ Since these facilities are not in the immediate vicinity of UCR, they are unlikely to be used by campus population on a regular basis, especially when considering UCR provides more, as well as a variety of different recreational facilities than is accessible at these regional and community parks. As described above, students are primarily expected to use on-campus recreational facilities, including but not limited to the 155,000-square-foot UCR Student Recreation Center, a Baseball Complex, Soccer fields, Harrison Field (Softball), the UCR Track Facility, a long distance cross country course, Johnson Family Practice Center, the Botanic Gardens, pedestrian and bike paths, and numerous outdoor malls, courtyards and open spaces. As discussed in the regulatory setting discussion under “Student Recreation Center,” memberships are included in tuition fees, and included 28,375 individuals. Consequently, many students, faculty, and staff would have easy on-site access to existing and improved UCR recreational facilities which will be substantially more convenient and accessible than off-site locations. The closest off-campus parks to campus, such as Andulka Park and Bordwell Park have facilities such as basketball courts, tennis courts, and baseball fields. If certain facilities are being used (i.e., turf area, tennis

courts), individuals may elect to participate in ongoing activities or choose alternate activities in the area. The impacts of increased use of parks would not result in substantial deterioration.

Park and recreational facility maintenance and acquisition needs in the region are regularly evaluated by jurisdictions with respect to population growth, locational needs, and budget. It is the responsibility of each jurisdiction to provide and maintain recreational facilities, and it is anticipated that this would occur pursuant to its General Plan and/or community plans. For example, as noted in the City of Riverside’s Comprehensive Park, Recreation & Community Services Master Plan, the City identified several undeveloped parcels that could be considered for park development and numerous opportunities for parkland improvements. As future residential development projects in various jurisdictions are approved, development fees for parks or donation of parkland (pursuant to the Quimby Act) would be required as part of the individual projects. Funding for maintenance of new and existing facilities is provided through property assessments and taxes that are distributed to jurisdictions.

It is anticipated the new campus population accommodated under the proposed 2021 LRDP would mostly utilize on-campus recreational facilities and to the extent they use off-campus facilities, they would use bicycle and trail networks in the region. Increased usage of bike paths does not typically result in substantial deterioration, rather, bike facilities are typically deteriorated by tree roots and natural phenomena. Additionally, increased use of bike paths would be in line with typical and appropriate bike path use. It is reasonable to assume the nominal increase would not result in substantial deterioration of the bike paths. Furthermore, bicycle paths and trails would be subject to regular maintenance funded by taxes collected by the local jurisdiction. Fees collected by a city or county from new development under the Quimby Act may be used for trails. The proposed 2021 LRDP would not preclude implementation of any city or county parkland or trails, including the proposed City of Riverside bicycle trail along the section of the Gage Canal that traverses through West Campus. The maintenance of existing parkland, recreational facilities, and bicycle and trail networks would be funded by taxes collected by City and County jurisdictions, and the necessary funding and/or land to develop parkland to serve campus populations living off campus would be provided to local jurisdictions as part of the Quimby Act requirements during the development of new residences in order to meet regional parkland goals. The proposed 2021 LRDP would not result in substantial physical deterioration or accelerate the physical deterioration of existing off-campus parkland, community centers, or bicycle or trail networks, and impacts would be less than significant.

The methodology outlined above is nearly identical to that upheld by the Court of Appeal this year in *Save Our Access San Gabriel Mountains v. Watershed Conservation Authority* (2021) Case No. B303494 __Cal.App.5th__ [“concluding there would be not substantial physical deterioration [of parks] (or acceleration of deterioration, because displaced visitors would be dispersed across a large region. That is a rational conclusion...”)]. In the cumulative analysis UCR’s EIR acknowledged the need for potential new park facilities on Draft EIR p. 4.14-21 stating:

It is anticipated that, to accommodate future cumulative demand for park and recreational facilities, new park and recreational facilities would be developed and constructed throughout the region. As described in Section 4.14.1, the County and City of Riverside have each identified potential, near-term projects to develop or expand parkland and trails, including the multi-use, multi-county Santa Ana River Trail and the Gage Canal Trail Project north of campus. In addition, some existing parks and recreational facilities may be improved or redeveloped to be able to provide universal access. However, the renovation of existing facilities or construction of new

facilities, other facilities planned throughout the region. [¶] Local jurisdictions require environmental review and documentation pursuant to CEQA for parks and recreation projects, as well as analysis of those projects for consistency with the goals, policies, and recommendations of their general plans. In general, compliance with federal, State, and local regulations would preclude incremental impacts associated with new construction or expansion of new parks or recreational facilities.

Nearly identical conclusions were reached by the City of Riverside in its Housing Element EIR, certified on October 5, 2021, which states, with emphasis added:

New residential and mixed-use development within the City is required to adhere to minimum open space standards of the Zoning Code (Title 19 of the RMC), which could include pocket parks, tot lots, court facilities, barbeque facilities, jogging or walking trails, community gardens, accessible green roof space, and traditional neighborhood parks. The development of these parks would offset the Project's increased demand and thereby minimize physical deterioration of existing parks and open space facilities. *The potential environmental impacts associated with the development and operation of these new park facilities are not known at this time.* Subsequent project-specific CEQA analysis will be required to evaluate future projects on a case-by-case basis. If potential impacts (e.g., noise, dust) would result from development and operation of new park facilities, specific mitigation measures can be applied at that time.³⁴

Furthermore, while the City of Riverside maintains a joint use agreement with UCR for the UCR Riverside Sports Complex and the Student Recreational Facility, the City's Housing Element EIR failed to mention or analyze impacts to UCR's Facilities from the City's increase of 31,564 new dwelling units and commensurate increase in population.

Comment L3-31

The proposed increase in beds for on-campus student housing has the potential to create financial and quality of life impacts on the City. Without mitigation, the project will not contribute a fair share to the refurbishment, improvement, and expansion of City parks. The LRDP proposes to add 7,500 additional beds. Assuming that each residence hall, undergrad apartment, and graduate apartment unit would represent two student beds, and each of the 220 family housing units would represent one student bed, approximately 3,855 new units would be created. If the multi-family/apartment rate of \$3,045 per unit for the Local Park Development Impact Fee were applied, the total fees from the new units would amount to about \$11,737,000. The project's exemption from these fees is significant to the City's park system, and leaves impacts unmitigated. While UCR is exempt from local requirements, the University is a part of the Riverside community fabric and the impacts it has on Riverside must be identified, analyzed, addressed and mitigated; the DEIR's information in this regard is unacceptable.

³⁴ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3-11-20, P. 3-11-23. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

Response L3-31

The commenter notes that the proposed increase in beds related to the 2021 LRDP would impact the financial and quality of life impacts on the City, noting the amount in fees the City believes it could receive if the university were to pay in-lieu fees to the City.

Please see Response to Comment L3-30. UCR is constitutionally exempt from local government regulations, including city and county general plans and zoning regulations, and taxes and fees, whenever using property under its control in furtherance of its educational purposes. As such, potential development on property owned or controlled by the University of California that implements the proposed 2021 LRDP is generally exempt from conformance to local policies and regulations. Please also see Master Response 2: Constitutional Exemption from Local Regulations. Nonetheless, the university seeks to support a high quality of life in Riverside by providing on-campus amenities for its student residents as well as students, staff, and faculty residing in Riverside and other cities in the region. To this end, objectives within the 2021 LRDP provide for preserving and enhancing major open spaces within the campus (Objective OS1), increasing student life facilities (Objective LU5), and investing in infrastructure to extend bikeways and pedestrian paths within the campus that connect to the City's circulation framework (Objective M2). (Draft EIR p. 4.14-13) The 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics. (Draft EIR p. 4.14-15) All development proposed under the 2021 LRDP would occur on the campus, including the replacement and expansion of existing residential facilities, which would be accompanied by a commensurate increase or preservation of existing and new outdoor and indoor spaces throughout the campus. Thus, development associated with the 2021 LRDP would not encroach on City lands and would not be subject to City in-lieu development fees for City park facilities.

Because the 2021 LRDP offers commensurate increases in both indoor and outdoor recreation spaces on campus, the Draft EIR determined that the 2021 LRDP adequately provides for the increase in on-campus employees and students. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-32

The PRCSD requests that the Gage Canal Trail project through the UCR campus be incorporated in the LRDP and associated EIR at a programmatic level. The inclusion of the Gage Canal Trail within the LRDP would assist the City in leveraging grants to bring the trail to fruition. The proposed Gage Canal Trail alignment, as adopted by the City Council on August 17, 2021, is shown [on page 10 of Comment Letter L3 (see Final EIR Appendix A)] as a green line. Please add the Gage Canal Trail, in the alignment shown below, into the Circulation Framework exhibits of the LRDP. The trail compliments the campus circulation system and provides infrastructure encouraging the use of active transportation to commute to UCR from neighborhoods to the north and south of campus.

It should also be noted in the Draft EIR that the City will be constructing a 3-mile-long segment of the Gage Canal Trail from the UCR campus at Blaine Street north to Palmyrita Avenue. Construction is anticipated to be complete in late 2022/early 2023. The trail segment will include a paved bike path, a decomposed granite recreation trail, lighting, signage and other trail support amenities. The

project will provide an off-street commuting and recreation option to connect residential and business centers to the campus.

Response L3-32

The City of Riverside Parks, Recreation and Community Services Department requests that the City's Gage Canal Trail project be incorporated into the 2021 LRDP and EIR, which would assist the City in leveraging grants. The City provided a graphic that depicts the proposed Gage Canal Trail alignment and request that the proposed alignment be included in the 2021 LRDP circulation exhibits.

The 2021 LRDP provides a plan that guides the campus's physical development and only for lands under UCR's ownership and/or control which was subject to the programmatic EIR analysis. The Gage Canal is under the jurisdiction of the City, not UCR; and therefore was not included in the 2021 LRDP or analyzed in the EIR. However, the proposed 2021 LRDP would not preclude implementation of any city or county parkland or trails, including the proposed City of Riverside bicycle trail along the section of the Gage Canal that traverses through West Campus as noted on page 4.14-18 of the Draft EIR. UCR values its partnership with the City and does include a policy in the 2021 LRDP Mobility Planning section that supports City-led initiatives pertaining to the Gage Canal, which states the following:

Support and facilitate City-led initiatives to extend bikeways to campus from every direction, including routes proposed along Canyon Crest Drive, Martin Luther King Boulevard, and the Gage Canal.

Regarding the City's comment pertaining to noting the construction of the three mile segment of the Gage Canal Trail project from Blaine Street north to Palmyrita Avenue, please refer to page 2-22 of the Draft EIR which acknowledges the City proposing an active transportation and multi-purpose recreational trail along the Gage Canal from Palmyrita Avenue to the Hunter Metrolink Station to Blaine Street, which ends at the northwestern boundary of the East Campus.

Based on the above response, the Draft EIR provides an appropriate level of detail in compliance with CEQA. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-33

Under the section "Existing UCR Campus Bicycle and Trail Network," the analysis fails to consider the City Trails Master Plan, similar to the reference for the City Bicycle Master Plan. Also, on August 17, 2021, the Riverside City Council adopted a comprehensive Pedestrian Safeguarding Plan, Active Transportation Plan, Complete Streets Ordinance, and Trail Master Plan update. This comprehensive document should be referenced in this Draft EIR, as it pertains to recreation as well as mobility. The City Council Report with links to the document can be found online at:

<https://riversideca.legistar.com/View.ashx?M=A&ID=863112&GUID=FE04FF9C-4D32-467A-AA72-F1A961FD63D3>.

Response L3-33

The purpose of this section of the report is to describe the existing and proposed bicycle and trail network within and adjacent to the UCR campus. The City's 1996 Trails Master Plan mentioned in the comment establishes minimum trail standards such as easements, setbacks, grading, and

fencing. It also provides cross section illustrations of typical trail treatments. However, the Trails Master Plan does not identify the location of alignment of proposed trails, nor does it prioritize a list of proposed trails.

The Pedestrian Target Safeguarding Plan, Active Transportation Plan, Complete Streets Ordinance, and Trail Master Plan (Riverside PACT) was adopted on August 17, 2021 after the publication of the Draft EIR, and therefore, was not considered as part of the existing setting in the Draft EIR. (See *Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134 [Rejecting argument that Draft EIR failed to analyze draft planning documents].) Furthermore, the referenced agenda item, focuses on safety improvements, stating “the plan seeks to prevent both accidental and intentional vehicular collision in public spaces....the plan includes an array of streetscape elements that incorporate security components such as walls and fences, planters, bollards, and hardened street furniture (e.g. light posts and seating)... recommendations include enhancements to crossings, signals, transit stops, and general walking environmental, sidewalks, and lighting improvements.” This level of detail is not appropriate for the referenced portion of the EIR. While there is some reference in these new documents to some new bikeways and trails, there is no evidence to suggest that the 2021 LRDP would be inconsistent with these off-site proposed improvements. Furthermore, the adopting resolution (City of Riverside Resolution No. 23752) for these improvements notes that the improvements were exempt from CEQA because “at this early level of analysis it is not possible to accurately analyze environmental impacts; the City is not committing to a definite course of action...”³⁵

This comment does not result in a change to the information presented in the Draft EIR, and no additional response is required.

Comment L3-34

Section 4.14-14, Recreation Impact Analysis contains inadequate information; for example, there is no quantification of demand. How many students will live on campus, and how many acres of park/recreational land on campus will serve the campus residents? How does this compare to the City General Plan ratio of 3 acres of park land to 1,000 residents? This section must describe whether the types of recreation provided on campus will provide for the needs of students with families, or if use of City parks is anticipated to supplement on-campus recreational resources. In its current state, this analysis is lacking in data and detail, and is instead unsupported assumptions.

Response L3-34

There are no applicable federal, State, or local regulations regarding parkland and recreational resources that would be applicable to the proposed 2021 LRDP or the campus. The Quimby Act is listed under the Regulatory Setting of Section 4.14, *Recreation*, of the Draft EIR for informational purposes, but UCR is not subject to Quimby Act requirements, because it is not a local government entity. Furthermore, non-compliance with Quimby act ratios is not indicative of physical environmental impacts. Please see Master Response 2: Constitutional Exemption from Local Regulations.

While the idea that a limited number of student or faculty residents may travel to off-campus recreational uses is noted, it would be speculative to attempt quantifying the number of visitors for each trail and park. UCR does not have the legal or practical ability to track its students through

³⁵ Riverside, City of. 2021d. Resolution Number 23752, Adoption of the Comprehensive Riverside Pact Plan. Riverside, CA. August 17, 2021. <https://aquarius.riversideca.gov/clerkdb/0/doc/335602/Page1.aspx> (accessed October 2021).

their daily activities. There are hundreds, if not thousands, of recreational location access points, or distributed access along large borders. Furthermore, such usage can vary widely on a day to day basis. If certain facilities are being used (i.e., soccer field), individuals may elect to participate in ongoing activities, wait for activities to end, or choose alternate activities in the area. The EIR that was certified by the City of Riverside on October 5, 2021, contained no such quantification for park use.³⁶

As described on Draft EIR p. 4.14-12, under Analysis Methodology, impacts related to parks and recreational facilities were determined by evaluating whether the proposed 2021 LRDP campus population will increase use of existing park and recreational facilities and whether this would lead to the substantial deterioration or degradation of existing recreational facilities or require the construction or expansion of recreational facilities, which would have an adverse physical effect on the environment, which was not considered as part of the proposed 2021 LRDP. In determining the level of significance, the analysis assumes that projects implemented under the proposed 2021 LRDP would comply with relevant federal and State laws and regulations. Substantial physical deterioration is recognized as a decline in the quality of current conditions of a park or facility beyond regular wear and tear. Please see Response L3-30 for additional information, which includes quantification of the number of new students that are anticipated to live on campus. As acknowledged by the commenter on page 4 of their letter, UCR will house "68 percent" of new students on campus.

This comment does not result in a change to the information presented in the Draft EIR, and no additional response is required.

Comment L3-35

Chapter 4.15: Transportation

The VMT analysis indicates that the project meets screening threshold to result in a less-than-significant impact under "Transit Priority Area Screening." according to the City of Riverside TIA Guidelines, the presumption is not be[sic] appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate-or high-income residential units

The DEIR must explain and support the project's eligibility to screen out based on screening thresholds included in the City of Riverside's VMT analysis guidelines. Failing that, the DEIR must evaluate the VMT performance using City of Riverside's TIA Guidelines (attached), in addition to the VMT analysis that has been conducted using regional thresholds and considering the physical location of the project.

³⁶ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P.3.11-20 through 3.11-23. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

Response L3-35

UCR is not required to conduct the VMT analysis according to the City of Riverside's TIA Guidelines. Please see Master Response 2: Constitutional Exemption from Local Regulations.

The comment is incorrect that Transit Priority Area Screening was used to screen the project from further VMT analysis. Under Analysis Methodology in Section 4.15.3, *Environmental Impacts and Mitigation Measures*, of the Transportation section of the Draft EIR shows the portions of the campus that are within a Transit Priority Area (see Figure 4.15-5, Transit Priority Areas in Section 4.15, *Transportation*, of the Draft EIR p. 4.15-23) and explains that the majority of planned development would occur in a Transit Priority Area in the northern portions of East Campus and northern portions of West Campus. (Draft EIR p. 4.15-22) Appendix J and Draft EIR also explains that since the 2021 LRDP is a long-range plan for the development of the UCR campus and since the current Transit Priority Areas do not cover all the campus, *a full VMT analysis was conducted*. The VMT analysis was completed for the 2021 LRDP using the Origin/Destination method and comparing the 2021 LRDP-Generated VMT to the significance threshold in compliance with CEQA Guidelines Section 15064.3. Please see the analysis under Impact T-2 in Section 4.15, *Transportation*, of the Draft EIR pertaining to a full VMT analysis. (Draft EIR p. 4.15-29 and p. 4.15-30)

This comment does not result in a change to information presented in the Draft EIR, and no additional response is required.

Comment L3-36

The total amount of on-site housing does not support the assertion of minimal VMT impacts. The DEIR must analyze the LRDP's VMT impacts based on Residential Home-Based VMT and Home-Based Work VMT, which will provide more appropriate results. Please elaborate if the model was adjusted to account for multimodal infrastructure or not.

Response L3-36

The 2021 LRDP proposes to increase the number of students, faculty, staff, and residential beds on campus, which are the same uses considered in OPR's Technical Advisory setting proposed VMT thresholds.

The VMT analysis completed for the 2021 LRDP applied the Origin/Destination method. The Baseline (2018) Plus Project and Cumulative (2035) Plus Project VMT per Service Population calculations were determined by measuring the UCR campus-wide VMT plus the proposed 2021 LRDP population growth. These VMT measurements and associated calculations of VMT per Service Population were used to evaluate the VMT impact of UCR with the addition of the proposed 2021 LRDP projects. This calculation methodology reflects the VMT generation characteristics of the UCR campus with the inclusion of more faculty/staff, student housing residents, and commuter students proposed under the 2021 LRDP, which accounts for residential and employment VMT as well as additional VMT generated by nonresidential students who commute to the campus each day.

The Home-Based VMT and Home-Based Work VMT metrics requested in the comment only capture a portion of the VMT that would be generated under the 2021 LRDP projects. Home-Based VMT captures only vehicle trips that begin or end at a residence and Home-Based Work VMT captures only the vehicle-trip between a person's residence and their work location. Therefore, calculating the total 2021 LRDP-generated VMT accounts for the number of vehicle-trips generated by operation of the campus and the expected distance that drivers will travel to and from UCR for work/school trips and other trips generated by campus visitors and students living in on-campus

housing and is more comprehensive than the partial accounting that would be captured in the commenter's requested metrics.

The comment also states, "please elaborate if the model was adjusted to account for multimodal infrastructure or not." The UCR campus-wide transportation VMT assumptions were calculated based on the outputs of the current version of RivTAM and no off-model adjustments were taken to account for multi-modal infrastructure (see Appendix J, Section 3 *Methodology*, of the Draft EIR). Therefore, this analysis was conservative. As discussed on Draft EIR p. 4.15-20:

The RivTAM base year UCR land uses were adjusted to reflect the 2018 campus population conditions for the Cumulative 2035 Future Year RivTAM Without Project scenario. Future year UCR land uses were updated to reflect growth consistent with expectations provided by UCR for the Cumulative Plus 2035 Project scenario. A list of approved and pending developments was also requested from the City of Riverside, County of Riverside, and City of Moreno Valley. These lists were then reviewed with land use assumptions in the future year model to ensure that all reasonably foreseeable projects within a fifteen-mile radius of UCR were accounted for in the land uses assumed in the model under cumulative conditions. Additional details on this modeling are included in Appendix J.

This comment does not result in a change to information presented in the Draft EIR, and no additional response is required.

Comment L3-37

Cumulative Plus Project -The section includes, "This increase in opportunities for goods and services along with the increase in students and employees can result in a varied trend of the VMT per Service Population Cumulative Plus Project condition as compared to the Baseline Plus Project Condition" – Please elaborate on this sentence regarding the increase in goods and services, so the City (and the public) can verify the assumptions and the impacts derived therefrom.

Response L3-37

This section of the Draft EIR is qualitatively explaining the overall growth trends in the Western Riverside County Association of Governments (WRCOG) region. Within the WRCOG region, the overall VMT per Service Population is expected to increase under cumulative (2035) conditions in comparison to baseline (2018) conditions. The reference to an increase in opportunities for goods and services is saying that as the WRCOG region continues to grow and provide more housing, employment, commercial uses, UCR students and employees will have more opportunities to live, work, and shop within the region and this is expected to result in a slight decline in the total VMT per Service Population. This concept is consistent with OPR's Technical Advisory on VMT, which notes "[a]s an illustration, assisting the total change in VMT for a grocery store built in a food desert that diverts trips from more distant stores could reveal a net VMT reduction."

As shown in Table 4.15-4, *Cumulative Project-Generated VMT*, of the Draft EIR, the Cumulative (2035) Plus Project VMT under the 2021 LRDP (19.93 VMT per Service Population) would be well below the 15 percent threshold (24.35 VMT per Service Population), and therefore, impacts would be less than significant, and the 2021 LRDP's contribution would not be cumulatively considerable.

As also discussed earlier in that subsection, this additional analysis is not required (Draft EIR p. 4.15-35). "As discussed in OPR's Technical Advisory on implementing SB 743, 'project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans

would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa.’” This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-38

Regarding the transit system, the LRDP supports a new Metrolink station on Watkins Drive but does nothing to actually advance this effort. What does UCR propose for shuttle service if a new Metrolink station is not constructed? Without some real commitment to build the Metrolink station, UCR must provide realistic alternative options in the event that the proposed Metrolink station is not built on time.

Response L3-38

The commenter appears to be citing language on Draft EIR p. 4.15-28, which is analyzing whether the project would conflict with transit programs. The DEIR concludes that the proposed 2021 LRDP would not conflict with these regional programs, and that the “proposed 2021 LRDP includes policies to collaborate with other agencies (e.g. Metrolink, the City of Riverside) to expand transit options near the campus.” The City of Riverside reached similar transit conclusions in its recent Housing Element EIR certified on October 5, 2021, which stated:

Because site specific designs showing driveway locations have not been developed, there are no specific details to review and assess impacts on pedestrian, bicycle, and transit facilities. As part of the standard development review process, the City would require all future development of identified Opportunity Sites to go through a review of pedestrian, bicycle, and transit facilities in the area surrounding the individual development project to ensure that future developments do not conflict with existing or planned facilities supporting those travel modes. All pedestrian, bicycle, and transit facilities proposed would be designed using the appropriate design standards. Furthermore, implementation of the Environmental Justice Policies is policy-based and does not identify any changes to the transportation network or to land use growth in the City. The impact would be less than significant.³⁷

Development of a new Metrolink station is dependent on initiatives from other jurisdictional entities, which make such decisions, in part, upon population density and regional demand. These factors would be improved with implementation of the 2021 LRDP which includes housing accommodation for 68 percent of the increase in the student population. New transit services are funded through increased sales taxes, which would also be improved by the increased student and faculty population. Furthermore, UCR provides numerous effective TDM programs, which have increased average vehicle occupancy from 1.36 to 1.57 occupants per vehicle over the last 15 years, including providing UPASS transit access, as discussed below. (Draft EIR p. 4.15-19.) While UCR can take steps to encourage potential transit in the area, CEQA does not require the University “to consider mitigation measures which itself may constitute a project at least as complex, ambitious and costly at the [] project itself.” (*Concerned Citizens of South Central LA v. Los Angeles Unified*

³⁷ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.12-19. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

School District (1994) 24 Cal.App.4th 826, 842 [Elementary school project did not need to build housing as a mitigation measure].)

Commuter train service in the City of Riverside is provided by Metrolink, which operates seven commuter rail lines throughout Southern California. The UCR/Riverside Hunter Park Metrolink Station is located north-west of the intersection between Marlborough Avenue and Rustin Avenue, approximately 1.5 miles north of the UCR campus. The UCR/Riverside Hunter Park Metrolink Station is served by the 91/Perris Valley Line, which links Perris-South to LA Union Station on weekdays and weekends. The 2021 LRDP contains several policy statements in reference to transit which include the following:

Policy: Promote public transit as a convenient and preferred mode of commuting to campus and connecting campus residents to the community and regional destinations.

Policy: Improve access to public transit on campus by providing connectivity to access points via pathways or shuttles, as well as comfortable waiting facilities, proximate to commuter related services, where appropriate.

Policy: Advocate and support the development of a Metrolink train platform along Watkins Drive adjacent to campus to provide direct access and significantly reduce commute times. Consider dedicated vanpools or shuttles to nearby stations in the interim.

RTA provides fixed route, commuter, and dial-a-ride bus service within western Riverside County, including the Cities of Riverside, Corona, Norco, Jurupa, Grand Terrace, Loma Linda, Moreno Valley, Perris, San Jacinto, Hemet, Lake Elsinore and Temecula. American with Disabilities Act services within the City of Riverside are provided by the City's Riverside Special Services. All buses on fixed-routes are equipped with bike racks that hold two bicycles.

As explained on Draft EIR p. 4.6-20 "it is legally infeasible to mandate ridesharing [e.g. shuttle, carpooling, and vanpooling] (See Health and Safety Code § 40717.9; *Merced Alliance for Responsible Growth v. City of Merced* 2012 WL 5984917 [Court rejected argument that incentivized ridesharing program was inadequate mitigation])."

However, UCR has partnered with RTA in providing all students, faculty, and staff free access to public transportation. Faculty, staff, and graduate students who make their daily commute to and from the UCR campus using public transit are eligible to participate in the UPASS program. Faculty or staff enrolled in the UPASS program are eligible to participate in the Regional Guaranteed Ride Home Program offered through IE Commuter. The program reimburses participants for up to two emergency rides per year when using Lyft, Taxi, or Uber to get home in an emergency.

The proposed 2021 LRDP would continue Transportation Demand Management programs, such as UPASS ride sharing, vanpooling, and other practices that encourage use of alternative transportation modes. UCR will also continue to work with the City of Riverside and RTA to address constraints and expand transit access for its students, faculty, and staff.

This comment does not result in a change in information presented in the Draft EIR, and no additional response is required.

Comment L3-39

The Bicycle Network section concludes that "The Project will have UC Riverside continuing to work with the City of Riverside and University advocates to improve the quality and functionality of an integrated bicycle path network that connects within the campus and to the wider community

beyond." In order for the City to determine whether coordination with UCR will be effective for the purposes on CEQA review, the DEIR and the LRDP must provide exhibits and more details about bicycle path network; details on connectivity between campuses (East Campus and West Campus); and elaborate how the Gage Canal trail would be accommodated through campus.

Response L3-39

The level of detail provided in the Draft EIR is consistent with CEQA, which explains that the description of baseline conditions "shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project." (CEQA Guidelines Section 15125(a); see also Section 15124 ["The description of the project...should not supply extensive detail beyond that needed for evaluation and review of the environmental impact."])

Furthermore, it should be noted that the requested information has already been included in the Draft EIR. The existing bicycle network is documented in Figure 4.15-3, *Bicycle Facilities Near Campus*, of the Draft EIR. This figure identifies both the City's and UCR's bicycle facilities in and around the campus. In addition, Figure 2-3, *Draft Circulation Framework*, of the Draft EIR identifies the proposed LRDP draft circulation network, including bicycle facilities, and how they can connect with the off-campus transportation network. Both existing and proposed connectivity between the East Campus and West Campus is also documented in the two figures referenced above. Please also see Response L3-38, for discussion of this issue in the City's recently certified EIR (which contains less information related to UCR's facilities and the City's bicycle facilities).

Please also refer to Response L3-32 regarding the Gage Canal trail. It is an objective of UCR and the 2021 LRDP to invest in infrastructure to increase bicycle use and support other active transportation modes to integrate desired routes with UCR's and City's circulation framework (Objective M2; Draft EIR p. 4.15-25). This objective is supported through the policy to support and facilitate City-led initiatives to extend bikeways to campus from every direction, including routes proposed along Canyon Crest Drive, Martin Luther King Boulevard, and the Gage Canal (Draft EIR p. 4.15-26). This comment does not require a change to information provided in the Draft EIR, and no additional response is required.

Comment L3-40

Construction Management Plans must be submitted to the City of Riverside to review impacts to public streets.

Response L3-40

The City requested that construction management plans be submitted to the City for review pertaining to any impacts to public streets. Volume 3, Chapter 4 of the UC Facilities Manual (Code and Regulatory Compliance) states that the University is the "Authority Having Jurisdiction" for matters of code regulations on University projects.³⁸ Section 4.3 of the UC Facilities Manual (Local Jurisdictions) notes with the exception of emergency access plans, local jurisdictions typically neither review nor approve University projects, but a facility may want or need to consult with local jurisdictions in many circumstances, particularly with respect to utilities and infrastructure. Considerations include system impacts, access and right-of-way, easements, utility consumption,

³⁸ University of California Office of the President. 2018. Code and Regulatory Compliance, Volume 3, Chapter 4. *UC Facilities Manual*. Last updated August 2018. <https://www.ucop.edu/construction-services/facilities-manual/volume-3/vol-3-chapter-4.html> (accessed October 2021).

and conditions for service. Also, some local fire departments may have delegated authority from the State Fire Marshal for fire and life safety issues.

All proposed campus development building plans and documents are required to be reviewed and approved by UCR's Building & Safety Division. Permits for proposed campus development plans are obtained by the Building & Safety Division and building construction are inspected prior to building occupancy and sign off. State funded campus projects will have to go through the Division of the State Architect (DSA) for review and approval for accessibility only.

The University has been and will continue to be in regular communication with the City on proposed improvements pertaining to City's rights-of-way with respect to campus projects. The Campus Fire Marshal communicates/shares plans with the City Fire Department pertaining to proposed fire lanes and access. Additionally, UCR would communicate with the City (e.g., Public Works, Planning) pertaining to any proposed improvements/alterations to City public rights-of-way, and would submit plans for review, feedback, and compliance with City Codes.

Any encroachments to City rights-of-way would be required to obtain an encroachment permit through the City and any temporary modifications (e.g., curb cuts, utilities, intersection improvements, etc.) to City rights-of-way would adhere to the construction traffic control plans.

Based on the above response, the Draft EIR provides an appropriate level of detail in compliance with CEQA. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

Comment L3-41

Regarding bicycle facilities, please include the recently constructed two-way cycle tract on the east side of Iowa Avenue between Everton Place and Marlin Luther King Boulevard. Please add this location to the list and the map.

Response L3-41

As explained on Draft EIR p. 4.15-7, a campus-wide assessment of bicycle infrastructure was conducted in 2018 to evaluate existing conditions and recommend potential programs that could increase ridership, facilitate on-campus bicycle parking, and increase programs to support bicycle safety for the UCR community. Since the bicycle facility referenced by the commenter was recently constructed, it was not included in Table 4.15-2 or Figure 4.15-3 of the Draft EIR. It was also not identified in figures or the text of the City of Riverside's recently certified Final EIR.³⁹ The recently constructed two-way cycle tract is acknowledged, but its completion does not change the transportation impact conclusions presented in the Draft EIR.

Comment L3-42

Plans for the Martin Luther King Boulevard interchange are not included in the LRDP. In order to avoid transportation impacts, that interchange should be expanded/modified to allow direct access to campus.

³⁹ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.12-7 through P. 3-12-9. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

Response L3-42

UCR has not considered a direct connection between East Campus and the Martin Luther King Boulevard interchange since prior to the 2005 LRDP. Page 80 of the 2005 LRDP identifies that there will not be a direct connection from Martin Luther King Boulevard to the East Campus to help deter regional traffic from using UCR roads for through access. The 2021 LRDP maintained consistency with the 2005 LRDP regarding the lack of connectivity to the Martin Luther King Boulevard interchange and is not proposing any direct connection to the East Campus. Furthermore, the suggestion would not reduce or avoid a significant impact.

It should be noted that the Riverside General Plan 2025 Amended February 2018 Mobility Element illustrates a roadway connection between East Campus and the Martin Luther King Boulevard interchange in Figure CCM-4;⁴⁰ however, the figure does not identify what the line type represents in the legend. Furthermore, there is no reference of a Martin Luther King Boulevard interchange direct connection to the East Campus in the Mobility Element. As UCR owns the land that would provide the direct connection to the East Campus, any roadway connection planned by the City of Riverside would need to be reviewed and approved by UCR and Caltrans.

Transportation impacts have been identified based on the 2021 LRDP proposed circulation plan. The comment does not provide evidence to support what transportation impacts could be avoided with a Martin Luther King Boulevard interchange direct connection to the East Campus. Nor does UCR believe such a modification would reduce or avoid a significant environmental impact. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-43

The City, the Riverside Transit Agency, and UCR have worked closely on a mobility hub at Canyon Crest Drive and University Avenue. However, no reference to those plans and efforts are evident in the LRDP or its DEIR. If the mobility hub remains viable, it must be discussed and analyzed. If it is no longer viable, the City (and likely RTA) will have to reconsider the LRDP impacts to circulation based upon that new information. Coordination now can prevent the need for recirculation of the DEIR later.

Response L3-43

The Mobility Hub project stalled because the bids that came in were over budget and neither the RTA nor City of Riverside had the capacity to provide additional funding. However, it should be noted that the University's projected growth in the 2021 LRDP (2021 LRDP p. 72) underscores the benefits for an integrated transportation strategy that promotes the use of public transportation, ride-sharing supported by safe and convenient access points, autonomous vehicle integration, walking, and biking, thus reducing the proportional demand for parking development as the campus population increases. To this end, 2021 LRDP p. 88 already includes the following supportive policies:

⁴⁰ Riverside, City of. 2018. Circulation and Community Mobility Element. *City of Riverside General Plan*. Riverside, CA. Amended February 2018. https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/general-plan/12_Circulation_&_Community%20Mobility_Element_with%20maps.pdf (accessed October 2021).

Policy: Promote public transit as a convenient and preferred mode of commuting to campus and connecting campus residents to the community and regional destinations.

Policy: Develop the University Avenue and Canyon Crest Drive Gateway streetscapes to support increased use and functional efficiency of the RTA system, improved clarity of drop-off and pick-up locations for ride-sharing services, reduced conflict, and improved safety for cyclists, pedestrians, and emerging micro-mobility solutions in these increasingly busy mixed-mode circulation areas.

Policy: Improve access to public transit on campus by providing connectivity to access points via pathways or shuttles, as well as comfortable waiting facilities, proximate to commuter related services, where appropriate.

Furthermore, the Canyon Crest Gateway and University Avenue Gateway LRDP land use designations are supportive of multi-modal transportation support facilities.

The commenter also alleges that “If [the Mobility hub] is no longer viable will have to reconsider the LRDP impacts to circulation based upon that new information.” As acknowledged in the comment the Draft EIR did not assume any VMT benefits from a potential Mobility hub. Consequently, non-inclusion does not affect the transportation analysis, and no modifications or recirculation of the Draft EIR are warranted. Please also see Response L3-24 which addresses similar concerns. This comment does not result in a change in information presented in the Draft EIR, and no additional response is required.

Comment L3-44

There is no clear commitment to allow shared mobility / micro mobility on campus. Without commitment, any mention of shared or micro mobility is speculation.

Response L3-44

The term micro-mobility is mentioned within the 2021 LRDP policy to develop the University Avenue and Canyon Crest Drive Gateway streetscapes to support increased use and functional efficiency of the RTA system, improved clarity of drop-off and pick-up locations for ride-sharing services, reduced conflict, and improved safety for cyclists, pedestrians, and emerging micro-mobility solutions in these increasingly busy mixed-mode circulation areas. This policy is in support of the 2021 LRDP Objective M1 to reduce future vehicular traffic, parking demand, and GHG emissions, by increasing student housing on campus up to 40 percent of the projected enrollment in 2035. The use of micro-mobility is one of many solutions to support the development of the streetscape areas. Micro-mobility is simply identified as a potential project feature and is referred to as an emerging solution of future proposed streetscape areas. The mention of micro-mobility is listed within a series of other improvement options. This comment would not require a change to the Draft EIR, and no additional response is required.

Comment L3-45

Due to the project size, a Level of Service based analysis must be conducted to address potential traffic circulation deficiencies associated with the proposed Long Range Development Plan. VMT analysis does not consider, and thus does not replace, impact analysis to emergency access, response times, circulation, noise, light and glare, and many other factors important to environmental analysis.

Response L3-45

As explained on Draft EIR p. 4.15-14, Senate Bill (SB) 743 eliminates the traditionally used measures of auto delay, level of service, and other measures of traffic congestion as a basis for determining significant impacts. As acknowledged in the City's certified Housing Element EIR "SB 743 changes the focus of transportation impact analysis in CEQA from measuring impacts on drivers, to measuring the impact of driving. *The change replaces level of service (LOS) with VMT...*"⁴¹

While a level of service analysis is not required to address transportation impacts, increases in travel demand with the 2021 LRDP have been considered in other areas of the environmental analysis, as appropriate. Impact T-4 already considers the potential for the 2021 LRDP to result in inadequate emergency access. (Draft EIR p. 4.15-33 and p. 4.15-34)

Regarding the other environmental analysis topics mentioned in the comment, the noise impact analysis considered traffic noise levels as reported in Section 4.11, *Noise*, of the Draft EIR and the aesthetics analysis considered light and glare impacts as discussed in Response L3-4. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-46

The DEIR does not adequately address impacts to the regional transportation and roadway system, which are anticipated to be significant due to the continual increase in students, faculty, staff and visitors facilitated by the LRDP. The Western Riverside County Association of Governments (WRCOG) developed and administers the Transportation Uniform Mitigation Fee (TUMF), a program that ensures that new development pays its fair share for the increased traffic that it creates; however UCR is currently exempt from participating in and contributing to the TUMF program. The City strongly encourages UCR to participate in the TUMF program and contribute to its fair share improvements of the regional roadway network.

Response L3-46

The City expresses a desire to encourage UCR to participate in the TUMF program. The commenter is correct that UCR is currently exempt from participating in and contributing to the TUMF program. UCR, a public university, is exempt from participating in and contributing to the TUMF program as noted in Exhibit E of the TUMF Program Exemptions.⁴² Please also see Master Response 2: Constitutional Exemption from Local Regulations. As discussed in Responses L3-35 through L3-45, the project's transportation impacts have been appropriately analyzed. The only significant transportation impact is associated with vehicular queueing under cumulative conditions and UCR has proposed that Caltrans adopt Mitigation Measure MM T-1. However, the commenter's suggestion to participate in the TUMF program would not reduce or avoid this impact. Additionally, while the TUMF nexus study discusses VMT, it appears focused upon improving vehicular congestion when vehicular congestion conditions degrade to "LOS E or worse."⁴³ This comment does not result in a change in information presented in the Draft EIR, and no additional response is required.

⁴¹ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.12-11. Riverside, CA. July 2021.
https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

⁴² Western Riverside Council of Governments (WRCOG). n.d. Transportation Uniform Mitigation Fee (TUMF) Exemptions. Riverside, CA. https://wrcog.us/DocumentCenter/View/8827/TUMF_Exemptions (accessed October 2021.)

⁴³ Western Riverside Council of Governments (WRCOG). 2017. Transportation Uniform Mitigation Fee (TUMF) Nexus Study, 2016 Update. Riverside, CA. <https://wrcog.us/DocumentCenter/View/1020/TUMF-2017-Nexus-Study-current?bidId=>

Comment L3-47

Chapter 4.17: Utilities and Service System

The DEIR states that "the City and UCR have a wastewater discharge agreement that allows UCR to discharge 1.55 cubic feet per second (approximately one MGD) from the campus into the portion of the City trunk line located in East Campus between Valencia Hills Drive and Canyon Crest Drive (UCR 2005)." However, the DEIR (Section 4.17.1) states that based upon the population density analysis, the average daily flow rate on East Campus was calculated at approximately 1.7 MGD, and peak flow was calculated at approximately 5.6 MGD. UCR must enter into a new wastewater discharge agreement which would accommodate for the increase in discharge created due of the increase in density resulting from the LRDP. Without a commitment to do so, the impacts from increased sewage flow must be reconsidered, new construction to accommodate those increased flows would have environmental impacts, requiring further analysis on UCR's part.

Response L3-47

The comment expresses a concern that increased wastewater discharge associated with the 2021 LRDP could require new construction of wastewater infrastructure, references the 2016 Physical Master Plan Study estimated average and peak flow rates, and requests a new wastewater discharge agreement or consideration of the environmental impacts of the lack of such an agreement.

Pages 4.17-4 and 4.17-5 of Section 4.17, *Utilities and Service Systems*, of the Draft EIR, acknowledged existing wastewater constraints stating that "there are existing local capacity constraints in the City's sanitary sewer system, including Canyon Crest Drive, which will need to be addressed." This discussion further explains that the 2016 Physical Master Plan Study was completed prior to the Canyon Crest Family Student Housing being taken offline, and that the housing facility was comprised of World War II-era buildings with comparably outdated stormwater infrastructure, and concludes average and peak flows on the UCR campus are currently likely much lower.

As discussed under Impact U-1 on pages 4.17-25 through 4.17-28 of the Draft EIR, "new construction to accommodate those increased flows" has already been considered in several prior EIRs, and the current analysis which states:

To service future development under implementation of the proposed 2021 LRDP may require the relocation and/or replacement of wastewater infrastructure on the UCR campus. Development of projects under the proposed 2021 LRDP would be adjacent to existing campus development and would connect to existing wastewater treatment or stormwater drainage infrastructure. The proposed project would require the installation of additional water main lines, lateral connections, and hydrants on campus to serve planned facilities. This infrastructure has been assessed as part of buildout of the proposed 2021 LRDP in this Draft EIR. At the time of preparation of this proposed 2021 LRDP, there are existing local capacity constraints in the City's sanitary sewer system, including West Linden Street and Canyon Crest Drive, that will likely require new pipes regardless of adoption of the LRDP.

...

UCR would perform an analysis of wastewater infrastructure needs as projects are planned and constructed and would conduct site specific infrastructure improvements as needed. For example, UCR has previously identified a potential need for upgrades to the campus's local

wastewater/sewer system based on the analysis in the 2016 Physical Master Plan Study and 2019 EIR for UCR's North District Development Plan (NDD Plan), which is separate and distinct from the proposed 2021 LRDP. Specifically, the NDD Plan EIR determined that the existing sewer capacities at West Linden Street and Canyon Crest Drive would be sufficient to convey flows associated with the initial phase of the NDD Plan but that full buildout of the NDD Plan may require upgrades to the existing 8-inch-diameter sewer lines in West Linden Street and Canyon Crest Drive (both north and south of West Linden Street). Such upgrades could include upsizing (replacing the existing pipe with a wider-diameter pipe) or paralleling (installing a new pipe in parallel position to the existing pipe) (UCR 2019b).⁴⁴

Improvements to on-campus sewer lines and lateral connections would occur concurrently with future project implementation and primarily in the disturbance footprints of such projects and existing roadways/disturbed areas. As with water infrastructure and facilities, any sewer line extensions necessary to serve future facilities associated with the proposed 2021 LRDP would generally be installed in already-disturbed rights-of-way, such as existing roads, or in the disturbance footprint of proposed buildings. Furthermore, the construction of these infrastructure improvements would not substantially increase the proposed 2021 LRDP disturbance area, associated emissions and would not otherwise cause additional significant environmental effects. Potential impacts associated with wastewater infrastructure expansion and relocation for projects developed under the proposed 2021 LRDP would be less than significant.

This comment does not result in a change in the information presented in the Draft EIR, and no additional response is required.

Comment L3-48

The City of Riverside Wastewater Treatment Plant performed an update to the Sewer Master Plan in 2019 which included an update to the City Sewer Model. The City uses the Sewer Model to identify deficiencies in the sewer collection system. UCR must coordinate with the City of Riverside Public Works Department to update the Sewer model based on the land use proposed in UCR's LRDP. UCR will need to hire the City's Consultant (Carollo Engineers) to update the model, or the City can provide the model to UCR to utilize their own consultant to update the City's sewer model. It is important to update the City model to identify potential cumulative impacts to the City's sewer collection system as a result of UCR's future development projects. If UCR refuses at this point to coordinate, impacts from increased sewage flow must be reconsidered, new construction to accommodate and treat those increased flows would have environmental impacts, requiring further analysis on UCR's part.

Response L3-48

Please see Response L3-47. The comment refers to the City of Riverside Wastewater Treatment Plant's update to the Sewer Master Plan, by which it is referring to the City of Riverside Public Works Department 2019 Upgrade to the 2008 Integrated Master Plan for the Wastewater Collection and Treatment Facilities (the 2019 Upgrade). The comment suggests UCR must use a consultant to generate an update to the hydraulic model used by the City to identify deficiencies in the sewer

⁴⁴ In-text citations provided in this quote are found at the end of Section 4.17, *Utilities and Service Systems*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

system based on concern that resulting impacts from future development facilitated the 2021 LRDP were not accounted for in the modeling.

As discussed in the Section 4.17.4, *Cumulative Impacts*, of the *Utilities and Service Systems* section of the Draft EIR, (p. 4.17-40), the geographic scope of cumulative analysis for wastewater facilities is the UCR's campus wastewater system and the Riverside Water Quality Control Plant (RWQCP). The hydraulic model utilized in the 2019 Upgrade was based on population projections currently extending to the year 2037, which at the time included projections for growth at UCR below those that might be facilitated by the 2021 LRDP. The model covers the entirety of the wastewater collection system and identifies a variety of infrastructure deficiencies that will need to be upgraded to fully accommodate projected population buildout by 2037, including identifying flow restrictions within the larger wastewater system that might limit population growth by 2032 if not implemented regardless of project implementation. Deficiencies were identified and multiple projects to upgrade the infrastructure around UCR were proposed, including GM-15 which proposes to upgrade or bypass the lift station at University Knolls, identified as a serious deficiency in the model.

As discussed in the Draft EIR under Impact U-1 (Draft EIR p.4.17-25 through p. 4.17-28), upgrades to the RWQCP have increased its treatment capacity to 46 million gallons per day (MGD) average dry weather flow, and current City buildout projections through 2037 indicate wastewater flows of 39 MGD by 2037, which included flows from current UCR development. Therefore, the RWQCP itself will be capable of handling increased flow resulting from the proposed 2021 LRDP, and additional modeling is not necessary to reasonably characterize this potential impact.

Both UCR and the City have identified a variety of infrastructure upgrades that may be necessary in the coming years to handle increased wastewater flow; however, implementation of the proposed 2021 LRDP would not itself create deficiencies in the City's stormwater drainage system within the scope of this analysis which would require remodeling of the entire system. Both the City and UCR update their respective Sewer System Management Plan every two years, as required. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-49

The DEIR's analysis of wastewater impacts is incomplete because it fails to compare the existing wastewater flows to reasonably foreseeable increases in flows with the incremental buildout of the LRDP. The LRDP states that "wastewater from the campus is conveyed into the City's sanitary sewer city system for treatment. At the time of preparation of this LRDP, there are known capacity constraints in the City's sanitary sewer system that will need to be addressed as future building projects are added to the campus." UCR must conduct the analysis of system capacity, with relevant upstream data provided by the City's sewer model to determine if LRDP-related wastewater flows can be accommodated now, as part of this EIR. Otherwise, those admitted impacts constitute impermissible deferral of analysis. If the analysis finds that LRDP-related wastewater flows would significantly impact the system, the EIR must also identify measures to mitigate those impacts (i.e., upsizing City's sewer mains if existing mains are insufficient in meeting the projects' wastewater needs.) This must be addressed now, or recirculation of this DEIR will almost certainly be required.

Response L3-49

The comment states the Draft EIR analysis of foreseeable wastewater flow increases is incomplete and requests an analysis of upstream and downstream City sewer system capacity for significant impacts from those flows.

Please see Response L3-47, which explains that the Draft EIR has disclosed the potential need for localized wastewater infrastructure, and that impacts are not considered to be significant. This analysis describes current UCR wastewater flows, and accounts for anticipated and reasonably foreseeable future flows associated with 2021 LRDP buildout, as detailed in Table 4.17-3, *Estimated Wastewater Flow*. The Draft EIR concludes under Impact U-1 that new or expanded wastewater infrastructure may be necessary on the UCR campus, and that the impacts of such improvement would be less than significant (Draft EIR p. 4.17-25 through p. 4.17-28). In addition, the Draft EIR concludes under Impact U-3 that there is adequate capacity at the RWQCP to handle both the projected flows from UCR and from projected increases from the City (i.e. cumulative conditions) through 2037 (Draft EIR p. 4.17-36 through p. 4.17-37). Identification of mitigation measures that would be imposed upon and implemented by an outside agency, such as upsizing of City sewer mains, is outside the scope of this programmatic CEQA analysis.

The City of Riverside reached a similar conclusion in the Housing Element EIR it certified on October 5, 2021, which states in part:

Development facilitated by the Project could result in an additional 31,564 housing units over existing conditions in the next 8 years. This increase in housing units would result in an increase in population of 103,530 residents that would result in increased demand for wastewater treatment services... Sewer line upgrades would be aligned with the goals of the 2008–2021 Wastewater Collection and Treatment Facilities Integrated Master Plan as the sewer line upgrades and improvements associated with the Project would align with the plan’s goal to increase system reliability in conjunction with projected population growth in the City. To serve future residents of the Project, sewer lines would have to be expanded within the City. However, nearby sewer lines would provide potential connection points. While implementation of the Project would alter the composition of development within the City, future sewer resource planning efforts are required to be updated every 2 years by SWRCB State Order 2006-0003 (issued May 2, 2006) and as updated in State Order No. WQ 2013-0058-EXEC, and the next update would include the Project if approved. While development of the Project would require extension, relocation, and expansion of new sewer lines within the City, construction activities associated with future development would be subject to compliance with the local, state, and federal laws, ordinances, and regulations, as well as any Project-specific mitigation measures necessary to ensure construction-related impacts are not significant. Therefore, impacts due to the extension, relocation, and expansion of new sewer lines would be less than significant.⁴⁵

Comment L3-50

UCR could work with the City of Riverside to devise development impact fees to mitigate the impacts of future projects. Such fees include:

- Sewer Capacity Fees - \$570/1000 S.F. of building area (fee subject to change depending on specific use of buildings with potentially higher sewer generation);
- Traffic and Railroad Signal Mitigation Fee - \$0.25 / S.F. of building area;
- Storm Drain Fee - \$186.00, plus:

⁴⁵ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.14-21 through P. 3.14-22. Riverside, CA. July 2021. https://riversideca.gov/cedd/sites/riversideca.gov.ceed/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

- \$28.00 for each 100 square feet, or portion thereof, of roof area in excess of 750 square feet but not in excess of 3,000 square feet of roof area
- \$0.06 for each square foot of roof area in excess of 3,000 square feet
- \$0.02 for each square foot of site area included in the lot or parcel of ground constituting the work site as described in the application for the building permit, provided that this surcharge shall be charged only once on any lot or recorded parcel of ground and provided that the building official may waive a portion of this fee when it is apparent that the lot or recorded parcel of ground is subject to future development

Response L3-50

The comment suggests a set of fees payable to the City of Riverside for proposed mitigation of undetermined future impacts. UCR is constitutionally exempt from local government regulations, including city and county general plans and zoning regulations, whenever using property under its control in furtherance of its educational purposes. As such, potential development on property owned or controlled by the University of California that implements the proposed 2021 LRDP is generally exempt from conformance to local policies and regulations, including development impact fees. Please also see Master Response 2: Constitutional Exemption from Local Regulations. Furthermore, the suggestion would not reduce or avoid a significant environmental impact. Nonetheless, the suggestion will be included in the Final EIR for review and consideration by the decision-makers.

Comment L3-51

The DEIR relies on Riverside Public Utilities' 2016 Urban Water Management Plan for analysis. RPU updated the UWMP in 2020 and it was adopted by City Council in June 2021. Although it is recognized that the DEIR and UWMP were being drafted concurrently, RPU recommends that the 2020 UWMP be used for any future analyses.

Response L3-51

This comment notes that the RPU 2015 Urban Water Management Plan (UWMP) (which is referred to as the 2016 UWMP in the comment) has been recently updated to the 2020 UWMP with acceptance in June 2021 and requests the 2020 UWMP is used for future analyses.

Comment noted. Future projects facilitated by or occurring under the LRDP will utilize the most current form of any applicable UWMP in their analysis. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L3-52

The LRDP states that UCR evaluated their campus water system for the 2016 Physical Master Plan Study, which indicated that the existing conveyance infrastructure [UCR's Water System] adequately supports the campus water demands. However, the LRDP does not identify impacts from future developments that would need to be served directly from RPU's water system, and not from the UCR Water System. Additional information regarding project-specific demands and their respective points of service are needed in order to determine whether RPU's system will be able to adequately serve future UCR development directly off of RPU's infrastructure.

Response L3-52

The comment notes that analysis conducted in 2016 concluded that campus water infrastructure was adequate and requests project-specific analysis for impacts of future projects facilitated by the 2021 LRDP served directly by RPU's water system.

As noted in the Draft EIR on p. 4.17-3, UCR's water needs are served by UCR-owned and operated water conveyance infrastructure, which is connected to RPU through several points, primarily to the City reservoir buried south of University Avenue and through backup connections and mains at West Linden Street, Iowa Avenue, Cranford Avenue, and others. Future development facilitated by the 2021 LRDP would likewise be connected to the UCR infrastructure and not by new connections directly to RPU; therefore, it is unlikely that campus projects would occur that require the requested analysis. As also discussed in Response L3-47, the 2021 LRDP Draft EIR already acknowledged that future development "would require the installation of additional water main lines, lateral connections, and hydrants on campus to serve planned facilities. This infrastructure has been assessed as part of buildout of the proposed 2021 LRDP in this Draft EIR."

In addition, project-specific analysis is not within the scope of this programmatic EIR. Project-specific water demands and their impacts on water service systems would be examined during the appropriate CEQA document for each campus project. This comment does not result in a change to the Draft EIR, and no additional response is required.

Comment L3-53

The LRDP and its DEIR do not provide enough information about the future electric loads and facility locations. Thus, Riverside Public Utilities (RPU) cannot determine if the impacts described in the DEIR are complete or accurate. The LRDP fails to provide specific project descriptions or locations with estimated loads in KW. RPU has estimated the cost for providing electric service based on UCR's LRDP load projections to be approximately \$12 Million. RPU estimates this cost based on land use types and the additional infrastructure needed to serve the additional loads for only those new campus uses proposed in the LRDP. These costs are based on RPU Electric Rules which state that the applicant/user is responsible for all civil infrastructure needed to serve the loads associated with the development projects. These costs don't include any infrastructure facilities, which include trenching, vaults, conduits, street paving, etc. that the applicant will be responsible for at the time of construction. These are only Electric Service Fees for the additional estimated load growth associated with the LRDP. These fees are typically paid during the design/construction of the development project and are paid upfront prior to RPU installing any electrical facilities. In accordance with RPU Rules, UCR must pay all applicable fees associated with their projects prior to RPU installing any facilities.

Response L3-53

UCR understands that it would need to pay electrical service and facility installation fees prior to RPU installing electrical power facilities. However, as discussed in more detail under Response L3-55 and as stated on Draft EIR p. 4.7-30 under the Impact U-1 discussion, no major electric power improvements are proposed as part of the proposed 2021 LRDP. Since this is a programmatic CEQA assessment document, specific potential minor electric power improvement sites are not yet known but are anticipated to occur within the proposed 2021 LRDP projects construction footprints. Furthermore, UCR would coordinate with RPU with regard to any potential minor electric power improvement sites.

In terms of utilities related to electric power, CEQA is concerned with the physical environmental impacts of energy use, specifically if new or expanded electrical facilities are required to be constructed; see Response L3-55 for further discussion related to electric power improvements associated with implementation of the proposed 2021 LRDP. As for potential electrical demands, the commenter is directed to the operational energy analysis included in Draft EIR Section 4.6, *Energy*, including Table 4.6-10, *Proposed 2021 LRDP Operational Stationary Energy Consumption*. However, while electrical demand will increase, some of this demand will be met by electricity produced on-campus. UCR has already added numerous on-site solar installations, providing approximately 11.6 megawatt-hours (MWh) of electricity, or almost 10 percent of the campus's total annual energy needs. In June 2021, UCR has also installed solar on two new campus building (not considered in the 11.6 MWh referenced above). Additionally, UCR also has plans to install solar on the roof of Lothian Residence Hall (Project 9058), a project which is out for bid as of September 2021 and the new School of Medicine Building II (approximately 477 rooftop panels), anticipated in 2022.

No changes to the Draft EIR text or analysis are necessary with regard to this comment.

Comment L3-54

The DEIR erroneously assumes no new RPU facilities will be needed to serve the over 10,000 new students. UCR must analyze the environmental impacts of RPU's providing the additional transformer and feeder facilities. RPU recognizes that UCR has the option to serve some of the load from their own onsite distribution system, but also recognizes that at some point will require an expansion of the existing substation to include the addition of a new transformer bank and associated facilities. RPU anticipates that additional distribution feeders will be needed, especially for the Canyon Crest Avenue Gateway areas based on the land use description. The estimated cost of \$12 Million is based on new substation expansion and distribution feeders needed. Actual service fees will be calculated at time of development, if applicable to install new facilities. RPU sees the need to expand the existing University Substation due to the LRDP growth. Loads may be served from a different substation, which would require major underground facilities to be extended to serve additional loads. Those facilities would require trenching, conduits, vaults, etc. That major work could take several months to construct depending on the number of circuits needed to serve the additional load.

Response L3-54

In terms of utilities related to electric power, CEQA is concerned with the physical environmental impacts of energy use, specifically if new or expanded electrical facilities are required to be constructed. As stated on Draft EIR p. 4.17-30 under the Impact U-1 discussion, no major electric power improvements are proposed as part of the proposed 2021 LRDP. In addition, Draft EIR p. 4.17-30 goes on to state that individual projects occurring under the proposed 2021 LRDP may require minor electric power facility improvements, such as rewiring buildings during renovation, and installing new electric wiring connections for new construction projects. The installation of project-specific electric power facilities would generally occur in the respective project's footprint, and would be temporary (i.e., limited to the respective project's construction period). However, potential physical environmental impacts associated with such potential electric power improvements would not have a significant impact during construction or operation and maintenance. Thus, potential impacts related to installation of electric power facilities would be less than significant.

The City of Riverside reached similar conclusions in the Housing Element EIR it certified on October 5, 2021, stating:

Development facilitated by the Project could result in an additional 31,564 housing units over existing conditions in the next 8 years...RPU provides electric utility services to the City. The RPU Utility 2.0 Strategic Plan identifies goals, strategies, and objectives to meet energy needs resulting from a growing population. Goals for this plan include renewing, replacing, upgrading, modernizing, and extending water and electric system infrastructure. There are existing plans to upgrade RPU facilities to align with the increased energy use with a growing population. RPU's Integrated Resource Plan and RTRP identify needed upgrades to electrical facilities throughout the City. The Project would not result in additional need for upgrades to electrical facilities. Additionally, build-out of the Project would be incremental throughout the 8-year planning period so that existing energy facilities are not overburdened by substantially increased demands at a single point. [¶] Development facilitated by the Project would occur in areas of the City where electrical utility services are already available and would therefore not require the building of new electrical facilities. Upgrades to existing overhead and underground lines would be expected to be completed within existing urban areas. The construction of new, upgraded, or expanded electricity utility facilities is already anticipated and planned in the Project, RPU's Integrated Resource Plan, the Utility 2.0 Strategic Plan, and RTRP.⁴⁶

Furthermore, the City of Riverside Public Utilities (RPU) Department undertook the Hunter Substation Replacement Project in 2020, with project completion in 2021. According to the project description provided in the Initial Study-Mitigated Negative Declaration, the project included the replacement of the previous Hunter 69/12kV/4kV Electrical Substation with a new 69/12kV substation located immediately adjacent to the existing substation. The existing substation and the new substation areas comprise approximately 2.5 acres located in an urban area. The previous Hunter Substation was a 69/12kV/4kV distribution, air insulated substation (AIS), approximately one acre in size (fenced area), and was constructed in approximately 1960 and has been operated continuously since then by RPU. RPU had made upgrades and incrementally increased the capacity of the substation since its initial construction. The new Hunter 69/12kV distribution substation was constructed on an undeveloped parcel immediately adjacent to the previous Hunter Substation and is an AIS with four bays and a breaker-and-a-half configuration. A new storage building has been constructed where the previous substation equipment was located that will be utilized for the storage of substation and other parts and equipment for utilization by RPU for operation and maintenance of the RPU electrical system. It was determined that, based on the information contained in the Initial Study, the project would not have a significant adverse effect on the environment.⁴⁷ A Mitigated Negative Declaration was adopted, and the project was approved in late 2020. It is logical to assume that other future replacement substations, or new substations, would be similar in size (less than 3 acres) and located in areas such as infill sites, and result in less than significant impacts to the environment.

⁴⁶ Riverside, City of. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. P. 3.14-23. Riverside, CA. July 2021.
https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).

⁴⁷ Riverside, City of. 2020. Draft Initial Study and Proposed Mitigated Negative Declaration for the Hunter Substation Replacement Project. Public Utilities Department. Riverside, CA. July 2020. [website]
http://www.riversidepublicutilities.com/projects/pdf/hunter/Hunter%20Substation_Public%20Draft%20Initial%20Study%20and%20Proposed%20Mitigated%20Negative%20Declaration.pdf

As discussed on Draft EIR p. 4.8-11 and Response L3-53, UCR has already added numerous on-site solar installations, providing approximately 11.6 MWh of electricity, or almost 10 percent of the campus's total annual energy needs. (Draft EIR p. 4.8-11.) This reduces demands from regional electrical infrastructure cited in the comment. Most recently, UCR has also installed solar energy production features on two new campus building (not considered in the 11.6 MWh referenced above). More specifically, on June 2, 2021, UCR announced that the Student Recreation Center now houses 741 photovoltaic panels while 346 panels were added to the Student Services Building. The two installations will provide a combined 473 kilowatts of solar energy.⁴⁸ Additionally, UCR also has plans to install solar on the roof of Lothian Residence Hall (Project 9058), a project which is out for bid as of September 2021 and the new School of Medicine Building II (approximately 477 rooftop panels), anticipated in 2022. Due to UCR's large solar renewable footprint, load at the substation is offset by a large amount during regular operating hours.

As also discussed on Draft EIR p. 4.6-4 and p. 4.8-12, UCR has already begun implementing measures to reduce peak electrical demand, thereby also reducing demand for regional electrical infrastructure, including three Thermal Energy Storage System tanks which holds several million gallons of chilled water to reduce peak energy demand.

There is also 0.5 million watts (MW) of photovoltaic (PV) power capacity distributed between the three buildings at CE-CERT. The administration building has an energy scheduling system that controls large loads and 0.1 MW of the PV capacity. The Multidisciplinary Research Building has a 500 kilowatt hour stationary electrical energy storage system that will store or discharge energy in response to a remote command or to a scheduling algorithm and 100 kilowatts (kW) of the PV capacity. The remaining 260 kW PV capacity is allocated to the Atmospheric Processes Laboratory. Additionally, 500 kW of battery energy storage is installed in a trailer for mobile deployment, a project which is out for bid as of September 2021. During a previous heat wave in 2014, RPU requested that their largest customers reduce electricity use in the afternoon. UCR responded to this request by utilizing its SIGI battery system, PV generation, and smart demand management controllers (Draft EIR p. 4.6-5). The combined effect not only curtailed 265 kW of power consumption, but also provided 225 kW back to the grid, resulting in a 590 kW energy swing for the critical period during the afternoon hours. In addition to the demonstration of these functionalities, UCR CE-CERT's SIGI test-bed has the ability to supply reactive power and voltage support, efficiency evaluation of system components, and islanding operations. Most recently in July 2021 during CA emergency grid event, UCR was able to drop 3.95 MW of power demand within a relatively short window. Overall power demand drop (load shed/curtailment) reached 7.17 MW through coordination with UCR's Central Plant. UCR is also already working on a Central Plant Controls upgrade which will further support demand management efforts for the university.

Comment L3-55

The DEIR also commits to replacing gas-fired items such as boilers and heaters with electric versions, which will increase electric demand. Furthermore, the DEIR commits to increasing the amount of clean energy (with a stated policy goal of 100%) and maximizing solar panels. Solar generation peak does not coincide with demand peak, meaning that UCR will be exporting more power to RPU during solar peak, and importing more power during demand peak. While the net consumption may decrease, the instantaneous load on RPU's system, and UCR's connection(s) thereto, will increase,

⁴⁸ Ghori, Imran. 2021. "Solar panels added to two campus buildings." *Inside UCR*. [web journal] June 2, 2021. <https://insideucr.ucr.edu/stories/2021/06/02/solar-panels-added-two-campus-buildings> (accessed October 2021).

requiring significant equipment upgrades. Those impacts must be explained, analyzed, and mitigated.

Response L3-55

Please see Response L3-54.

Comment L3-56

Chapter 6: Alternatives

The City requests that Alternative 3 be considered for approval over the proposed LRDP. This Alternative is the Environmentally Superior Alternative and would result in fewer impacts related to air quality, fuel consumption, GHG emissions for Scope 3 sources, population and housing, and transportation. Although the City believes that none of the LRDP alternatives provide enough on-campus or University-operated housing, Alternative 3 would reduce impacts to the City and surrounding neighborhoods due to the increased campus population, by providing on-campus housing for 60% of the student population.

Response L3-56

UCR acknowledges that the City's preferred alternative is Alternative 3. The decision to approve, disapprove, or modify the proposed project or an alternative is not made by staff, but by the decision-making body, in this case the Regents, after certification of the Final EIR. The comment will be included in the Final EIR for their consideration.

Comment L3-57

In conclusion, the City of Riverside appreciates your serious consideration of the comments provided in this letter. While the City appreciates its innumerable collaborations and partnerships with UCR, the interests of its tax payers, rate payers, and community members - and their quality of life - must be respected and upheld through shared responsibility for identifying, analyzing, addressing, and mitigating impacts in a good-faith manner; the UCR LRDP, as presented, will have off-campus impacts induced or caused by the envisioned growth and expansion of the university and its associated population of students, faculty, and staff.

Response L3-57

Comment noted. UCR, in turn, appreciates the City of Riverside providing their comments on the Draft EIR and values the continued collaboration and partnerships to be had with the City. Again, please refer to the environmental impact analyses and cumulative impacts analyses found throughout Section 4 of the Draft EIR for details related to potential off-campus impacts related to the implementation of the 2021 LRDP. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment L3-58

The City strongly urges UCR to include as mitigation within the EIR a formal agreement or agreements with the City in the form of a Memorandum of Understanding and Municipal Service Agreement(s), including a cost reimbursement program and schedule, to offset and remunerate the City and Riverside Public Utilities for the provision of all municipal services that support and are directly impacted by the increased growth facilitated by the LRDP – it is the important to the City

that such agreements with UCR shall be in place prior to any development or improvement under the auspices of the LRDP. UCR should coordinate with the City and RPU to initiate discussions to negotiate and draft the terms of these agreements.

Response L3-58

This comment expresses an opinion from the City to enter into agreements and memorandums of understanding (MOUs) including cost reimbursements to offset City municipal services from the growth facility by the 2021 LRDP.

UCR is constitutionally exempt from local government regulations, including city and county general plans and zoning regulations, and taxes and fees, whenever using property under its control in furtherance of its educational purposes. As such, potential development on property owned or controlled by the University of California that implements the proposed 2021 LRDP is generally exempt from conformance to local policies and regulations, and taxes and fees. Furthermore, UCR is not required to pay the development fees that other projects in the City would be required to pay. Please also see Master Response 2: Constitutional Exemption from Local Regulations.

There are several existing agreements/MOUs in place with the City of Riverside:

- An 69kV Service Agreement, dated March 21, 1996, is in place with the City noting the electrical service is to be provided to UCR by the City's 69kV facility and UCR's compensation to the City.
- An Electric Service Agreement between the City and the Regents was entered May 21, 2021 wherein the City RPU has determined that UCR can take delivery of their electricity from a substation at the 12kV level and transmit such power through a distribution system owned and operated by UCR. The Agreement notes that UCR agrees to take electric service from the City pursuant to the City's Electric Rate Schedule.
- A 2015 Water Production, Conveyance, and Reciprocal Sales Agreement between the City and the Regents, dated May 28, 2015, notes the terms and compensation under which water services are supplied to UCR.
- The City and UCR have a wastewater discharge agreement that allows the Campus to discharge 1.55 cubic feet per second (cfs) (approximately 1-mgd) into the portion of the City trunk line within the East Campus between Valencia Hills Drive and Canyon Crest Drive.
- An updated MOU between the RFD and UCR for fire protection services is currently being updated that address the roles and responsibilities for emergency response, fire department access, fire investigation, management of unsafe structures, plan review, construction inspection, fire and life safety testing and inspection of systems, annual fire code maintenance enforcement, special events, drills and exercises, and fire watch.

The commenter's suggestion to enter into an MOU would not reduce or avoid a significant environmental impact and is therefore not considered a mitigation measure under CEQA. Nevertheless, the suggestion is included in the Final EIR for review and consideration by the decision-makers. UCR values its continued collaboration and partnership with the City of Riverside. Given that, UCR seeks to maintain an ongoing exchange of ideas and information and to pursue mutually acceptable solutions for issues that confront both the campus and its surrounding community.

Comment L3-59

Should you have any questions regarding this letter, please contact Scott Watson, Historic Preservation Officer, at [contact information on file with UCR]. Please be advised that the City, including its various departments, reserve the right to supplement or augment these comments, and reserve the right to submit additional comments.

We thank you again for the opportunity to provide comments on this proposal and look forward to working with you in the future.

Response L3-59

Comment noted. This comment contains conclusionary remarks and does not require a response pursuant to CEQA Guidelines Section 15088(a).

LETTER L4 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Lijin Sun, Program Supervisor
September 2, 2021

Comment L4-1

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The University of California, Riverside is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the CEQA air quality analysis for regional construction impacts from cleanup activities and information on South Coast AQMD rules and permits that the Lead Agency should incorporate into the Final EIR.

Response L4-1

Comment noted. This comment notes that the comment letter includes recommended revisions to the air quality analysis and information on SCAQMD rules and permits for incorporation into the Final EIR. Please see Response to Comments L4-2 through L4-7 below.

Comment L4-2

South Coast AQMD Staff's Summary of Project Descriptions in the Draft EIR

Based on the Draft EIR, the Proposed Project consists of development of strategies, actions, and programs to accommodate increases in enrollment capacity from 23,922 students to 35,000 students and 3.7 million square feet of academic buildings with a planning horizon of 2036 on 1,108 acres. Certain locations on campus may have been contaminated by various hazardous substances because of the former uses such as leaks from unidentified underground storage tanks, or unidentified buried debris that could contain hazardous substances or hazardous byproducts¹. As such, Mitigation Measure HAZ-1 requires additional environmental site assessments be conducted, and based on results of the assessments, remediation or corrective action would be conducted prior to or during construction in compliance with applicable federal and state laws and regulation².

¹ Draft EIR. Section 4.9. Hazards and Hazardous Materials. 4.9.1 – Environmental Setting. Page 4.9-2.

² *Ibid.* Pages ES-41 and 42.

Response L4-2

Comment noted. This comment summarizes the project description and Mitigation Measure MM HAZ-1. No response is required.

Comment L4-3

South Coast AQMD Staff's Comments

Based on a review of the Draft EIR and supporting technical appendices, South Coast AQMD staff has two comments.

CEQA Air Quality Analysis for Regional Construction Impacts from Cleanup Activities

Based on the Hazards and Hazardous Materials Section in the Draft EIR, remediation or corrective actions such as removal of contaminated soil, in-situ treatment, capping, and engineering controls is reasonably foreseeable and would be conducted as part of project construction³. The Lead Agency did not quantify emissions from cleanup activities. Cleanup activities will likely involve the use of heavy-duty, diesel-fueled trucks for soil export and result in emissions from vehicle trips by workers that will be required to conduct cleanup activities. Additionally, cleanup activities will likely require the use of additional equipment that may be different from typical equipment for grading and site preparation for construction. Since cleanup activities are reasonably foreseeable at the time the EIR is prepared, the Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of cleanup activities, quantify emissions from cleanup activities, and include those emissions in the Proposed Project's construction emissions profile to be compared to South Coast AQMD's air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. Alternatively, if emissions from cleanup activities are not included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record or consider making the following revisions to the existing Mitigation Measure HAZ-1 to include a commitment that potential environmental impacts from future cleanup activities will be required to be evaluated under CEQA prior to commencing any remediation or corrective actions. The recommended revisions are shown in underline.

MM HAZ 1 Property Assessment – Phase I and II ESAs. During the pre-planning stage of campus projects on previously developed sites or on agricultural lands (current or historic), and in coordination with EH&S, UCR shall obtain documentation from EH&S or prepare a Phase I Environmental Site Assessment (ESA) assessing the land use history of the proposed project site and identify potential hazardous materials concerns, including, but not limited to, fuel tanks, chemical storage, presence of elemental mercury, elevator pistons and associated hydraulic oil reservoirs and piping, heating-oil USTs, or agricultural uses. If the Phase I ESAs, or similar documentation, identify recognized environmental conditions or potential concern areas, a Phase II ESA would be conducted in coordination with EH&S to determine whether the soil, groundwater, and/or soil vapor has been impacted at concentrations exceeding regulatory screening levels for residential or commercial/industrial type land uses (as applicable). If the Phase II ESA concludes that the site is or may be impacted and could affect the planned development, assessment, remediation, or corrective action (e.g., removal of contaminated soil, in-situ treatment, capping, engineering controls) would be conducted prior to or during construction under the oversight of federal, State, and/or local agencies (e.g., US EPA, DTSC, RWQCB, RFD, RCDEH) and in full compliance with current and applicable federal and State laws and regulations, including but are not limited to the California Environmental Quality Act (CEQA). Assessment, remediation, or corrective action must be evaluated under CEQA prior to commencing the assessment, remediation, or corrective action. Additionally,

Voluntary Cleanup Agreements may be used for parcels where remediation or long-term monitoring is necessary.

³ Ibid.

Response L4-3

The commenter is referencing a mitigation measure proposed under Impact HAZ-2. However, that impact conclusion is based upon the potential to encounter *unknown* hazardous materials. As discussed on Drafter EIR p. 4.9-35, under Impact HAZ-2 (emphasis added):

The UCR campus includes abandoned in-place USTs and the potential for other unidentified hazardous material features to be present. Although there are no remaining open release cases on campus, residual hazardous materials may be present in soil, soil vapor, and/or groundwater at the following locations: former USTs, current ASTs, closed in-place UST, former agricultural land use areas, and near the Land Use Covenant, although the potential is considered low. *Unanticipated hazardous materials may also be encountered* during demolition or redevelopment of previously developed sites. Disturbance of soil containing existing hazardous materials, soil vapor, or contaminated groundwater during construction could create a significant hazard to the public or the environment. Impacts would be significant.

Consequently, it is infeasible and speculative to quantify potential soil removal activities for unknown materials, given the site-specific information needed to consider such emissions. Given that there are no known remaining open cases, and no project specific siting information, it would be infeasible to conduct hazardous material testing on more than 1,100 acres of UCR's campus. Additionally, the air quality modeling made several conservative assumptions, including buildout of up to 700,000 square feet of new structures in one year, when historically, UCR has averaged substantially less per year (139,319 gsf per year). Since it would not be feasible to estimate emissions at this time, the SCAQMD's recommend revisions to Mitigation Measure MM HAZ-1 on p. 4.9-36 of the Draft EIR, is amended as follows:

MM HAZ-1 Property Assessment – Phase I and II ESAs

During the pre-planning stage of campus projects on previously developed sites or on agricultural lands (current or historic), and in coordination with EH&S, UCR shall obtain documentation from EH&S or prepare a Phase I Environmental Site Assessment (ESA) assessing the land use history of the proposed project site and identify potential hazardous materials concerns, including, but not limited to, fuel tanks, chemical storage, elevator pistons and associated hydraulic oil reservoirs and piping, heating-oil USTs, or agricultural uses. If the Phase I ESAs, or similar documentation, identify recognized environmental conditions or potential concern areas, a Phase II ESA would be conducted in coordination with EH&S to determine whether the soil, groundwater, and/or soil vapor has been impacted at concentrations exceeding regulatory screening levels for residential or commercial/industrial type land uses (as applicable). If the Phase II ESA concludes that the site is or may be impacted and could affect the planned development, assessment, remediation, or corrective action (e.g., removal of contaminated soil, in-situ treatment, capping, engineering controls) would be conducted prior to or during construction under the oversight of federal, State, and/or local agencies (e.g., US EPA, DTSC, RWQCB, RFD, RCDEH) and in full compliance with current and applicable federal and State laws and regulations, including but are not limited to the California Environmental Quality Act (CEQA). Assessment, remediation, or corrective action must be evaluated under CEQA prior to commencing the assessment, remediation, or corrective action. Additionally, Voluntary

Cleanup Agreements may be used for parcels where remediation or long-term monitoring is necessary.

These revisions are included in Final EIR Chapter 4, *Revisions to the Draft EIR*. The above-listed change does not constitute significant new information, as defined by State CEQA Guidelines Section 15088.5. As such, recirculation of the Draft EIR is not required.

Comment L4-4

Responsible Agency and South Coast AQMD Permits and Rules

Disturbing and excavated soils that may contain hydrocarbons or toxic air contaminants are subject to the requirements of South Coast AQMD Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil⁴, and Rule 1466 – Control of Particulate Emissions from Soils with Toxic Air Contaminants⁵. Since the soil and environmental site assessments are reasonably foreseeable under Mitigation Measure (MM) HAZ-1, the Lead Agency should include a discussion on South Coast AQMD Rules 1166 and 1466 in the Air Quality Section of the Final EIR.

⁴ South Coast AQMD. Rule 1166 – Volatile Organic Compound Emissions from Decontamination of Soil. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1166.pdf>.

⁵ South Coast AQMD. Rule 1466 – control of Particulate Emissions from Soils with Toxic Air Contaminants. Accessed at: <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1466.pdf>.

Response L4-4

As mentioned in Section 4.3, *Air Quality*, of the Draft EIR, all projects are subject to SCAQMD rules and regulations in effect at the time of construction. The text on p. 4.3-16 and p. 4.3-17 of the Draft EIR, which discusses specific rules that may be applicable to the proposed 2021 LRDP, has been revised to include the following discussion of SCAQMD Rules 1166 and 1466:

RULE 1166 – VOLATILE ORGANIC COMPOUND EMISSIONS FROM DECONTAMINATION OF SOIL

This rule requires that an approved mitigation plan be obtained from the SCAQMD prior to the handling or storage of VOC-contaminated soil at or from an excavation or grading site.

RULE 1466 – CONTROL OF PARTICULATE EMISSIONS FROM SOILS WITH TOXIC AIR CONTAMINANTS

This rule requires any owner or operator conducting earth-moving activities with soil containing applicable TACs to perform real-time particulate matter monitoring and suppression.

These clarifications are included in Final EIR Chapter 4, *Revisions to the Draft EIR*. The above text clarification of applicable SCAQMD rules does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment L4-5

If the soil and environmental site assessments involve the use of equipment which either emits or controls air pollution, South Coast AQMD staff should be consulted in advance to determine whether or not any permits or plans are required to be filed and approved by South Coast AQMD prior to the operation of such equipment, and to identify if any other South Coast AQMD Rules, such as Rule 431.2 – Sulfur Content of Liquid Fuels⁶ and Rule 1110.2 – Emissions from Gaseous and Liquid-Fueled Engines⁷ will be applicable to the Proposed Project and discussed in the Final EIR.

⁶ South Coast AQMD. Rule 431.2 – Sulfur Content of Liquid Fuels. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-431-2.pdf>.

⁷ South Coast AQMD. Rule 1110.2 – Emissions from Gaseous- and Liquid-Fueled Engines. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1110-2.pdf>.

Response L4-5

As mentioned in Section 4.3, *Air Quality*, of the Draft EIR, all projects are subject to SCAQMD rules and regulations in effect at the time of construction. It is standard procedure to consult with SCAQMD staff to determine whether or not any permits or plans are required to be filed and approved by SCAQMD prior to the operation of such equipment. The text on p. 4.3-16 and p. 4.3-17 of the Draft EIR, which discusses specific rules that may be applicable to the proposed 2021 LRDP, has been revised to include the following discussion of SCAQMD Rules 431.2 and 1110.2:

RULE 431.2 – SULFUR CONTENT OF LIQUID FUELS

The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose both of reducing the formation of SO_x and particulates during combustion and of enabling the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers, and retailers, as well as to users of diesel, low-sulfur diesel, and other liquid fuels for stationary-source applications in the SCAQMD. The rule also affects diesel fuel supplied for mobile source applications.

RULE 1110.2 – EMISSIONS FROM GASEOUS- AND LIQUID-FUELED ENGINES

Emissions from Gaseous- and Liquid-Fueled Engines: This rule applies to stationary and portable engines rated at greater than 50 horsepower. The purpose of Rule 1110.2 is to reduce NO_x, VOC, and CO emissions from engines. Emergency engines, including those powering standby generators, are generally exempt from the emissions and monitoring requirements of this rule as they have permit conditions that limit operation to 200 hours or less per year as determined by an elapsed operating time meter.

These clarifications are included in Final EIR Chapter 4, *Revisions to the Draft EIR*. The above text clarification of applicable SCAQMD rules does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment L4-6

Operation of portable engines and portable equipment units of 50 brake horsepower or greater (> 50bhp) that emit particulate matter requires a permit from South Coast AQMD or registration under the Portable Equipment Registration Program (PERP) through the California Air Resources Board (CARB)⁸. The Lead Agency should consult with South Coast AQMD's Engineering and Permitting staff to determine if there is any diesel-powered equipment during implementation that will require a South Coast AQMD permit or if the equipment will need to be registered under the PERP through CARB. If a permit from South Coast AQMD is required, South Coast AQMD is a Responsible Agency for the Proposed Project and should be identified in the Final EIR. Any assumptions used in the Air Quality Analysis in the Final EIR will be used as the basis for permit conditions and limits for the Proposed Project. Should there be any questions on permits, please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385. For more general information on permits,

please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>. For more information on the PERP Program, please contact CARB at (916) 324-5869 or visit CARB's webpage at: <https://ww2.arb.ca.gov/our-work/programs/portable-equipment-registration-program-perp>.

⁸ South Coast AQMD. *Portable Equipment Registration Program (PERP)*. Accessed at: <http://www.aqmd.gov/home/permits/equipment-registration/perp>.

Response L4-6

The commenter requests that if a permit from SCAQMD is required, SCAQMD is a Responsible Agency for the proposed 2021 LRDP and should be identified in the Final EIR; Table 2-6, *Anticipated Permits and Approvals for the 2021 LRDP and Subsequent Implementation*, of the Draft EIR identifies SCAQMD as a potential permitting agency for buildout under the LRDP related to air quality construction and operation. As mentioned in Section 4.3, *Air Quality*, all projects are subject to SCAQMD rules and regulations in effect at the time of construction. It is standard procedure to consult with SCAQMD staff to determine whether or not any permits or plans are required to be filed and approved by SCAQMD prior to the operation of such equipment.

Comment L4-7

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that recommended revisions to the existing mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov should you have any questions.

Response L4-7

Comment noted. This is a summary level comment describing general CEQA requirements of preparing responses to comments. Please see Responses L4-1 to L4-6 for responses to SCAQMD comments.

2.3.4 Organizations

LETTER O1 DELANO & DELANO ON BEHALF OF THE UNIVERSITY NEIGHBORHOOD ASSOCIATION

Isabella Rodriguez, Esq., Attorneys for University Neighborhood Association
September 3, 2021

Comment O1-1

This letter is submitted on behalf of University Neighborhood Association in connection with the draft Environmental Impact Report (EIR) for the 2021 Long Range Development Plan (LRDP) for the University of California Riverside (UCR).

Response O1-1

Comment noted. This comment is an introductory statement and does not require a response pursuant to CEQA Guidelines Section 15088(a). This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

Comment O1-2

I. Introduction

The California Environmental Quality Act ("CEQA"), Pub. Res. Code §§ 21000 - 211 77, must be interpreted "so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal. App. 3d 247, 259. If an EIR fails to provide agency decision-makers and the public with all relevant information regarding a project that is necessary for informed decision-making and informed public participation, the EIR is legally deficient, and the agency's decision must be set aside. *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 712. An EIR is "aptly described as the 'heart of CEQA'; its purpose is to inform the public and its responsible officials of the environmental consequences before they are made. *Laurel Heights Improvement Assoc. v. University of California* (1988) 47 Cal.3d 376, 392.

The proposed EIR violates CEQA in that the discussion of associated impacts is inadequate, it fails to adequately consider the cumulative impacts of the LRDP on neighboring communities, it fails to adequately consider feasible mitigation measures, and it was not prepared with a sufficient degree of analysis. For these reasons, the University Neighborhood Association urges you to reject the EIR as drafted.

Response O1-2

The commenter summarizes their interpretation of CEQA. However, this summary does not address the adequacy of the Draft EIR. The comment also includes an introductory statement alleging the "2021 LRDP is inadequate." Please see Responses O1-4 through O1-43, and Responses O2-1 through O2-14 which address the commenter's specific assertions. As outlined in these responses, their assertions are meritless, and are based upon misrepresentations regarding the contents of the EIR, its analysis, and the legal standards under CEQA. For example:

- Comment O1-4 assumes that any changes in visual character must be considered significant. As discussed in that response, the commenter is incorrect.
- Comment O1-5 incorrectly asserts that EIR fails to analyze visual character impacts to the neighboring residential neighborhoods. As discussed in that response, the EIR provides over twenty pages of discussion of off-site visual character, and the impact analysis expressly discussed impacts “on **and off campus.**” (Draft EIR p. 4.1-49.)
- Comment O1-7 incorrectly faults the Draft EIR for not including a Statement of Overriding Considerations and CEQA Findings. However, such documentation is not included in the EIR, rather these are separate documents prepared as part of the project approval process. (CEQA Guidelines Section 15091, and 15093.)
- Comments O1-5, O1-7 and O1-9 misrepresent the law.
- Comment O1-15 faults the EIR for not providing “referenced documents” while ignoring the fact that nearly every reference document has a direct weblink at the end of each section and Section 7, *References*, of the Draft EIR and there is no legal requirement to make reference materials available. (CEQA Guidelines Section 15148.)
- Comments O1-16 and 17 faults the EIR for not providing water supply analysis while citing to the Hydrology analysis, while ignoring the water supply analysis which was included in the Section 4.17, *Utilities and Service Systems*, of the Draft EIR.
- Comment O1-18 faults vibration related Mitigation Measure MM N-5 for allegedly only including notification procedures, while ignoring the portions of this measure which limit equipment within specified distances of structures.
- Comment O1-19 incorrectly asserts that the EIR “dismisses substantial construction noise impacts because they will be temporary” while ignoring that the Draft EIR actually concluded the project would have significant and unavoidable construction noise impacts.
- Comments O1-4, O1-25, and O1-27 have a common theme of assuming that any increase in campus population requires a significant impact conclusion. As outlined in these responses, this over-generalization ignores the methodology and nuanced analyses included in the EIR. For example, Comment O1-4 assumes any change in visual character must be significant, Comment O1-25 assumes any increase in demand for housing must be a significant impact, and Comment O1-27 assumes any increase in student population necessitates a significant recreation impact conclusion.
- Comment O1-29 misrepresents the contents of the Draft EIR recreational impact analysis.
- Comment O-1-39 misrepresents the Draft EIR’s reasoning and analysis of the Environmentally Superior Alternative.
- Comment O2-2 incorrectly attributes existing baseline conditions as impacts of the project.
- Comments O2-1 and O2-10 incorrectly attribute policies in the City of Riverside’s University Neighborhood Plan to the proposed 2021 UCR LRDP.

Comment O1-3

II. The Draft EIR's Discussion of Associated Impacts is Inadequate

The EIR's analysis of potential impacts of the proposed 2021 LRDP is inadequate. "An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences." CEQA Guidelines § 15151. A review of the sufficiency of an EIR must evaluate "for adequacy, completeness and a good-faith effort at full disclosure." *Berkley Keep Jets of the Bay Committee v. Board of Port Commissioners of the City of Oakland* (2001) 91 Cal.App.4th 1344, 1355 (quoting *Rio Vista Farm Bureau Center v. City of Solano* (1992) 5 Cal.App.4th 351, 368).

"A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby thwarting the statutory goals of the EIR process." See *Berkley*, 91 Cal.App.4th at 1355 (quoting *San Juaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722). Regarding the sufficiency of an EIR's analysis, the question is "whether the EIR contained sufficient information about a proposed project, the site and surrounding area and the projected environmental impacts arising as a result of the proposed project or activity to allow for an informed decision." *Id.* at 1355 – 1356.

Response O1-3

The commenter summarizes their interpretation of CEQA. However, this summary does not address the adequacy of the Draft EIR. The comment also includes an introductory statement alleging the EIR violates CEQA. Please see Responses O1-3 through O1-43 which address the commenter's specific assertions. As outlined in these responses, this assertion is not accurate.

Comment O1-4

A. Aesthetics

The EIR claims that construction of new facilities, renovations of existing structures, and other physical changes to the UCR campus will not degrade the visual character of the campus or surrounding areas. EIR at 4.1-48. The EIR claims no mitigation measures are required as impacts would be less than significant. *Id.* However, the LRDP's Land Use objectives of increasing student housing from 27% to 40% by creating higher density structures and student life facilities directly contradicts this notion as this will certainly change the visual character of the campus significantly. EIR at 4.1-44. Thus, the EIR fails to adequately associate the impacts of future growth on the aesthetics of the campus.

Response O1-4

The comment questions the adequacy of analysis of the visual character of the campus, including the increased density that could be higher than other buildings on campus.

The commenter assumes that any change in visual character must be considered a significant impact. The commenter is incorrect. As one Court has stated "That some, or perhaps all, environmental impacts have an esthetic facet, does not mean that all adverse esthetic impacts affect environment. That is neither good logic nor good law." (*Maryland-National Capital Park and Planning Commission v. U.S. Postal Service* (D.C. Cir. 1973) 487 F.2d 1029, 1038 [cited in the CEQA decision *Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572.]) Numerous CEQA cases have rejected the commenter's assumption. (e.g. *San Francisco Beautiful v. City and County of San*

Francisco (2014) 226 Cal.App.4th 1012 [Rejecting argument that new industrial cabinets would result in significant aesthetics impacts.]

The CEQA Guidelines aesthetics questions were also recently revised “to ask whether the project is consistent with zoning or other regulations governing visual character.” (2018 Final Statement of Reasons for Regulatory Action, .66.) The 2021 LRDP and implementing regulations include a robust design review process, as discussed on Draft EIR p. 4.1-41. As also discussed on Draft EIR p. 4.15-22, most development that would occur within the LRDP would occur within the northern portions of Campus, which is considered a Transit Priority Area, and will likely be statutorily exempt from aesthetics analysis. (Pub. Res. Code § 21099(d).) Nevertheless, a full visual character analysis was performed in the EIR.

Under CEQA, the threshold question asks if implementation of the 2021 LRDP would “substantially degrade the existing visual character or quality of public views from the site and its surroundings.” As discussed in Analysis Methodology in Section 4.1, *Aesthetics*, of the Draft EIR, visual quality is assessed in terms of the degree to which it has vivid, memorable, distinctive, unique, and intact views/appearance, as described in the Federal Highway Administration (2015). Moderate quality areas lack dramatic or memorable features and low-quality areas lack visual coherence, compositional harmony, or even contain elements that have degraded aspects that could be considered an eyesore (Draft EIR p. 4.1-43).

The potential for degradation was assessed in terms of “substantial adverse change” that would be incompatible with the existing development. Visual change that is compatible with existing land use patterns, such as replacing an aging two-story apartment complex with a new, well-designed, and landscaped three-story apartment complex, would not constitute a significant impact. The Draft EIR offers a description of representative areas throughout the campus, including the historic core that features Modern-era Brutalist architecture, the newer development on the northeast edge of the campus where the science and medical colleges are situated, and the areas in which the existing residential development occurs, along the west and north edges of East Campus. It offers an assessment of the visual quality of existing development in the areas where the 2021 LRDP would facilitate new or renovated construction.

The assessment found that in some cases, the existing built environment is neither cohesive in terms of design and plan nor maintained to a degree that the buildings or cultivated landscape are harmonious or remarkable (Draft EIR p. 4.1-48). Furthermore, the Draft EIR found that older development clashes visually with newer construction and reduces the overall visual quality of the areas that the 2021 LRDP proposes to redevelop. Since a change in visual character, particularly in these moderate to moderately low edges of the campus, would not constitute a significant degradation of visual quality, the impact findings of the Draft EIR adequately address under the requirements of CEQA the visual change future growth would produce. Revisions to the analysis in the Draft EIR are not necessary.

Comment O1-5

The EIR focuses on the aesthetics of the UCR campus but makes no acknowledgment of how this development will change the aesthetics of the neighboring residential neighborhoods. The EIR simply mentions projects implemented under the 2021 LRDP will comply with existing procedures pertaining to development within the UCR Physical Design Framework but doesn’t provide details on how that design review will assure impacts remain less than significant, particularly on surrounding communities. EIR at 4.1-47. Thus, the EIR appears to improperly omit such analysis by claiming that consistency with its own Framework will be determined in the future on a project-by-

project basis. Such piecemealing of a required analysis in an EIR is forbidden under CEQA. See *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal.App.4th 1209, 1222.

Response O1-5

The comment states that the Draft EIR “makes no acknowledgment of how ... development will change the aesthetics of the neighboring residential neighborhoods” and states details about design review are not provided. The comment also states that “piecemealing” an analysis is not allowed under CEQA.

Please see Response O1-4. As discussed in greater detail below, the commenter is incorrect that the “makes no acknowledgement of how this development will change the aesthetics of the neighboring residential neighborhoods.”

The EIR contains an entire subsection titled “Off-Campus Visual Character – East Campus” starting on Draft EIR p. 4.1-4. The analysis provides a detailed qualitative description of visual character (Draft EIR p. 4.1-2 through p. 4.1-28) as well as numerous photographs of the visual character of adjacent parcels, including residential areas to the East. (See Figure 4.1-2, Figure 4.1-3, Figure 4.1-4, Figure 4.1-5, Figure 4.1-6, Figure 4.1-7, Figure 4.1-31, and Figure 4.1-32 in Section 4.1, *Aesthetics*, of the Draft EIR) Furthermore, the impact analysis expressly notes that that “by replacing deteriorating residential buildings...would improve visual resources and overall scenic quality on **and off campus.**” (See Draft EIR p. 4.1-49.)

As further stated on Draft EIR p. 4.1-48, the visual assessment found that in the neighborhoods along Canyon Crest Avenue, Blaine Street, and other locations as described in the Draft EIR (p. 4.1-30 through 4.1-38), the existing built environment is neither cohesive in terms of design and plan nor maintained to a degree that the buildings or cultivated landscape are harmonious or remarkable. Furthermore, the Draft EIR found that older development clashes visually with newer construction and reduces the overall visual quality of the areas that the 2021 LRDP proposes to redevelop. To the extent the commenter is referencing off-campus students, please see Response L3-16 which explains that students would be dispersed throughout the region, and development within the region would be subject to respective municipal code design review procedures, including RMC Section 19.710.

The commenter faults the EIR for discussing its design review procedures and alleges that the lack of design details constitutes “Piecemealing.” Piecemealing refers to failing to analyze future expansions or other actions that would occur as a reasonably foreseeable consequence of the project. (*East Sacramento Partnership for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, 293.) However, the commenter does not reference any physical development the EIR which has not been analyzed, instead, the commenter is challenging the level of detail of individual structures in the LRDP, which is a separate legal issue (See *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036, 1053-1055 [failure to include specific building and design decision in a project-level EIR is not a violation of CEQA]). As also discussed in Response O1-4, this discussion of design review procedures is expressly contemplated under recent revisions to the CEQA Guidelines. As outlined below, the level of detail demanded by the commenter is infeasible at this programmatic stage, where no specific projects have been proposed.

The design of any new development would be in keeping with the design of the rest of the campus, which includes historic architecture and buildings designed by award-winning architects, such as SVA Architects and Fernau + Hartman Architects, who designed the Barn renovation and addition.

This demonstrates the University's commitment to high quality design of campus buildings and its plan to replace aging residential structures would align with this commitment. Furthermore, as the Draft EIR finds that the residential neighborhoods have moderate to moderately low visual quality, the increased density and potentially mixed-use development would create a pedestrian-friendly, engaging area in and around the campus that would serve the campus and local residents. Because the Draft EIR is a program level analysis of potential projects that could occur through implementation of the 2021 LRDP, it does not provide an analysis of specific projects as those are not known or designed at this time.

The Draft EIR provides a basis upon which individual projects can undergo project-level CEQA analysis, a practice common for long-range plans. Therefore, when proposed, specific projects will undergo design review (refer to p. 4.1-41 and p. 4.1-42 of the Draft EIR for a discussion on UCR's Design Review Process) as part of their approval process, and the specific attributes of the project will be evaluated under CEQA as part of a project-level environmental review. This will ensure that specific proposed projects are in line with the overall design framework to which the university has committed and that informs its visual context and that impacts to visual quality, light and glare, and scenic views will remain less than significant, in some cases with mitigation (see Draft EIR p. 4.1-52 and 4.1-53). Since a change in visual character, particularly in these moderate to moderately low edges of the campus, would not constitute a significant degradation of visual quality, the impact findings of the Draft EIR adequately address under the requirements of CEQA the visual change future growth would produce. Nevertheless, minor clarifications have been made to the first paragraph under Impact AES-2 on page 4.1-48 of the Draft EIR, and are included in Final EIR Chapter 4, *Revisions to the Draft EIR*, as follows:

Construction

Potential visual impacts would arise from intermittent construction activities (i.e., barricade installation, construction staging, and grading). During construction, areas would be graded and excavated, which would include the removal of existing structures, and the temporary removal of some of the existing ground cover and vegetation. The types and number of equipment would vary throughout the construction period, depending on the types of activities occurring, but the presence of trucks with building materials and equipment would result in short-term visual degradation. These would occur on construction sites and in nearby staging areas, as appropriate for each project. Visual degradation would be limited to the duration of construction and to specific project sites. From public roadways and nearby public places, such as shopping centers, residential areas, the visibility of construction staging would vary, depending on project location. While construction sites could be unsightly, it would be temporary, phased over time, and screened to an extent with construction fencing as noted in the Campus Construction and Design Standards. While this would temporarily change the visual character and quality of the site, construction activities and equipment are common features in the area, and would not result in permanent visual degradation and would not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, impacts during construction would be **less than significant**.

The above text clarification does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment O1-6

B. Air Quality

The EIR claims the proposed LRDP would not generate population, housing, or employment growth exceeding forecasts in the 2016 Air Quality Management Plan and therefore impacts would be less than significant. EIR at 4.3-29. However, the EIR assumes that “much of the campus population projected in the proposed 2021 LRDP will have already been accounted for in existing and/or projected population growth in the inland Southern California region.” EIR at 4.3-30. The EIR provides no facts or evidence that this assumption is true. Further, this only accounts for most of the population and not the entire projected growth. Thus, the EIR cannot reasonably assume the LRDP will not generate population, housing, or employment growth outside of current forecasts. By making this assumption the EIR fails to adequately analyze the potential impacts to air quality on campus and the surrounding neighborhoods.

Response O1-6

As stated in the Draft EIR, the 2016 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local city general plans and SCAG’s 2016 RTP/SCS socioeconomic forecast projections of regional population, housing, and employment growth. The RTP/SCS’ forecasts are described and displayed in the *Demographics and Growth Forecast* appendix of the 2016 RTP/SCS. The forecasts are based upon a multi-year process that uses demographic and economic experts to forecast growth in the region, and includes feedback and review by jurisdictions across the SCAG region.

The forecasts take existing growth patterns and extrapolate them forward until 2040, which is five years past the 2021 LRDP buildout. These existing growth patterns encompass growth in universities throughout the region, which would have included campuses such as UCR. Therefore, the growth patterns inherently contain growth from universities, and since they are used to forecast future growth, would inherently contain future growth from the campus.

In addition, as part of Demographics and Growth Forecast, the following variables are used related to universities:⁴⁹

- One of the six variables used for the population variable is “*Group Quarters Population living in student dormitories (1 variable): Population living in college dormitories (includes college quarters off campus).*”
- One of the 26 variables used for households is “*Households by Number of College Students (3 variables): the number of households with no college student, with one college student, with two college students or more.*”
- One of the two variables used for school enrollment is “*College/University Enrollment (1 variable): the total number of students enrolled in any public or private post-secondary school (college or university) that grant an associate degree or higher, located within a zone. This variable also represents “students by place of attendance.”*”

Therefore, as indicated by SCAG’s transportation model, the agency that develops the growth forecasts considers universities and college students within their forecasts.

⁴⁹ Southern California Association of Governments 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Appendix. Available at: https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscs_demographicsgrowthforecast.pdf?1606073557

As discussed in the Draft EIR, the proposed 2021 LRDP would incrementally accommodate an additional 7,419 undergraduate students and 3,659 graduate students plus 2,806 faculty and staff, resulting in a net increase to the campus population of approximately 13,884 people by the 2035 horizon year, which would be well within the total regional population projections for 2035 of 356,839 net increase in regional population. In 2018, UCR performed a Student Housing Market Study, and page two of that report shows that approximately 23 percent of students live at home with their parents or relatives and approximately 5 percent own an existing home.⁵⁰ which shows that approximately 23 percent of students live at home with their parents or relatives and approximately 5 percent own an existing home. In addition, as stated in the Draft EIR, it can be assumed logically that many students, faculty, and staff would be from the region, as according to available zip code information for UCR students, faculty, and staff; approximately 85 percent of the campus population currently resides in a “reasonable” commute radius (approximately 1 hour each way).

Given the large increase in population forecasted by SCAG, the increase from one of the region’s major universities would represent less than one percent of the regional population projections. As discussed above SCAG’s population growth forecasts, which are based upon existing growth in the area, including that of schools and universities.

UCR’s LRDP does not induce an increase in population, rather enrollment is responsive to population growth. As discussed in Draft EIR Section 4.12.2, under "California Education Code"⁵¹:

The California Education Code contains several provisions mandating certain enrollment plans and admissions practices. Section 66202.5 of the Education Code states the following: “The State of California reaffirms its historic commitment to ensure adequate resources to support enrollment growth, within the systemwide academic and individual campus plans to accommodate eligible California freshmen applicants and eligible California Community College transfer students, as specified in Sections 66202 and 66730.”...[¶] Similarly, Section 66011(a) of the California Education Code provides that all resident applicants to California institutions of public higher education who are determined to be qualified by law or by admission standards established by the respective governing boards should be admitted to either a district of the California Community Colleges, in accordance with Section 76000, the California State University, or the University of California. Section 66741 of the California Education Code requires acceptance of qualified transfer students at the advanced standing level. [¶] Additionally, under the California Master Plan for Higher Education, the UC system guarantees access to the top 12.5 percent of California’s public high school graduates and qualified transfer students from California Community Colleges (UCOP n.d).

As the California Supreme Court explained “CEQA is not intended as a population control measures.” (*Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 257; see also *Central Delta Water Agency v. Department of Water* (2021) Case No.

___ Cal.App.5th ___ [Crop conversion not attributable to the project because such conversion would occur with or without the existence of the project.]

Finally, the proposed 2021 LRDP includes numerous elements that reduce VMT and energy consumption consistent with the goals of the AQMP by (1) housing 68 percent of the increase in

⁵⁰ University of California, Riverside. 2018. Student Housing Market Study for University of California Riverside. Riverside, CA. May 25, 2018.

⁵¹ In-text citations provided in this quote are found at the end of Section 4.12, *Population and Housing*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

student population growth on campus, thereby limiting the need for personal vehicles, (2) providing housing in new energy efficient structures, (3) in close proximity to commercial, retail, and food service, with (4) numerous multimodal pedestrian, bike, and transit facilities (most of the area for proposed housing in the north campus is a Transit Priority Area). The development under the 2021 LRDP is expressly contemplated in the states long range planning goals to reduce air quality pollutants and GHG emissions. (See Senate Bill 743, and Senate Bill 375).⁵² As explained on Draft EIR p. 4.3-30:

In support of SCAG’s overall goals in the 2016 RTP/SCS, the project would increase student housing opportunities on campus by approximately 7,489 beds, which would house approximately 68 percent of the increase in total student population. The proposed 2021 LRDP therefore also would further the underlying goals of the AQMP by providing significantly more on-campus housing through proposed 2021 LRDP Objective M1, which would provide VMT and air quality emission benefits. The project is consistent with SCAG’s growth projections and land use policies, including the policies of focusing growth and development within urban areas, encouraging infill development, and re-using previously developed urban land. UCR implements, and would continue to implement pursuant through the LRDP, numerous programs and policies to improve air quality in the region, including TDM measures that would reduce vehicle trips and minimizing energy use through project design and through proposed 2021 LRDP Objectives M1 through M3.

These project components and policies of the 2021 LRDP would be consistent with the 2016 AQMP because they would encourage the use of alternative forms of transportation and reduce reliance on automobiles, thereby reducing regional air pollutant emissions. As outlined above, the project would not exceed local growth projections, however even assuming, *arguendo*, that such projections were exceeded, buildout of the LRDP would not obstruct attainment of the AQMP goals and policies of the AQMP. Clarifications regarding the consistency methodology have been added to Draft EIR p. 4.3-29, which is consistent with the underlying analysis and the methodology.

The EIR statement that uses the word “much” is not a proper descriptor for the conclusions of the EIR. As stated above, the campus population increase is accounted for in the SCAG growth projections. Therefore, first and second paragraphs under Impact AQ-1 beginning on page 4.3-29 of the Draft EIR are amended as follows (please see Final EIR Chapter 4, *Revisions to the Draft EIR*):

A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP and would obstruct attainment of the overall goals of the AQMP. The 2016 AQMP, the most recent AQMP adopted by the SCAQMD, incorporates local city general plans and SCAG’s 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) socioeconomic forecast projections of regional population, housing, and employment growth.

Pursuant to Section 4.12, *Population and Housing*, the proposed 2021 LRDP would incrementally accommodate an additional 7,419 undergraduate students and 3,659 graduate students plus 2,806 faculty and staff, resulting in a net increase to the campus population of approximately

⁵² The legislature adopted Senate Bill 743 (2013) with the goal of “encouraging land use and transportation planning decisions and investments that reduce vehicle miles traveled [VMT] and contribute to the reductions in greenhouse gas emissions...[and] will provide significant assistance to California’s goals to implement the federal and state Clean Air Acts.” (See also SB375 [2008] creating SCAG’s Regional Transportation Plan/Sustainable Communities Strategy.) The legislature explained in SB 743 that “there is a need to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance to mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing interests.”

13,884 people by the 2035 horizon year. The net increase of 13,884 people by academic year 2035/2036 is within the total regional population projections for 2035 of 356,839 net increase in regional population. It can be assumed logically that many students, faculty, and staff would be from the region.⁵ In fact, according to available zip code information for UCR students, faculty, and staff, approximately 85 percent of the campus population currently resides in a “reasonable” commute radius (approximately 1 hour each way). It is reasonable to assume that these trends will continue and that ~~much of~~ the campus population projected in the proposed 2021 LRDP will have already been accounted for in existing and/or projected population growth in the Inland Southern California region.

[*new footnote*] ⁶ As further explained in revisions to the Population and Housing Chapter, approximately 28 percent of the 3,589 new students living off-campus would reside in an existing home (1,005 students), and approximately 81.3 percent of UCR Staff maintained their current residence upon taking a new position at UCR.

The above text clarification does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

The commenter also states that the EIR fails to adequately analyze potential impacts of air quality on campus and the surrounding neighborhoods. As described in Impact AQ-2, construction and operation of the project would have significant and unavoidable impacts from criteria pollutants. (Draft EIR p. 4.3-31 through 4.3-38) Thus, the EIR has acknowledge significant and unavoidable impacts from the 2021 LRDP’s air quality emissions, and impacts are adequately analyzed.

Comment O1-7

The EIR states that construction of the proposed LRDP would generate reactive organic gases, nitrogen oxides, and particulate matter beyond significant thresholds established by the South Coast Air Quality Management District, but that these impacts are unavoidable even with the implementation of mitigation measures. EIR at 4.3-31. The EIR also concedes the impacts would not only occur during the construction phase, but “would result in long-term air pollution emissions over the course of operations” as well. EIR at 4.3-32. Finally, the EIR acknowledges “at this stage of planning, project design features and mitigation are not available that would feasibly reduce impacts...to a less-than-significant level. Therefore, impacts from construction and operational emissions would be significant and unavoidable.” EIR at 4.3-33.

Thus, the EIR fails to adequately consider and analyze mitigation measures for these emissions and simply claims no feasible measures to mitigate the long-term effects of emissions exists. In such an instance, the EIR “must make a finding that mitigation is infeasible and overruling considerations outweigh the significant environmental effects.” *Federation of Hillside and Canyon Assoc. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1260 (Federation) (quoting Pub. Resources Code § 21081(a)); see also CEQA Guidelines § 15091(a). But the EIR here fails to make any such finding relating to mitigation of air quality.

Response O1-7

The commenter states that the EIR fails to adequately consider and analyze mitigation measures for these emissions. The commenter also states that the EIR claims no feasible measures to mitigate the long-term effects of emissions exists.

The commenter's quote is taken out of context and misrepresents the contents of the EIR. The cited language is provided on Draft EIR p. 4.3-38, under the Discussion of "Infeasibility of Additional Health Risk Analysis." As explained on Draft EIR p. 4.3-34, the UCR has proposed mitigation measure MM GHG-1 to address the project's air quality impacts under Impact AQ-2.

Regarding operation, NO_x and PM emissions during operation are primarily generated from mobile trips (e.g., students and faculty/staff commuting). Parts of Mitigation Measure MM GHG-1 would have an effect of reducing criteria pollutant emissions from mobile trips. For example, Measure FL1 would replace fleet vehicles with electric vehicles or low-emission alternative vehicles that would lower operational NO_x and PM mobile. Measure EN1 in Mitigation Measure MM GHG-1, which would provide 100 percent electrification of new campus buildings, would have the effect of reducing natural gas emissions on campus (and thus area emissions during operation). In addition, Measures TR2 through TR4 would reduce VMT and therefore NO_x and PM mobile emissions from operation. While the TDM plan, the proposed 2021 LRDP Objectives M1 through M3, and Mitigation Measure MM GHG-1 would reduce campus VMT and campus vehicle fleet emissions associated with the 2021 LRDP, some of these measures are not quantifiable, and due to the amount of development associated with the 2021 LRDP, NO_x and PM, emissions would still exceed the SCAQMD NO_x and PM threshold during operation. In addition, 2021 LRDP ROG emissions exceed the SCAQMD threshold of 55 pounds per day due to consumer product use, which is determined by individual consumer behavior (e.g., residents using personal cleaning or hair products) that would not be feasible to mitigate (Draft EIR p. 4.3-34). (See also *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 15.].

Regarding a statement of overriding considerations and CEQA findings due to these significant and unavoidable impacts, such documents are prepared as part of the *project approval process* and are not included as part of the Draft or Final EIR (CEQA Guidelines Sections 15091 and 15093).

Comment O1-8

C. Energy

The EIR states the proposed LRDP would consume electricity, natural gas, and fuel during construction and operation that would exceed the UCR and Annualized Regional 2018 Per Capita Energy Use threshold, but that impacts will be less than significant with implementation of mitigation. EIR at 4.6-28. The EIR's mitigation measures focus on the purchase of "100 percent clean-sourced electricity though either Riverside Public Utilities and/or through the installation of on-site clean-sourced electricity sources for all new buildings by 2025." EIR at 4.6-33. However, the EIR goes on to say that funding for these mitigation measures will come from future annual budgets which have not yet been established or created. Id. This is improper. Fee-based mitigation may be sufficient under CEQA but only when there is evidence that the mitigation will actually occur. Also, fee-based mitigation from one source requires such funds be set aside for that purpose. Speculative future monetary contributions cannot be used as an effective mitigation method. *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793. Here, there is no evidence that such mitigation will actually occur as the budget plans will not be created until a future date.

Response O1-8

The commenter generally references Measure EN3 from Mitigation Measure MM GHG-1 [100 percent clean-sourced electricity] and further alleges that this measure is "insufficient" because "speculative monetary contributions cannot be used as an effective mitigation measure," citing *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793.

UCR is committed to this measure through (1) UC Wide Policy Directives, (2) inclusion of these policies in the 2021 LRDP itself, with each implementing project required to be found consistent with the LRDP, and (3) inclusion of this measure as an EIR mitigation measure, which will be made a condition of LRDP adoption. The UC System as a whole has committed to implementation of this measure. As discussed in the Draft EIR (p. 4.8-22), the Statewide UC Policy on Sustainable Practices includes Policy B.3, which states that “by 2025, each campus and health location will obtain 100 percent clean electricity. By 2018, the University’s Wholesale Power Program will provide 100 percent clean electricity to participating locations.”⁵³ Similarly, the 2021 UCR LRDP includes Campus Sustainability Policy, under Objective CS1, to provide “100 percent Renewable Electricity by 2025.”

UCR has been funded by the State for nearly 67 years, which includes regular payments for electricity and natural gas. Furthermore, the costs of utilizing 100 percent clean electricity is not substantial. The State has estimated that this would result in an approximately 6 percent increase in electricity costs.⁵⁴ The UC’s 2021/2022 Budget also includes explicit funding for these types of programs: e.g., “Installation of new systems to replace existing natural gas equipment to run on clean electricity (e.g., ‘building electrification’).”⁵⁵

See Response O1-10 for a more detailed discussion of how the mitigation measures included in the UCR LRDP Draft EIR are nothing akin to the situation in *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793.

Comment O1-9

Additionally, the EIR states the impacts to energy usage due to construction and operation of the new and renovated buildings under the LRDP would be less than significant and requires no mitigation measures because they will comply with applicable state and UCR energy policies and regulations. EIR at 4.6-36. As stated above, UCR cannot omit analysis or depend on compliance with other policies and regulations as a means to mitigate future impacts on the environment. This analysis is improper and inadequate. See *supra*, *Banning Ranch Conservancy* (2017) 2 Cal.5th 918, 936.

Response O1-9

Similar to Comments O1-5 and O1-7, the commenter misrepresents the law on this issue. The Court in *Banning Ranch* faulted the EIR for not determining whether the project was being constructed on land considered Environmentally Sensitive Habitat Area by the Coastal Commission. That case did not discuss reliance upon regulatory requirements to avoid environmental impacts.

Numerous other CEQA case have actually discussed this issue and concluded that “An agency may rely on generally applicable regulations to conclude an environmental impact will not be significant and therefore does not require mitigation.” See *San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012; See also *Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Agricultural Assn.* (2015) 242 Cal.App.4th 555, 574 [pre-existing manure maintenance program was not a mitigation measure and could be considered in the pre-mitigation significance

⁵³ University of California Office of the President. 2020. Statewide Policy on Sustainable Practices. Berkeley, CA. July 24, 2020.

⁵⁴ California Energy Commission. 2021. SB 100 Joint Agency Report, Achieving 100 Percent Clean Electricity in California: An Initial Assessment, page 10. <https://efiling.energy.ca.gov/EFiling/GetFile.aspx?tn=237167&DocumentContentId=70349> (accessed October 2021).

⁵⁵ University of California Office of the President. 2019. Budget for Current Operation: Summary of the Budget Request as Approved by the Regents, 2020-2021. Berkeley, CA. https://www.ucop.edu/operating-budget/_files/rbudget/2020-21-budget-summary.pdf (accessed October 2021).

conclusion.]. Public agencies are entitled to the presumption that their duties will be regularly performed, including compliance with regulatory requirements (Evid. Code 664; *Bus Riders Union v. Los Angeles County Metropolitan Transportation Agency* (2009) 179 Cal.App.4th 101, 108; *San Joaquin River Exchange Contractors Water Authority v. State Water Resources Control Bd.* (2010) 183 Cal.App.4th 1110, 1135).

Comment O1-10

D. Greenhouse Gas Emissions

The EIR states the proposed LRDP will directly and indirectly generate greenhouse gas emissions that will have a significant impact on the environment, but that through mitigation measures the impact will diminish to less than significant status. EIR at 4.8-32. However, the mitigation measures presented by the EIR are insufficient. One consists of the same mitigation measure presented in the Energy impacts section 4.6, relying on monetary funding from future annual budgets for the purchase of 100 percent clean-sourced electricity. EIR at 4.8-36. Additionally, a separate mitigation measure states UCR will purchase biogas for at least 40 percent of the total on-campus natural gas usage but doesn't provide any details on when this will occur or with what funds. EIR at 4.8-35. As discussed above, speculative future monetary contributions cannot be used as an effective mitigation method. *See supra, Endangered Habitats League* (2005) 131 Cal.App.4th 777, 793.

Response O1-10

The commenter generally references Measure EN3 from Mitigation Measure MM GHG-1 [100 percent clean-sourced electricity] and Measure EN2 from Mitigation Measure MM GHG-1 [40% biogas] and further alleges these measures are "insufficient" because "speculative monetary contributions cannot be used as an effective mitigation measure," citing *Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 777, 793.

As described in greater detail below, UCR is committed to these policies through (1) UC Wide Policy Directives, (2) inclusion of these policies in the 2021 LRDP itself, with each implementing project required to be found consistent with the LRDP, and (3) inclusion of these programs as mitigation measures, which will be made conditions of 2021 LRDP adoption.

Such programs would be implemented through either (A) renewable energy purchase programs, (B) installation of project specific on-site solar, as provided by the 2021 LRDP Campus Sustainability Objective CS1 ["On-Campus Renewable Electricity"], and (C) through university wide solar installations.

The UC System as a whole has committed to implementation of these policies. As discussed in the Draft EIR "In the 2007 revision of the UC Policy on Sustainable Practices, *the University of California Office of the President (UCOP) committed UC to implementing actions to achieve a reduction in GHG emissions from UC operations and activities to 2000 levels by 2014 and 1990 levels by 2020. UC's official commitment to sustainability across the above-listed sectors is integrated into the UC Policy on Sustainable Practices updated in July 2020 (UC 2020).*" (Draft EIR p. 4.8-22 through 4.8-25). More specifically, this statewide UC program includes Policy B.3, which states that "By 2025, each campus and health location will obtain 100 percent clean electricity. By 2018, the University's Wholesale Power Program will provide 100 percent clean electricity to participating locations.", and Policy B.4, which states that "By 2025, at least 40 percent of the natural gas combusted on-site at each campus and health location will be biogas" (See Draft EIR p. 4.8-23).

Similarly, the 2021 UCR LRDP includes Campus Sustainability policies, under Objective CS1, which provide “100 percent Renewable Electricity by 2025” and a policy stating “By 2025, at least 40 percent of the natural gas combusted on-site at each campus and health location will be biogas” (Draft EIR p. 4.8-32).

UCR has been funded by the State for nearly 67 years, which includes regular payments for electricity and natural gas. Furthermore, the costs of utilizing 100 percent clean electricity is not substantial. The State has estimated that this will result in an approximately 6 percent increase in electricity costs.⁵⁶ The UC’s 2021/2022 Budget also includes explicit funding for these types of programs; e.g. “Installation of new systems to replace existing natural gas equipment to run on clean electricity (e.g. ‘building electrification’).”⁵⁷

As also discussed on Draft EIR p. 4.8-11, UCR has already added numerous on-site solar installations, providing approximately 11.6 MWh of electricity, or almost 10 percent of the campus’s total annual energy needs, with the remainder of the electricity currently provided by RPU, whose 2020 energy mix includes 44 percent renewables. (Draft EIR p. 4.8-11.) Most recently, UCR has also installed solar production facilities on two new campus building (not considered in the 11.6 MWh referenced above). More specifically, on June 2, 2021, UCR announced that the Student Recreation Center now houses 741 panels while 346 panels were added to the Student Services Building. The two installations will provide a combined 473 kilowatts of solar energy.⁵⁸ Additionally, UCR also has plans to install solar on the roof of Lothian Residence Hall, which is currently out for bid as of September 2021 (Project 9058)⁵⁹ and the new School of Medicine Building II (approximately 477 rooftop panels), anticipated in 2022.

The mitigation measures proposed in the Draft EIR are nothing akin to this situation in *Endangered Habitats League*. That case involved the agencies improper reliance upon an alternative traffic analysis methodology, and mitigation measures which would not reduce impacts to less than significant under that methodology. As discussed in that case “the record citations offered by [defendant] do not backup the claim that contributions to the fee programs will result in LOS C [i.e. the significance threshold] on Santiago Canyon Road.” (*Endangered Habitats League v. County of Orange* (2005) 131 Cal.App.4th 785.)

The current mitigation measures are akin to those utilized in *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 818-819. In that case, Petitioners “complain[ed] there is no guarantee the mitigation measures will ever be implemented, alluding to ‘the current funding situation of the state in general and Caltrans in particular.’” The Court rejected that argument, stating:

While it is true that a mere commitment to pay fees is inadequate if the fees bear no relation to actual mitigation..., that is not the case here. The Project will contribute money to specific mitigation measures, which are described in the EIR Addendum... “All that is required by CEQA,” or by the wording of the City’s General Plan, “is that there be a reasonable plan for

⁵⁶California Energy Commission. 2021. SB 100 Joint Agency Report, *Achieving 100 Percent Clean Electricity in California: An Initial Assessment*, page 10. <https://efiling.energy.ca.gov/EFiling/GetFile.aspx?tn=237167&DocumentContentId=70349>

⁵⁷ University of California Office of the President. 2019. Budget for Current Operation: Summary of the Budget Request as Approved by the Regents, 2020-2021. Berkeley, CA. https://www.ucop.edu/operating-budget/_files/rbudget/2020-21-budget-summary.pdf (accessed October 2021).

⁵⁸ Ghori, Imran. 2021. “Solar panels added to two campus buildings.” *Inside UCR*. [web journal] June 2, 2021. <https://insideucr.ucr.edu/stories/2021/06/02/solar-panels-added-two-campus-buildings> (accessed October 2021).

⁵⁹ University of California, Riverside. 2021e. Active Project Status Report. [tabular dataset] <https://rprojects.ucr.edu/media/521/download> (accessed October 2021).

mitigation...Nothing required the City to set forth a time specific schedule for the completion of specific roadway improvements.

Similar arguments were also raised by petitioners in *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949 [Unpublished Section V(A); Case No. A129646]. As discussed in Schenck:

Although plaintiff's expert suggested that the LOS at the intersections in the area of the project would be adversely impacted, and funds were not available to improve the intersections, substantial evidence of effective mitigation measures was presented. Approval of the project was conditioned on payment by Mesa of traffic impact mitigation fees targeted for the County's Capital Improvement Plan for the airport industrial area. According to the conditions of approval, the final amount of the mitigation fees would be determined by the Sonoma County Department of Transportation and Public Works from an engineer's estimate. ...The imposition of fees on Mesa to mitigate traffic impacts is not an unreasonably indefinite or nebulous mitigation measure... The County did not abuse its discretion by concluding that the payment of traffic impact fees constituted a reasonable mitigation program. The County identified specific plans for improvements designed to mitigate traffic impacts, and offered a commitment to allocating the mitigation fees to those projects. The precise timetables for the completion of the improvements were neither known nor delineated, but the County was not required to set forth with certainty the schedules for implementation of the identified roadway improvements.

While the commenter asserts these mitigation measures are not enforceable, the Supreme Court has rejected similar arguments stating: "While the Expo Authority and MTA cannot guarantee local governments will cooperate to implement [mitigation measures]...Neighbor's speculation a municipality might not agree to a [mitigation] program, ...is not sufficient to show the agency violated CEQA by adopting this mitigation measure" *Neighbors for Smart Rail v. Exposition Line Construction Authority* (2013) 57 Cal.4th 439, 466. As noted above, UCR has already taken numerous steps pursuing these policies, and their implementation is reasonably foreseeable.

Comment O1-11

Other mitigation measures mention UCR will "prioritize" construction of all-electric building design for new buildings and structures and "discourage" the construction and connection of new fossil fuel combustion infrastructure on campus. EIR at 4.8-35. These plans are vague and show no evidence on whether they will actually occur. CEQA is premised in part on "a belief that citizens can make important contributions to environmental protection and ... notions of democratic decision-making ..." *Concerned Citizens of Costa Mesa, Inc. v. 32nd Agricultural Assoc.* (1986) 42 Cal.3d 929, 936. "Environmental review derives its vitality from public participation." *Ocean View Estates Homeowners Assn. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400. The failure to provide adequate information deprives the public of adequate notice and the opportunity for public input regarding the Project.

Response O1-11

The commenter challenges the efficacy of mitigation measures because they use the terminology "prioritize" [Measure EN5] and "discourage" [EN1] which the commenter alleges is "vague" "and "show no evidence on whether they will actually occur."

Such an assertion can only be made when ignoring the text of the actual measures, and their related policies. As outlined below, the commenter has taken single words out of context and ignores the

detailed implementation strategies included in the measures. For example, Measure EN5 provides “UCR shall identify aging equipment...and develop a strategy and schedule to upgrade such equipment with high-energy efficiency systems...” and sets a specific mandatory performance standard stating “*The schedule and upgrade strategy must meet a 2 percent energy efficiency improvement annually through 2035*” (emphasis added). The detailed language of Measure EN5 is provided below:

Measure EN5 (Parts A, B, C): In order to prioritize energy efficiency and green building initiatives for building/facility upgrades and new construction as well as reduced energy use, UCR shall identify aging equipment throughout the campus such as equipment associated with the Central Plant, electrical distribution system, and building HVAC systems and develop a strategy and schedule to upgrade such equipment with high-energy efficiency systems and optimize HVAC systems through heat zoning, high-efficiency filters, and shut-down times expansion. The strategy shall include an evaluation and cost analysis related to upgrading/retrofitting equipment versus retirement of equipment if no longer needed with future initiatives (i.e., Central Plant boiler retirement). The schedule and upgrade strategy must meet a 2 percent energy efficiency improvement annually through 2035. In addition, UCR shall require new buildings to incorporate occupancy sensors and controls such that lighting of shared spaces is on occupancy sensors, building temperature set points are widened and aligned with occupancy schedules, and ventilation systems are converted from constant volume to variable so ventilation rates are occupancy-based. Furthermore, UCR shall develop a plan to identify existing buildings and projects that could undergo upgrades to the control systems and establish a schedule for upgrade incorporation. Finally, UCR shall develop a tracking program to monitor and share campus energy efficiency activities and progress towards increased energy efficiency.

The comment also challenges the efficacy of EN1, which provides:

Measure EN1: In order to meet 100 percent electrification of all new campus buildings and structures, UCR shall prioritize construction of all-electric building design for new campus buildings and structures and discourage the construction and connection of new fossil fuel combustion infrastructure on campus. In addition, UCR shall focus on energy optimization through the Central Plant control systems by automating manual processes and initiating an engineering study focused on transitioning away from natural gas use at the Central Plant.

The mitigation measure does contain some permissive language to address the rare circumstances where very limited natural gas usage may be required. For example, natural gas (i.e. methane or CH₄) is needed for limited research purposes in scientific labs (e.g. Liquefied natural gas and fuel cell testing facilities [such as those found at the adjacent CARB facility], engineering/combustion research related to natural gas, chemistry labs.)⁶⁰ However, that does not mean that the mitigation measures will be ineffective. (*See Saltonstall v. City of Sacramento (2015) 234 Cal.App.4th, 549, 563, 578-579* [EIR did not need to assume super-capacity crowds anticipated on 0.3 percent of the time on “rare occasions”].) However, such exceptions, if used, would be on rare occasions and would be minimal in comparison to the campuses existing natural gas consumption.

⁶⁰ Bunsen burners offer unique heating characteristics which cannot be replicated by electric heating devices. For example, open flames from Bunsen burners are typically required to produce pipettes and related glassware, are required for certain types of chemical reactions and procedures, and are required for sterilization in some biology labs as well. Additionally, Bunsen burners can reach temperatures substantially greater than electric hot plates (~1500 C versus ~350 C), and consequently electric heating plates cannot be used for certain chemical processes.

Finally, where GHG reduction measures were considered supportive and, thus, not quantifiable, in the Draft EIR's quantitative GHG analysis, specific quantification reduction credits were not taken. Table 4.8-5, *Scopes 1, 2, and 3 GHG Emissions On-campus Reduction Measures Quantification Summary*, of the Draft EIR shows the GHG emissions reduction measures quantification summaries by scope and year associated with implementation of the various GHG reduction measures identified under Mitigation Measure MM GHG-1. Further, it is understood that, similar to actual, annual emissions fluctuations year-over-year (dependent on true growth implemented under the proposed 2021 LRDP), emissions reduction measures may be implemented in increments (i.e., one or more over time) and to differing degrees (i.e., more of one measure, less of one measure). By annually tracking GHG emissions levels, UCR would be able to calculate and purchase carbon offsets for the balance of GHG emissions after on-site reductions per Mitigation Measure MM GHG-1 that still exceed the UCR emissions thresholds by year, to meet the UCR GHG emissions targets.

With implementation of Mitigation Measures MM GHG-1 and MM GHG-2 requiring on-campus GHG reduction measures and the purchase of carbon offsets, the proposed 2021 LRDP would result in mitigated emissions that meet the UCR Thresholds. Therefore, with implementation of the identified mitigation measures, impacts related to generation of GHG emissions under the proposed 2021 LRDP would be less than significant with mitigation incorporated.

DeLano & DeLano, and related organizations, routinely fault programmatic documents, such as General Plans and LRDP's for this type of language. However, such broad documents require some flexibility for unique scenarios, such as those unique and rare scenarios listed above. Similar challenges to mitigation measures and policies have regularly been rejected by the Courts in these circumstances. (*Koster v. County of San Joaquin* (1996) 47 Cal.App.4th 29 ["a first-tier EIR may contain generalized mitigation criteria and policy-level alternatives.]). As also explained in the Response to Comments to DeLano & DeLano on the Vista Citywide Climate Action Plan (Response NCA-3):⁶¹

The comment suggests that the City is failing to comply with its climate action plan policy and mitigation measure because "the CAP is merely hortatory and contains no enforcement mechanism for reducing GHG emissions ... the CAP contains some vague measures that lack an implementation schedule, a monitoring system or identified funding sources."

Contrary to the allegations in the comments, the Climate Action Plan complies with the policies outlined in the adopted General Plan and complies with CEQA. The Climate Action Plan, like the General Plan, is intended to be a policy document to assist the City in reducing its climate change impacts and assist in project specific CEQA review. Streamlining environmental review will provide a strong incentive for developers to comply with the goals and measures outlined in the Climate Action Plan. Additionally, the CAP contains an Implementation and Monitoring Program in Chapter 4.

The CEQA Guidelines expressly note that the General Plan annual review requirements under Government Code § 65400 are sufficient to comply with CEQA's mitigation monitoring and reporting requirements. (CEQA Guidelines§ 15097{b}.) This approach was outlined in Section 4.2.1 of the City's Climate Action Plan which notes that the CAP will be annually reviewed and

⁶¹ Vista, City of. 2013. City Council Agenda Packet. Item D3 pdf page 328, response to comments to Delano & Delano. <https://records.cityofvista.com/WebLink/DocView.aspx?id=946989&searchid=e7d8eea9-0c7d-4988-94f5-943c6a260aa6&dbid=0&cr=1> (accessed October 2021).

"may be submitted to the City Council in conjunction with General Plan status report for that year as required by State Government Code Section 65400."

There is nothing in CEQA that precludes mitigation measures which encourage environmentally beneficial actions. This is particularly true with policy documents, where the public agency has to balance a number of competing policy considerations and to allow sufficient flexibility to account for the peculiarities of each individual project and piece of property. As also discussed by the California Supreme Court "the Legislature is not limited to means which are mandatory or coercive but can also employ means reasonably calculated to facilitate or encourage appropriate action by local entities." (*DeVita v. County of Napa* (1995) 9 Cal.4th 763, 818.) Such statements are equally true for policy documents adopted by a municipality.

As discussed in Response NCA-1, the commenter's argument was expressly rejected by the Court of Appeal in *Sierra Club v. County of Tehama* 2012 WL 5987582, in which the Court noted:

Appellants complain the implementations measures are 'hor[t]atory,' not mandatory. However, they offer no legal authority on this point...Where devising specific mitigation measures early in the planning process is impractical, 'the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval. Where future action to carry a project forward is contingent on devising means to satisfy such criteria, the agency should be able to rely on its commitment as evidence that significant impacts will in fact be mitigated.'

Similarly, in *Sierra Club v. County of Tehama* the court rejected an argument that the County must adopt a mandatory agricultural conservation easement policy:

Appellants complain the County refused to adopt any specific mitigation measures and merely included a permissive measure 'encouraging' the use of conservation easements. Appellants argue such hor[t]atory, as opposed to mandatory, conservation easements are useless. Appellants suggest that, because they view conservation easements as feasible mitigation measures, the County was required to adopt them. However, that is not the law. Again, appellants' remedy is political, not legal.

... Although Mitigation Measure MM 4.2.1 encourages the use of conservation easements, and the County may indeed impose such requirements upon specific development projects where deemed appropriate, having weighed the pros and cons, the Board finds that specific economic, legal, social, technological, or other considerations make an inflexible requirement for such conservation easements infeasible and undesirable for each of the following separate, independent, and severable reasons: (1) public and private projects involving the conversion of agricultural lands take many different forms, with different economic and practical constraints. An invariable requirement that conservation easements be obtained would deprive the County of the flexibility needed to address such matters on a case-by-case basis; (2) such an added requirement, if not variable by the County, would impede development in areas that the Board has determined, from a policy standpoint, considering a broad range of factors (e.g., proximity to other developed areas, suitability for master-planned development, proximity to present or prospective infrastructure, etc.) are an appropriate location for such development (specifically conflicting with and rendering less desirable the development of the Special Planning Areas designated in the (GPU), the existence of which is central to the Board's strategy for coordinated development in Tehama County); and (3) such an added requirement, if not variable by the County, would impede the development necessary to achieve the Project Objectives calling for the County

to '[a]ccommodate a reasonable amount of growth,' '[f]ocus growth adjacent to the 1-5 corridor in the northern portion of the County' (which contains a considerable portion of the redesignated agricultural land), and 'address ... the need for moderate priced workforce housing.

Furthermore, similar arguments were raised in *Association of Irrigated Residents v. California Air Resources Board* (2012) 206 Cai.App.4th 1487 in which petitioners "fault[ed] the Board for not recommending a mandatory manure digester protocol and other mandatory agricultural measures" to reduce GHG emissions. (*Id.* at 1502-1503.) The Court upheld the agency's rationale for rejecting a mandatory program, noting that:

Establishing a voluntary protocol can help incentivize the installation of manure digesters by legitimizing the technology and offering a pathway to quantify and verify the GHG benefits. Keeping this protocol voluntary measure helps avoid premature technology mandates which could have significant cost and environmental drawbacks due to digesters currently being a costly, combustion driven technology. (*Id.*; see also *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013, Case No. S202828) _Cal.4th_ [Rejecting argument that mitigation is "insufficiently enforceable" because it recommends adoption of a mitigation measure to another entity.]).

While the commenter suggests that the Climate Action Plan will not be implemented, this assertion is incorrect. The CAP will be implemented in a variety of ways: (1) it will be implemented at project level CEQA review, (2) it will be implemented as part of the City's ongoing General Plan review under Government Code § 65400 and consistent with CEQA Guidelines § 15097(b), and (3) as outlined in Chapter 3 of the CAP, the City has already taken a number of steps to implemented the policies set by the General Plan and Climate Action Plan. For example, the City has replaced 910 street lights with energy efficient LED street lighting, installed solar photovoltaic and solar thermal on City property, purchased recycling containers, and adopted the CalGreen Code and other amendments to Title 24 Cal. Code Reg. (California Building Code).

These responses are equally applicable to UCR's 2021 LRDP for the reasons described above.

Comment O1-12

Additionally, the EIR states "in order to obtain electricity from 100 percent renewable source(s) for all existing buildings by 2045, UCR shall renegotiate its contractual agreement with Riverside Public Utilities to establish a schedule and specific goals for obtaining 100 percent renewable electricity for the campus." EIR at 4.8-36. Mitigation measures cannot be based on future contracts and agreements that have not yet come to fruition and must be based on reliable and confirmed methods of forecasting in order to provide evidence of actual reductions in impact levels. When a project requires deferral of specific mitigation measures to a later time, an agency may not simply require future negotiations or studies but must "articulate specific performance criteria and make further approvals contingent on finding a way to meet them." See *supra*, *Endangered Habitats League* (2005) 131 Cal.App.4th 777, 793 (discussing *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261 – 1275 – 1276). The EIR fails to meet this requirement.

Response O1-12

Please see Response O1-10.

Comment O1-13

Finally, the EIR states emissions during construction and operation are projected to exceed the state targets and UCR-derived Greenhouse gas emission threshold and therefore would conflict with the goals of applicable plans, policies, and regulations adopted for the purpose of reducing emissions from greenhouse gases. The EIR states that with mitigation measures implemented the impact will be less than significant. EIR at 4.8-42. However, as discussed above, the mitigation measures proposed by the EIR are insufficient in that they lack the required detail and evidence to support the findings, the measure are fee-based without any guarantee the funds will be available and actually used for these purposes and are relying on future contract negotiations with local utilities. As such the mitigation measures are inadequate and do not comply with CEQA and thus cannot be relied on to diminish the significant impact of these emissions on the environment.

Response O1-13

Please see Response O1-10.

Comment O1-14

E. Hazards and Hazardous Materials

The EIR states the LRDP could result in an increased use, transport, or disposal of hazardous materials during facility operations, but that impacts would be less than significant because UCR is subject to federal, state, and UCR policies designed to minimize risk of endangerment to the campus population, the public, and the environment. EIR at 4.9-30. As stated above, UCR cannot omit analysis or depend on compliance with other policies and regulations as a means to mitigate future impacts on the environment. This analysis is improper and inadequate. *See supra, Banning Ranch Conservancy* (2017) 2 Cal.5th 918, 936.

Response O1-14

As explained in Response O1-9 the commenter's interpretation of the law is incorrect. (See also *City of Long Beach v. Los Angeles Unified School District* (2009) 176 Cal.App.4th 889 [Relying upon Safe School Plan requirements under Education Code Section 32282 et seq to ensure Hazardous material impacts from hauling chemicals by train are less than significant.]).

Comment O1-15

The EIR only mentions these regulations but fails to properly incorporate them as to provide the public with adequate notice and detail in order to make an informed decision on the adequacy of the EIR. EIR at 4.9-30. Access to referenced documents is critical for informed participation in the CEQA process. *San Juaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730 (quoting *McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136, 1143).

Response O1-15

It is unclear as to what document the commenter is referring to on Draft EIR p. 4.9-30. Nearly every document cited in the EIR has a direct weblink provided at the end of each section under "References" including Section 4.9.5, as well as Section 7, *References*, of the Draft EIR. To the extent the commenter is referring to the language on Draft EIR p. 4.9-30 that states "the proposed 2021 LRDP would continue to comply with all hazardous materials standards for UCR described in the preceding sections." The commenter is referred to Section 4.9.2, *Regulatory Setting*, and the

citations included therein. Additionally, there is no requirement to make reference documents or citations to the law available for public review. (CEQA Guidelines Section 15148 [“Preparation of EIRs is dependent upon information from many sources ...These documents should be cited *but not included in the EIR*”] emphasis added).

Comment O1-16

F. Hydrology and Water Quality

The EIR states construction and operation of the LRDP will occur in compliance with applicable water quality standards and waste discharge requirements to an extent where potential water quality impacts would be less than significant without the implementation of any mitigation measures. EIR at 4.10-34. It also states that potential impacts to groundwater supplies and recharge would be less than significant requiring no mitigation. *Id.*

Response O1-16

This comment summarizes the conclusion to Impact HWQ-1 on Draft EIR p. 4.10-34, as well as that to impact HWQ-2 on Draft EIR p. 4.10-37 through 4.10-40. As explained in greater detail in Response O1-9, “An agency may rely on generally applicable regulations to conclude an environmental impact will not be significant and therefore does not require mitigation.” (See *San Francisco Beautiful v. City and County of San Francisco* (2014) 226 Cal.App.4th 1012).

Comment O1-17

There is an inadequate discussion of drought or possible water shortages of future water supplies for the LRDP and the area as a whole. “An EIR must address the impacts of likely future water sources, and the EIR’s discussion must include a reasoned analysis of the circumstances affecting the likelihood the water’s availability.” (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 430 – 32).

Response O1-17

This comment states that the Draft EIR has not adequately examined issues of drought or water shortage and provides a case citation stating an EIR must address such issues.

Draft EIR p. 4.10-37 through p. 4.10-40 provide analysis relating to groundwater supplies and recharge under Impact HWQ-2, and Draft EIR p. 4.17-31 through 4.17-36 provide analysis of impacts relating to water supply availability under Impact U-2. As explained at the beginning of Section 4.10, *Hydrology and Water Quality*, of the Draft EIR cited by the commenter, “potential effects related to overall water supply...are discussed in Section 4.17, *Utilities and Service Systems*.”

Consequently, all the desired information was included in the Utilities and Service Systems Draft EIR section, which explains that the project would use less water than that assumed in UWMP water demand projections for UCR. This approach is fully consistent with the *Vineyard* decision cited in the comment, which explains “CEQA...does not require a city or county, each time a new land use development comes up for approval to reinvent the water planning wheel...When an individual land use project requires CEQA evaluation, the urban water management plan’s information and analysis

may be incorporated in the water supply and demand assessment.” As explained in the Utilities and Service Systems section of the Draft EIR under Impact U-2⁶²:

RPU’s current UWMP indicates that UCR expansion will account for approximately 3,300 AFY of water, which would remain constant from 2020 through 2040 (RPU 2016, Tables 1-1 and 5-2). As shown in Table 4.17-5 above, buildout of the proposed 2021 LRDP is anticipated to require approximately 1,950 AFY of water. This is approximately 1,179 AFY less than the demand accounted for on the UCR campus in the RPU UWMP. Therefore, the proposed 2021 LRDP’s projected gross increase in water demand is fully accounted for in RPU’s 2015 UWMP, for cumulative projections through year 2040. As previously mentioned, at the time of preparation of this Draft EIR, the RPU is currently updating its 2020 UWMP. The 2020 UWMP will project water supply and demand for the RPU service area, including UCR, through year 2045. The RPU has indicated that anticipated potable water supplies can accommodate UCR needs with anticipated supplies for normal, dry, and multiple dry years during the lifespan of the proposed 2021 LRDP (RPU 2021).

DRY YEAR WATER AVAILABILITY PROJECTIONS

As required by the Urban Water Management Act, the RPU’s UWMP includes estimates of future groundwater availability under single-dry-year and multiple-dry-year scenarios, with locally produced groundwater constituting approximately 80 percent of the total water supply delivered by the RPU throughout its service area. Given the adjudication of the groundwater basins upon which it depends and the dependability of recycled water as a supply, RPU assumes 100 percent of its groundwater and recycled water supplies would remain available during both single- and multiple-dry-year scenarios. Table 4.17-6 summarizes RPU’s normal, single, and multiple dry year supply through 2040.

...

As shown above, under nearly all considered drought conditions, the projected available water supply exceeds the projected demand as presented in Table 4.17-4, and shown above for comparison. One exception is the single-dry-year drought condition, wherein the projected supply is approximately 170 acre-feet less than the projected demand. This projected supply shortage would be managed through implementation of per capita water conservation measures and administration of the Adjudication Judgement for use of local groundwater resources, and through the UWMP Water Shortage Contingency Plan. The UWMP Contingency Plan, includes different stages depending upon the severity of the drought conditions, which include education programs, halting issuance of water meters, rebate programs for landscaping and fixture replacements, limits on potable water use for dust suppression, prohibitions of certain uses identified under RMC Chapter 14.22, and penalties and charges to enforce compliance. As discussed previously, the RPU also purchases imported SWP water supply during peak demand and drought conditions.

In addition to implementing conservation measures, complying with the Adjudication Judgement, and purchasing imported SWP water, the RPU also plans to implement several water supply projects between 2020 and 2030 that are designed to increase available water supplies. Specifically, the RPU plans to expand the availability of recycled water supply, as well as groundwater recharge and storage operations. Specific projects include the Riverside North Aquifer Storage and Recovery (Rubber Dam) project, designed to redirect overland storm flows

⁶² In-text citations provided in this quote are found at the end of Section 4.17, *Utilities and Service Systems*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

into nearby groundwater recharge basins; infiltration of entrained water will augment the underlying groundwater supply to bolster drought-year water supply availability. Additional recharge basins in Grand Terrace and North Riverside will also help to ensure water supply availability. Furthermore, recycled water which is currently only available in the immediate vicinity of the treatment plant, is planned to be expanded to several parks, schools, and other businesses through construction of the Jackson Street Pipeline Project. The RPU also plans to modernize the Gage Canal's well fields and delivery system to improve reliability and expand service to a broader population in the Gage Canal's territory (RPU 2017). Collectively, these projects are anticipated to increase water supply availability to the RPU by approximately 15,000 AFY. Over a single or multi-year dry period the quantity of supply from these projects will only be slightly reduced, because in those dry years, supplemental water can be pulled from storage (RPU 2016).

Comment O1-18

G. Noise

The EIR acknowledges vibration from construction may exceed applicable standards and are potentially significant but claim impacts will diminish to less than significant with mitigation measures. EIR at 4.11-30. However, the EIR fails to provide specific performance criteria for associated mitigation measures, and simply states that nearby academic and residential facilities will be notified of construction activities, a method which will not decrease impact in the slightest. EIR at 4.11-31. The EIR improperly calls for future vibration analysis. Id. An agency may not simply require future study of mitigation but should "commit to mitigation and set out standards for a plan to follow." *See supra, Endangered Habitats League*, 131 CalApp.4th at 793. Thus, the EIR fails to adequately discuss noise impacts and mitigation from construction vibration.

Response O1-18

The commenter misrepresents the contents of Mitigation Measure MM N-5. While the measure includes notification procedures, it also provides that "use of the equipment shall not occur within the specific distances in Table 4.11-13." Alternatively, the mitigation measure notes a project-specific vibration impact analysis shall be conducted to consider site-specific factors and to ensure that vibration levels do not exceed the applicable criteria. The applicable criteria is the vibration limits discussed under Impact N-2 in the second column of Table 4.11-13, *Screening Distances for Vibration-Sensitive Receiver Type and Source*. (Draft EIR p. 4.11-30)

Therefore, the commenter's claim that the EIR does not commit to mitigation and set out standards for a plan to follow is incorrect. The vibration impact analysis has specific criteria to follow by avoiding certain construction equipment within the specific distances to vibration-sensitive receivers, or by performing a project-specific vibration analysis that would ensure vibration levels from construction equipment do not exceed the criteria used in Table 4.11-13, *Screening Distances for Vibration-Sensitive Receiver Type and Source*, of the Draft EIR. To clarify the applicable criteria, Mitigation Measure MM N-5 on page 4.11-31 of the Draft EIR has been revised as follows (please see Final EIR Chapter 4, *Revisions to the Draft EIR*):

MM N-5 Construction Vibration Reduction Measures

If construction equipment were to be operated within the specified distances listed in Table 4.11-13 of the Draft EIR, the campus shall reduce construction vibration levels through the following noise control measures:

- All academic and residential facilities within the listed distances shall be notified if the listed equipment is to be used during construction activities so that the occupants and/or researchers can take necessary precautionary measures to avoid negative effects to their activities and/or research.
- In addition, one of the following measures shall be implemented:
 - Use of the equipment shall not occur within the specified distances in Table 4.11-13 or
 - A project-specific vibration impact analysis shall be conducted that shall consider the type of equipment used and potential vibration levels at structures within the specified distances. If, after consideration of the type of equipment used and other factors of the environment, vibration levels do not exceed the applicable criteria (listed in the second column of Table 4.11-13), construction may proceed without additional measures. If, after consideration of the type of equipment used and other factors of the environment, vibration levels exceed the applicable criteria, additional measures shall be implemented to reduce vibration levels below threshold, if feasible. These measures may include, but not be limited to, use of different equipment that results in an acceptable vibration level as listed in the second column of Table 4.11-13.

The above text clarification does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment O1-19

The EIR dismisses substantial construction noise impacts because they will be temporary. EIR at 4.11-21. But the temporary nature of a noise impact does not make it insignificant. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1380 – 81. The EIR acknowledges significant noise impacts from construction but provides vague mitigation measures which do not include any commitment to a particular noise level. The lack of details makes this analysis insufficient. *See Citizens for Responsible and Open Government v. City of Grand Terrace* (2008) 160 Cal.App.4th 1323, 1341 (“there is no evidence of any measures to be taken that would ensure that the noise standards would be effectively monitored and vigorously enforced”).

Response O1-19

The commenter asserts that the EIR dismisses substantial construction noise impacts because they will be temporary. The Draft EIR makes no such conclusion and concluded there would be significant and unavoidable impacts from construction noise. (Draft EIR p. 4.11-20 and p. 4.11-29.)

The commenter states that the mitigation measure is vague but provides no specific details on which aspects of the measure the commenter is referencing. The mitigation measure provides nine bullet points of measures to implement if they are appropriate for a specific construction project. Due to the site specific nature of construction, not all measures would be applicable on every construction site. As described under Significance After Mitigation for MM N-1, due to the low ambient noise levels compared to typical construction noise levels, even after implementation of feasible mitigation measures such as temporary sound barriers, construction noise impacts would not be able to be mitigated to 10 dBA or less above ambient noise levels. Specifically, the EIR says: “*With implementation of Mitigation Measure **MM N-1**, per manufacturer’s specifications of sample equipment (see Appendix I), construction noise levels would be reduced by at least 10 dBA to 66.4*

*dBA L_{eq} (8 hour) at the closest exterior use areas of noise-sensitive receivers. However, these noise levels would still exceed median ambient noise levels by more than 10 dBA. Therefore, construction noise impacts would be **significant and unavoidable**.*" (Draft EIR p. 4.11-29; emphasis added).

Without any specific information on what aspects of the measure are being referenced, no further response is feasible. Nevertheless, clarifications have been made to Mitigation Measure MM N-1 on p. 4.11-28 of the Draft EIR, as follows:

MM N-1 Construction Noise Reduction Measures

To reduce construction noise levels to on-campus and off-campus noise sensitive receivers, UCR shall implement the following measures:

- Hours of exterior construction activities shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturday, as feasible, except under circumstances where such time limits are infeasible (e.g., for time sensitive construction work such as concrete pouring, excessive heat warnings/temperatures during the summer, operational emergencies). No exterior construction activities shall occur on federal holidays.
- Construction traffic shall follow routes so as to minimize the noise impact of this traffic on the surrounding community, to the greatest extent feasible.
- Contract specifications shall require that construction equipment be muffled or otherwise shielded, in accordance with manufacturers' recommendations. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.
- Where available and feasible, construction equipment with back-up alarms shall be equipped with either audible self-adjusting backup alarms or alarms that only sound when an object is detected. Self-adjusting backup alarms shall automatically adjust to 10 dBA over the surrounding background levels. All non-self-adjusting backup alarms shall be set to the lowest setting required to be audible above the surrounding noise levels.
- Stationary construction equipment material and vehicle staging shall be placed to direct noise away from sensitive receivers to the greatest extent feasible.
- Meetings shall be conducted, as needed, with on-campus constituents to provide advance notice of construction activities to coordinate these activities with the academic calendar, scheduled events, and other situations, as appropriate.
- Communication would be provided, as needed, with constituents that are affected by campus construction to provide advance notice of construction activities and ensure that the mutual needs of the particular construction project and of those impacted by construction noise are met, to the extent feasible.
- A sign shall be provided at the construction site entrance, or other conspicuous location, that includes a 24-hour telephone number for project information, and to report complaints. An inquiry and corrective action will be taken if necessary, in a timely manner.
- Where ~~deemed necessary and~~ feasible, installation of temporary sound barriers/blankets of sufficient height to break the line-of-sight between the construction equipment and within proximity to exterior use areas of noise-sensitive receivers shall be required. ~~The temporary barriers/blankets shall be of sufficient height to break the line-of-sight between the construction equipment and noise-sensitive receivers.~~ Temporary sound barriers shall consist of either sound blankets or other sound barriers/techniques such as acoustic padding or acoustic walls placed near adjacent noise-sensitive receivers that have been

manufactured to reduce noise by at least 10 dBA at ground level or meets ASTM E90 & E413 standards/ASTM C423 (or similar standards with equivalent 10 dBA noise reduction).

Please also see Final EIR Chapter 4, *Revisions to the Draft EIR*. The above text clarification does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment O1-20

The EIR's discussion of permanent increase in ambient noise from the significant increase in student population is similarly deficient. EIR at 4.11-21. The analysis lacks specificity and relies on future analysis after construction is complete, despite the fact the proposed LRDP will have construction phases throughout the years into 2035, where construction and operation will occur simultaneously. The EIR also relies on future buildings acting as "acoustical barriers to existing noise sources" but provides no evidence of how the location of various buildings will act as barriers for noise impacts. *Id.*

Response O1-20

The commenter claims that the analysis of permanent noise increases is "deficient" and lacks "specificity." The operational noise analysis covers eight separate operational noise sources in detail, and the commenter does not specify what is deficient or not specific enough, and UCR respectfully disagrees with this statement.

The construction noise analysis made reasonable assumptions, as discussed on Draft EIR p. 4.11-16 (emphasis added), but was limited by the lack of specific projects, locations, or other project specific construction details:

It is assumed conservatively that diesel engines would power all construction equipment. Construction equipment would not all operate at the same time or location due to the different tasks performed by each piece of equipment. In addition, construction equipment would not be in constant use during the day. *Specific construction-related details (e.g., location, schedule, equipment) for individual campus projects are unknown at this time.* Therefore, example construction noise impacts were modeled assuming an excavator, loader, and dump truck operating together due to their potential of being used in conjunction with one another and therefore a conservative scenario for the greatest noise generation during general construction activities. Using RCNM to estimate noise associated with construction equipment, maximum hourly noise levels are calculated to be 79.9 dBA Leq at 50 feet (RCNM calculations are included in Appendix I).

The commenter references that the EIR will have construction and operation occurring simultaneously through 2035. If the commenter is concerned about cumulative construction and operational noise levels, such analysis is considered too speculative and premature. Noise sources are highly localized, and no specific siting or phasing decisions have been made about new structures, nor have any siting or phasing decisions been made about construction equipment. As stated in the EIR "*Specific construction-related details (e.g., location, schedule, equipment) for individual campus projects are unknown at this time.*" Nearly identical arguments were recently rejected in *Sierra Watch v. County of Placer* (2021) __Cal.App.5th__ ["Sierra watch asserts 'the EIR

does not disclose the duration of construction noise at any specific location” and is improper for that reason. We reject that argument.”]

Furthermore, construction noise would dominate operational noise levels and therefore the combined noise levels from construction and operational noise would not result in perceptible noise levels over construction noise itself. For example, an HVAC unit was analyzed as generating a noise level of 54.4 dBA L_{eq} at 100 feet while construction noise was analyzed as generating noise levels of 73.9 dBA L_{eq} at 100 feet. If the operational noise levels were combined with the construction noise levels, the noise levels would not increase from 73.9 dBA L_{eq} due to the negligible addition of operational noise and the logarithmic nature of noise measurements. This concept was explained on Draft EIR p. 4.11-1:

Because the dB scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. For example, if two noise sources produce identical noise levels of 50 dBA, their combined sound level would be 53 dBA, not 100 dBA. However, where ambient noise levels are high in comparison to a new noise source, there will be a small change in noise levels. For example, when an ambient noise level of 70 dBA is combined with a noise source generating 60 dBA, the resulting noise level equals 70.4 dBA.

The commenter states that the EIR relies on future buildings acting as acoustical barriers. The commenter is citing the general summary of operational noise sources on Draft EIR p. 4.11-21, which states in its entirety:

Existing campus and off-campus noise-sensitive receivers may periodically be subject to new noise associated with new uses under the proposed 2021 LRDP, which includes stationary noise from mechanical equipment, parking structures, special events similar to baseline conditions, on-campus gatherings, loading docks, and increased traffic, as discussed below. However, redevelopment of existing structures may also result in acoustical benefits, as older equipment is replaced with modern, quieter, more efficient equipment. Additionally, new structures can act as acoustical barriers to existing noise sources, depending upon their location.

The EIR does not “rely” on this fact to mitigate or reduce noise levels; it is merely stating factual information of campus noise conditions that buildings can provide attenuation between a source and a noise-sensitive receiver. This concept was explained on Draft EIR p. 4.11-2⁶³:

Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce exposure to noise as well. The FHWA’s guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The noise impact analysis of each source and the impact conclusions does not take noise attenuation credit for specific buildings providing such noise attenuation as it is too site-specific for a programmatic analysis.

⁶³ In-text citations provided in this quote are found at the end of Section 4.11, *Noise*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

Comment O1-21

H. Traffic and Transportation

The EIR assumes that increased availability of student housing will lead to less vehicles commuting to campus and thus less traffic and transportation impacts to the environment. EIR at 4.15-29. However, 60% of students will be living either off-campus in neighboring communities or in other areas of the state, even with the attainment of student housing goals within the LRDP. EIR at 4.12-17. Thus, the assumption that an increase in student housing beds will aid in diminishing traffic and transportation impacts to the environment is incomplete as it does not consider the impacts of student population growth as a whole.

Response O1-21

The commenter asserts that 60 percent of students will be living off-campus and therefore the transportation impact analysis is incomplete for allegedly not considering impacts to student population growth as a whole. In making these assertions the commenter does not accurately describe the requirements of a CEQA analysis, or the transportation analysis that was performed in this EIR.

More specifically, in asserting that 60 percent of the students would live off-campus, the commenter is not discussing the impacts of the LRDP on student population growth, rather the commenter is asserting the EIR needs to analyze impacts of existing off-campus student body. However, the purposes of CEQA is to address environmental impacts to changes in the environment caused by the plan, not the effects of the existing student population. (*Black Property Owners Assoc. v. City of Berkeley* (1994) 22 Cal.App.4th 974; see also *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]) In this case, the proposed 2021 LRDP will house 68 percent of the increase in student population on campus. Nevertheless, as outlined below, the VMT analysis conservatively considers the VMT from the Campus population as a whole in its calculation of the per capita VMT.

The VMT methodology reflects the VMT generation characteristics of the UCR campus with the inclusion of more faculty/staff, student housing residents, and commuter students, which accounts for the 60 percent of students that would reside off-campus, proposed under the 2021 LRDP. As explained in Analysis Methodology in Section 4.15.3 of the Draft EIR, the RivTAM was modified by adding 11,078 students, 7,489 residential beds, and 2,806 employees to assess the proposed 2021 LRDP-generated VMT per Service Population. (Draft EIR p. 4.15-22) Therefore, the students residing off-campus with the 2021 LRDP has been accounted for, in combination with the existing student population in the VMT analysis.

Comment O1-22

Additionally, the EIR states the increased use of alternative modes of travel would result in lower vehicle miles traveled generated by campus overtime resulting in less than significant impacts with no mitigation measures required. EIR at 4.15-29. However, the exacerbated conditions of the roadways created by the significant population growth estimated by the LRDP must be mitigated in order to reduce impacts to the environment. The EIR fails to acknowledge the increase to parking structures on campus will itself leads to additional vehicle miles traveled to and from the UCR campus.

Response O1-22

As an initial matter this comment is internally inconsistent with Comment O2-5 from UNA, which faults UCR for providing insufficient parking. Additionally, the commenter does not accurately summarize the VMT impact analysis, and is referring to Impact T-2. The transportation impact analysis reflects the VMT generation characteristics of the UCR campus with the inclusion of more faculty/staff, student housing residents, and commuter students proposed under the 2021 LRDP. The VMT estimates for the 2021 LRDP were based on the RivTAM and consider existing land uses and planned regional growth. The VMT analysis captures the additional student housing proposed under the 2021 LRDP which will lead to more students being able to walk and bike to campus. However, the VMT analysis results obtained from the RivTAM were not further reduced to account for the additional increases in active transportation or transit ridership that could occur overtime, and are therefore, conservative (see Appendix J, Section 3 *Methodology*, of the Draft EIR). The discussion regarding increases in active transportation is related to the objectives and policies of the 2021 LRDP that are aimed at enhancing active transportation facilities and transit service to reduce the need for faculty/staff and students to drive to campus. It is an objective of UCR and the 2021 LRDP to invest in infrastructure to increase bicycle use and support other active transportation modes to integrate desired routes with UCR's and City's circulation framework (Objective M2 on Draft EIR p. 4.15-25).

The increase in parking structures on campus with the 2021 LRDP will accommodate the travel demand for faculty/staff and students that will continue to commute to campus by personal vehicles (approximately 28 percent of new students would reside in an existing home). In addition, the parking structures will replace some existing surface lots that will be redeveloped with the 2021 LRDP projects. The parking structures themselves would not generate new vehicle trips or VMT. Rather, vehicles that would travel to the parking structures reflect student and faculty/staff growth expected to occur with the 2021 LRDP and vehicles already traveling to campus that would park in these structures because of the removal of surface parking lots on campus. The VMT analysis in the Draft EIR accounts for the increase in these commute trips, and therefore, captures the VMT associated with parking structures use.

Comment O1-23

III. The Draft EIR Fails to Adequately Consider Cumulative Impacts on Neighboring Communities

Cumulative impact analysis is essential to accomplishing the overall intent of CEQA of "preventing environmental damage, while providing a decent home and satisfying living environment for every Californian" Pub. Res. Code § 21002(g). By looking outside of a particular project site, a cumulative impact analysis allows decisionmakers to look at the impacts of a project within the greater context. Here, the EIR has failed to adequately consider the cumulative impacts the proposed LRDP will have in a greater context, and neglects to evaluate the areas surrounding UCR's campus.

Response O1-23

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." (CEQA Guidelines, Section 15355). CEQA requires that cumulative impacts be discussed when the "project's incremental effect is cumulatively considerable... [or] ... provide a basis for concluding that the incremental effect is not cumulatively considerable (CEQA Guidelines Section 15130 (a))." The cumulative impact sections of the Draft EIR evaluate the cumulative impacts associated with the

proposed 2021 LRDP in conjunction with other planned and pending developments in the area listed in Cumulative Development subsection of Section 4 of the Draft EIR.

Section 4, subsection Cumulative Development, of the Draft EIR details the parameters for the cumulative analyses used throughout the analyses of environmental impacts (See Draft EIR p. 4-4 through 4-9). The cumulative analysis presented in the Draft EIR uses a projections-based approach or list of projects approach depending upon the specific resource area. Development that occurs by the planning horizon of the proposed 2021 LRDP is combined with the growth projections of applicable planning documents. The analysis utilizes different geographic scopes depending upon the specific environmental resource area; additional details are provided in the individual sections in Section 4 of the Draft EIR. Because different geographic scopes are utilized, the projections used vary from section to section. To identify off-campus future and reasonably foreseeable projects, EIR preparers consulted the surrounding communities of the cities of Riverside and Moreno Valley, as well as the County of Riverside. A complete list of projects considered is provided as Appendix A to the Transportation Impact Analysis. The Transportation Impact Analysis is provided as Appendix J to the Draft EIR. In addition, this Draft EIR reviewed the City's General Plan, City-adopted neighborhood plans, and relevant specific plans to assess projected development described within those plans during the lifetime of the proposed 2021 LRDP (years 2021 to 2035). The subsection on Long-Range Regional Growth describes these plans in more detail.

However, where the relevant geographic area extends beyond this boundary, SCAG forecasts, the 2016 AQMP, UWMP, and other area plans have also been considered. Each resource section's cumulative analysis identifies the planning documents that correspond to the relevant geographic scope of the analysis. While this EIR relies on a projections approach for cumulative impacts, in some cases specific pending projects in the vicinity of the plan area are discussed to provide additional context.

As noted in other sections of this Draft EIR, some campus facilities and development proposals are in process pursuant to the 2005 LRDP. Collectively, those campus projects are in various stages of development, including in the planning phase, design stage, or construction phase and are included in Table 4-1, *UCR Cumulative Projects List*, of the Draft EIR as cumulative projects. Past and present operational projects are not presented in the table, as they have already been incorporated into baseline conditions.

The Cumulative Projects List is not intended to be an all-inclusive list of projects in the region, but rather, an identification of projects constructed, approved, or under review in the vicinity of the UCR campus at the time the proposed 2021 LRDP environmental analysis commenced. Off-campus projects considered near-term (e.g. will likely be developed in the foreseeable future) were selected based on location (within 5 miles of the UCR campus) and size (affecting 10 or more acres, 100 or more units, or 100,000 or more square feet). This geographic area was considered due to the proximity to the UCR campus and the potential for regionwide impacts. Long-range projects are expected to be developed over the course of the proposed 2021 LRDP (i.e., through 2035), but their implementation timeline is currently unknown. Long-range projects will undergo individual environmental analysis that will include a specific assessment of cumulative impacts, at the appropriate time in their development.

Each individual section of the Environmental Impact Analysis of the Draft EIR contains a subsection describing the cumulative impact analysis methodology and the resulting level of impact. Please refer to Section 4.1 through Section 4.18 of the Draft EIR. Please also see Responses O1-24 through O1-30. Please also see Response L3-16 for discussion of students living off-campus.

Comment O1-24

A. Population and Housing

A primary goal of the proposed LRDP is to expand enrollment capacity up to 35,000 students through 2035, a 46% increase from the 2018/2019 academic year student population. EIR at 4.12-17. It is also anticipated that approximately 7,545 total faculty and staff will be needed to support the projected student enrollment in 2035, a 60% increase from the 2018/2019 academic year. Id. This substantial increase is certain to lead to significant impacts to the population and housing of the surrounding neighborhoods. The EIR fails to adequately consider these impacts by claiming direct and indirect impacts related to population growth would be less than significant and thus require no mitigation measures. EIR at 4.12-19.

Response O1-24

The commenter makes several conclusory statements in Comments O1-24 through O1-26 which (1) ignore that the use of housing is not in and of itself an environmental impact, (2) ignore the significance thresholds and methodology, (3) ignore the content of the underlying impact analysis, and (4) incorrectly assumes that the EIR is responsible for mitigating existing deficiencies.

The comment first asserts that “This substantial increase [in housing demand] is certain to lead to significant impacts to the population and housing of the surrounding neighborhoods.” As explained in the EIR, increases in population or housing are not in and of themselves a significant impact:

Impacts related to population are generally social or economic in nature. Under CEQA, a social or economic change generally is not considered a significant effect on the environment unless the changes can be directly linked to a physical change. (CEQA Guidelines section 15131.) As further discussed under CEQA Guidelines Section 15126.2(e), “[I]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.” The purpose behind looking at growth is to determine whether “increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects.” [Id.; see also *Citizens for Responsible & Open Gov’t v. City of Grand Terrace* (2008) 160 Cal. App. 4th 1323, 1334 “There is no question the Project will increase the population density. The issue is whether there is a fair argument the increase will cause a significant impact.”] (DEIR p. 4.12-17.)

Numerous other Courts have reached similar conclusions for other similar services, such as fire and police. (*City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833, 842, 843 [“The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate.”]; *Saltonstall v. City of Sacramento* (2015) 234 Cal.App.4th 549 [Upholding less than significant impact conclusion for stadium project because, while the project would increase police services demand, it would not result in the construction of new police facilities]; *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 575, FN7 [“increased student enrollment and potential for overcrowding by itself is not implicated in CEQA...”].)

In asserting the project would result in significant population and housing impacts, the comment also ignores the significance thresholds and methodology utilized in the EIR, which mirror recent amendments made by the State OPR. More specifically, a significant impact would occur when the project would:

- (a) Induce *substantial unplanned population growth* in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- (b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

As noted on page 69 of OPR’s November 2018 Statement of Reasons for Regulatory Action for amending the CEQA Guidelines Appendix G, “The Agency clarified that the question should focus on whether such growth is unplanned. Growth that is planned, and the environmental effects of which have been analyzed in connection with a land use plan or a regional plan, should not by itself be considered an impact.”⁶⁴ Consistent with this guidance, the Draft EIR’s methodology explains that “For purposes of this analysis, ‘substantial’ unplanned population growth is defined as growth from construction of new homes, businesses, roads, or other infrastructure that would result in population growth that significantly exceeds planned growth in the SCAG projections. For impacts to be considered significant under the thresholds above, the project would also have to result in a significant environmental impact not already disclosed.” (Draft EIR p. 4.12-17.)

Please also see Responses O1-25 and O1-26 below.

Comment O1-25

The EIR concedes that an average of 80,000 homes have been built in the state per year since 2007, which is far below the 180,0000 annually estimated to be demanded by California’s growing population from 2015 through 2025. EIR at 4.12-1. Despite this, the LRDP proposes an expansion of approximately 14,000 new beds, which will ensure housing for 40% of the student population. EIR at 4.12-17. And while this is an increase from the current 27% presently housed on campus, the LRDP still results in 60% of the student population leaning on the surrounding communities for housing options. This increase in student population will impact housing availability and population density in nearby areas, and the EIR fails to adequately address and evaluate these issues.

Response O1-25

As discussed in Response O1-21, in asserting that 60 percent of the students would live off-campus, the commenter is not discussing the impacts of the 2021 LRDP, rather the commenter is asserting the EIR needs to analyze impacts of existing off-campus student body. However, the purposes of CEQA is to address environmental impacts to changes in the environment caused by the plan, not the effects of the existing student population. (*Black Property Owners Assoc. v. City of Berkeley* (1994) 22 Cal.App.4th 974; see also *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]) In this case, the proposed 2021 LRDP will house 68 percent of the increase in student population on campus. Furthermore, approximately 28 percent of the remaining new students which who will live off-campus would reside in an existing home. Please see Final EIR Chapter 4, *Revisions to the Draft EIR* and Appendix B of the Final EIR.

Furthermore, the commenter assumes that any increase in off-campus demand requires a significant impact conclusion, without discussing the contents of the Population and Housing

⁶⁴ California Natural Resources Agency. 2018. Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines. OAL Notice File No. Z-2018-0016-12. Sacramento, CA. November 2018. https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/2018_CEQA_Final_Statement_of%20Reasons_111218.pdf (accessed October 2021).

analysis and without acknowledging UCR's significance thresholds and methodology. Please see Response O1-24. The commenter made similar conclusory statements regarding Visual Character in Comment O1-4.

Comment O1-26

UCR's Housing Policy guarantees on-campus housing only to eligible freshman students. Many sophomores, juniors, and seniors are not guaranteed housing on campus and thus must look for other housing options within the neighboring communities if they wish to avoid long distance commutes to campus. EIR at 4.12-15. Also, freshman students are not required by UCR's Housing Policy to live on campus, and thus could opt to live off-campus in neighboring communities as well. Finally, transfer students are not guaranteed on-campus housing and also often rely on off-campus housing options. *Id.*

An EIR must show a reasonable effort to substantively connect a project's impacts to likely consequences. *Sierra Club v. County of Fresno* (Dec. 24, 2018) 6 Cal.5th 502. Here the EIR assumes the increase in housing availability nullifies the need to properly analyze the impacts the increase in student population will have on housing availability and population density in neighboring communities. A reasonable effort would analyze the connection between the LRDP student population increase and the associated impacts. Therefore, the EIR cannot support its claim that the increase in student population will not have direct or indirect impacts to the neighboring communities.

Response O1-26

The comment alleges that the EIR did not show a reasonable effort to substantively connect the 2021 LRDP's impacts to likely consequences and cites legal case *Sierra Club v. County of Fresno*. The commenter further opines that the EIR assumes the increase in housing availability nullified the need to analyze impacts from increased student population on housing availability.

Please refer to Response O1-24, which explains that the commenter is not applying UCR's thresholds (based upon CEQA Guidelines Appendix G), nor is it applying UCR's methodology, which analyzes the impacts from *unplanned population growth*, consistent with recent clarifications by OPR. Furthermore, the EIR's analysis is based upon the student population as a whole, and therefore accounts for changes in the percent of students living on-campus among all academic years, including transfers and graduate students. More specifically, while the EIR discloses that 68 percent of the increase in students would live on-campus, this averages out the differences between each academic year (including transfers and graduate students), which is a level of detail which is not required for this analysis.

As also noted in the Population and Housing analysis, the City of Riverside alone, has proposed construction of over 31,000 new dwelling units (with at least 2.9 PPH), with capacity in Ward 2 (UCR's ward) which provides for 3,770 dwelling units (10,993 persons, assuming 2.90 PPH, or 12,347 persons assuming 3.28 PPH). Nevertheless, additional revisions have been made to the Population and Housing section. Please see Final EIR Chapter 4, *Revisions to the Draft EIR* and Appendix B of the Final EIR.

Comment O1-27

B. Recreation

The substantial increase in student population proposed by the LRDP will contribute to the acceleration of physical deterioration and degradation of local parks, recreational trails for hiking, biking, and equestrian activities, archeological sites, wildlife reserves, and other natural areas within the community. The increase in population will reasonably lead to increase in use of these neighborhood open spaces. These additional uses may require the construction or expansion of recreational facilities which may have an adverse physical impact on the environment.

Response O1-27

This comment includes opening remarks that state the commenter's opinion of the potential impacts related to recreation. As noted below, the commenter's conclusions ignores the underlying analysis and methodology included in the Draft EIR Recreation analysis provided in Draft EIR Section 4.14, *Recreation*. Please also see Responses O1-28 and O1-29.

Comment O1-28

The EIR assumes the existing and newly proposed recreational facilities on campus will adequately serve and accommodate the growing campus population such that impacts to the neighboring community would be less than significant. EIR at 4.14-14. To assume the student population would not use recreational facilities outside of campus is unreasonable and unfounded. The EIR concedes the proposed LRDP would incrementally result in an increase in off-campus residents of approximately 6,395 people by academic year 2035/2036 but states the campus population would continue to have full access to on-campus parks and recreational facilities which would reduce the need to use off-campus community facilities. *Id.* While students will have access to on-campus recreational facilities, they may still use off-campus facilities, particularly the students who live off campus. Thus, the likely significant impacts on community open spaces are not considered nor mitigated in the 2021 LRDP.

Response O1-28

Please see Response L3-30. As explained therein, the EIR does not "assume the student population would not use recreational facilities outside of campus."

Comment O1-29

Additionally, the EIR states the development of new on-campus recreational facilities and open spaces may have an adverse physical effect on the environment, but that environmental impacts would be less than significant without any additional mitigation. The EIR contradicts itself and states no additional impacts to the environment were found and therefore impacts are considered less than significant without additional mitigation. EIR at 4.14-19. The EIR does not expand or explain this conclusion, and thus improperly evaluated the cumulative impacts the increase in student population will have on recreational facilities.

Response O1-29

The commenter does not accurately quote the contents of the Recreational analysis, and therefore it is not feasible to ascertain what sentences the commenter is interpreting as being internally inconsistent. Contrary to the commenter's assertions, the EIR does not state "development of new

on-campus recreational facilities and open spaces may have an adverse physical effect on the environment.”

Rather, the analysis concludes that “The impact from construction and operation of these new recreational facilities have been analyzed as part of the proposed 2021 LRDP buildout in this Draft EIR, and there would be no additional impacts. Therefore, impacts are considered to be less than significant without additional mitigation.” This concept was also discussed on recreational impact methodology discussion on Draft EIR p. 4.14-12:

Impacts related to parks and recreational facilities were determined by evaluating whether the proposed 2021 LRDP campus population will increase use of existing park and recreational facilities and whether this would lead to the substantial deterioration or degradation of existing recreational facilities or require the construction or expansion of recreational facilities, which would have an adverse physical effect on the environment, *which was not considered as part of the proposed 2021 LRDP*. In determining the level of significance, the analysis assumes that projects implemented under the proposed 2021 LRDP would comply with relevant federal and State laws and regulations. Substantial physical deterioration is recognized as a decline in the quality of current conditions of a park or facility beyond regular wear and tear. (Emphasis added.)

Given the commenter does not accurately quote the contents of the Draft EIR, no further response is feasible.

Comment O1-30

IV. The Draft EIR Fails to Adequately Consider Feasible Mitigation Measures

The California Supreme Court has recognized there is no “legally unsupportable distinction between environmental impacts occurring on the project site and those occurring off-site. CEQA draws no such distinction for purposes of mitigation. Instead, CEQA defines the “environment” as “the physical conditions which exist within the area which will be affected by a proposed project. (Pub. Resources Code, § 21060.5)” *City of San Diego v. Bd. of Trustees of California State Univ.*, (2015) 61 Cal. 4th 945, 961.

Thus, mitigation measures must be evaluated and considered whether the impacts fall within the project site or outside of it. Here, the EIR fails to adequately address and consider feasible mitigation measures for impacts that fall outside of the UCR campus.

Response O1-30

The comment asserts that the Draft EIR did not mitigate off-site impacts, without citation to the Draft EIR. The Draft EIR made no distinction between on-site and off-site impacts when assessing the feasibility of mitigation measures. To the extent the comment is referring to subsequent Comments, please see Responses O1-31 through O1-37. However, it should be noted that most of these comments make no such assertions.

Comment O1-31

A. Aesthetics

The 2021 LRDP contains Open Space objectives, some of which prioritize maintaining views to Box Spring Mountains at the terminus of view corridors and from primary campus open spaces. EIR at

4.1-45. However, the EIR states the proposed LRDP will block or impede views of scenic vistas, namely of the Box Spring Mountains, and determines these impacts will be significant but unavoidable. EIR at 4.1-46. The EIR does not recommend any mitigation measures for these impacts. *Id.* This in both inconsistent with the objectives of the LRDP and with the requirements under CEQA.

Response O1-31

The comment states that the EIR will block or impede views of scenic vistas of the Box Springs Mountains and notes that the EIR does not provide mitigation measures to these impacts. The commenter also alleges an inconsistency between the Draft EIR's scenic vistas conclusion and LRDP policies.

As discussed in the Draft EIR under Impact AES-1, scenic vistas across the campus toward the Box Springs Mountains are available from several roadways, including Martin Luther King Boulevard, West Linden Street, Blaine Street, Watkins Drive, University Avenue, and Canyon Crest Drive. The Draft EIR found that views from these roadways were too distant or that existing buildings impeded scenic views. The exception where impacts would be significant is from the one section of Canyon Crest Drive where it transitions from University Avenue and motorists and pedestrians currently can look across the athletic and sports fields toward the Box Springs Mountains (KVP 9 and similarly situated views within campus). (Draft EIR p. 4.1-46 through p. 4.1-47). If new development were five to eight stories in this area, as facilitated by the 2021 LRDP, then those views would no longer be available to the degree to which they are currently, and thus impacts would be significant with buildout of the 2021 LRDP. The only way to mitigate this impact would be to eliminate new development in the Canyon Crest Gateway. However, this is inconsistent with the LRDP goals and policies, and would result in increased environmental impacts to other resource areas, as outlined and greater detail below.

While not specified, the commenter appears to be alleging inconsistencies with unspecified policies in the LRDP's Open Space planning objectives and policies. To the extent that the commenter is referring to Objective 4 (or any other objectives), there would be no inconsistency. Objective 4 states "*Consider views to Box Springs Mountains and the San Gabriel Mountains at the terminus of view corridors and from primary campus open spaces to the extent feasible.*" Similarly, the related policy states "*Consider the preservation of terminal views from locations accessible to the general public along public corridors and panoramic views from primary open spaces in the location and configuration of new facilities or the introduction of new landscape features.*" These policies expressly acknowledge circumstances where some limited views obstruction may be necessary to accomplish the LRDP's other goals, such as providing high density infill development on campus.

As discussed on page 2 of the 2021 LRDP, "*The 2021 LRDP focuses nearly all planned academic, research, and student life development on the East Campus, thus reserving the majority of West Campus for land-based research. As such, the majority of West Campus' prime agricultural lands and its trees on it remain intact, furthering the University's commitment to the sustainable and efficient development of its land resources, and reducing its overall carbon footprint. This is accomplished by increasing the density and intensity of future development on East Campus, while conserving the character and density of the campus' original Mid-Century Modern Core fronting the Carillon Mall.*"

Furthermore, the significantly impacted viewpoint (KVP 9) falls within the Canyon Crest Gateway. The broad planning concept for that designation states:

Transforming this corridor into a vibrant and welcoming, campus "Main Street," a common feature on many campuses across the country, with University-oriented high-density, horizontal

and vertical mixed-use gateway environments that brings year-round vitality to the area. In addition to student housing, dining, recreation, and other services, it will also support an array of much needed commercial amenities and services presently unavailable on or in the immediate vicinity of campus.⁶⁵

Without this density, there would be fewer accessible services within walking distance of the student population which would increase VMT, Air Quality, and Energy impacts. This concept was expressly acknowledged in SB 743, which requires increased levels of density for projects to be exempted from aspects of CEQA in transit priority areas. (See Pub. Res. Code 21099(a)(1) and (d).) Therefore, the commenter's suggestion to further mitigate this impact is considered environmentally infeasible, and infeasible based upon policy considerations described above.

As acknowledged on page 13 of the LRDP, "*The 2021 LRDP attempts to balance a range of competing interests.* It follows that it is nearly, if not absolutely, impossible for a specific project to be in perfect conformity with each and every policy or guidance set forth in this plan and its elements. UCR therefore has the discretion to approve a project even if it is not consistent with all of the LRDP's policies and guidance to the extent legally permitted."

CEQA allows a lead agency to approve a project with a significant and unavoidable impact if it prepares a statement of overriding considerations stating the reasons for approving the project despite its significant and unavoidable impacts (CEQA Guidelines Section 15093). As discussed in Response O1-7, this document is not included with the Draft EIR.

Comment O1-32

B. Agricultural Lands

The UCR campus contains 21 different fields and many agricultural facilities such as greenhouses and services for research projects. EIR at 4.2-1. The proposed 2021 LRDP would impact fewer acres of agricultural lands than previous UCR LRDPs, but this reduction of loss of acreage does not offset the net reduction in agricultural lands in the region. The proposed LRDP would still reduce land available for agricultural uses and research in comparison to existing conditions. EIR at 4.2-8. The EIR refuses to adequately consider feasible mitigation measures to this impact, and simply states no new agricultural lands are being created in the vicinity of the campus, thus no feasible mitigation has been identified to reduce this significant impact. EIR at 4.2-5. The EIR states that no mitigation is sufficient to substantially reduce this impact, and therefore impacts would be significant and unavoidable. EIR at 4.2-7. The EIR makes no attempt at evaluating potential mitigation options or alternatives to diminish or avoid this impact and simply concedes the impacts are unavoidable.

Response O1-32

Please see Response L3-6 for discussion of the agricultural analysis and UCR's past acquisition of 540 acres of farmland in the Coachella Valley, which has offset the proposed losses of agricultural land by a factor of over 8:1 acres. Additionally, the Draft EIR includes analysis of Alternative 4, *No Agricultural Land Development*. Revisions to the analysis in the Draft EIR are not necessary.

⁶⁵ University of California, Riverside. 2021f. Draft Long Range Development Plan. Riverside, CA. September 2021. p. 50.

Comment O1-33

Additionally, UCR acquired the Coachella Valley Agricultural Research Station, a 540-acre facility, as a mitigation measure resulting from an earlier LRDP which called for the conversion of approximately 125 acres of agricultural land into non-agricultural uses as a means to “reduce the programmatic loss of the 125 acres of agricultural land on campus.” EIR at 4.2-5. This Research Station has been used as a mitigation measure since the 2005 LRDP and will now continue to be used as a mitigation measure for the 2021 LRDP. However, the EIR concedes this mitigation measure “does not fully offset the net reduction in farmland in the region...As such, impacts would be significant and unavoidable.” EIR at 4.2-10. Thus, the EIR did not consider feasible mitigation measures in relation to the loss of agricultural lands on campus.

Response O1-33

Please see Response L3-6 for discussion of the agricultural analysis and UCR’s past acquisition of 540 acres of farmland in the Coachella Valley, which has offset the proposed losses of agricultural land by a factor of over 8:1 acres. The commenter provides no other feasible measures; therefore, no further response is possible. (See *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 15.).

Comment O1-34

C. Biological Resources

The EIR has classified various vegetation types as existing or not existing within a Sensitive Natural Community. EIR Table 4.4-1 at 4.4-4. The EIR classifies the vegetation deemed to not be within a Sensitive Natural Community as not requiring additional mitigation efforts because the particular area has somehow been modified as mitigation for a previous project. EIR at 4.4-7-11. This conclusion is unreasonable and unfounded. Impacts to species must still be mitigated despite the fact their environments have been modified previously. The EIR demonstrates no applicable reasoning as to why a previously modified space does not warrant environmental protection. The mitigation measures identified in the EIR must apply to all plant and wildlife species that will be impacted by the proposed LRDP.

Response O1-34

As described in Section 4.4, *Biological Resources*, of the Draft EIR (p. 4.4-3), on-campus vegetation can be described as natural, naturalistic, landscaped, and agricultural areas. A classification for “other areas” include basins, disturbed areas, and developed areas. These areas are generally unvegetated, though they may include ornamental landscaping that is closely associated with a structure and smaller than the 0.25-acre minimum mapping unit. For continuity, vegetation types mapped in the survey area were grouped into these broad categories. Nomenclature for vegetation types generally follows that of *A Manual of California Vegetation* (Draft EIR p. 4.4-3).

Generally, unvegetated areas were mapped as other areas and include basins, disturbed areas, and developed areas. Table 4.4.-1, *Vegetation Types and Other Areas on the UCR Campus*, of the Draft EIR lists the vegetation types and other landcover mapped in the survey area (Draft EIR p. 4.4-4). Figure 4.4-2, *Vegetation Types and Other Areas*, of the Draft EIR shows the locations of the vegetation types and other landcovers (Draft EIR p. 4.4-6). Nomenclature of plant taxa conform to the *Special Vascular Plants, Bryophytes, and Lichens List* for special-status species and the *Jepson eFlora* for all other taxa. The Draft EIR, p. 4.4-7 through p. 4.4-11, describes plant species found on

campus in areas classified as either “natural areas,” “naturalistic areas,” “landscaped areas,” or “other areas.” The description of existing biological resources conditions are provided as part of Section 4.4.1, Environmental Setting and do not represent an analysis of potential impacts to such resources, as assumed in the comment.

The California Department of Fish and Wildlife provides a list of vegetation Alliances, Associations, and Special Stands that are considered “Sensitive Natural Communities” based on their rarity and threat. As discussed in Table 4.4-1, prickly pear scrub would be considered a sensitive natural community (Draft EIR p. 4.4-15). Prickly pear scrub occurs naturally on the slopes along the UCR Botanic Gardens Road and in a small patch in the West Campus. It is dominated by Vasey’s prickly pear (*Opuntia vaseyi*) with lesser amounts of cholla (*Cylindropuntia* sp.) and brittle bush (Draft EIR p. 4.4-7).

The majority of projects anticipated in the proposed 2021 LRDP would be situated in non-sensitive areas of the UCR campus. However, some projects may occur in or adjacent to the prickly pear scrub. Section 4.4.3, *Environmental Impacts and Mitigation Measures* (Draft EIR p. 4.4-26 through p. 4.4-45) discusses the potential to impact biological resources under CEQA and it is acknowledged throughout that mitigation would be required to reduce impacts to less than significant levels. Impact BIO-2 specifically analyzes potential impacts to sensitive natural communities (beginning on Draft EIR p. 4.4-40). It was determined that Mitigation Measures MM BIO-6A, Sensitive Communities Indirect Impact Avoidance – Construction (Draft EIR p. 4.4-37), MM BIO-6B, Sensitive Communities Indirect Impact Avoidance – Operation (Draft EIR p. 4.4-38), and MM BIO-7, Sensitive Vegetation Communities Mitigation (Draft EIR p. 4.4-39) would reduce impacts to sensitive vegetation communities to a less than significant level.

Comment O1-35

Additionally, according to the applicable Biology Guidelines “it is highly recommended that field surveys be performed when the majority of critical resources can be best evaluated.” SD Mun. Code, Land Development Biology Guidelines, Sec. 1, at 78. However, plant and wildlife surveys for the EIR were conducted in December, when a large variety of plant and wildlife resources are dormant. EIR at 4.4-1. As a result, survey efforts completely missed the spring flowering period for plants and spring mating season for wild species. Biological surveys conducted for CEQA review must also include a spring survey in order to detect the proper existing biological resources. Without establishing which biological resources need protection the EIR cannot properly determine the necessary mitigation measures required to offset the impacts to these species. Thus, the EIR failed to adequately survey the areas potentially impacted by the LRDP, and therefore violated CEQA.

Response O1-35

The Draft EIR provides appropriate programmatic analysis of environmental conditions associated with 2021 LRDP implementation and the mitigation measures provided in the Draft EIR are intended to be applicable to various projects that may be proposed/considered as part of 2021 LRDP implementation. The campus-wide biological resources survey conducted in December of 2018 was to provide a general description of the potential flora and fauna that may occur on campus and to provide guidance as to how to mitigate for potential impacts from implementation of the 2021 LRDP. UCR understands that certain biological surveys (e.g., rare plant, nesting bird, bat) must occur during specific timeframes throughout the year. Multiple mitigation measures have been incorporated into the EIR to address such concerns.

Mitigation Measure MM BIO-1A requires Burrowing Owl Preconstruction Surveys to be conducted, prior to construction activities, in the project survey area where suitable habitat is present prior to ground disturbance in new areas. Preconstruction surveys shall be conducted by a qualified biologist no more than 30 days prior to grading or other significant site disturbance. Surveys shall include the development footprint and consider up to a 500-foot buffer of adjacent areas to the extent feasible (e.g., a visual survey of adjacent areas will suffice for off-site areas not accessible). The surveys shall be conducted in accordance with the Multiple Species Habitat Conservation Plan (MSHCP) burrowing owl survey guidelines. A burrow shall be considered occupied when there is confirmed use by burrowing owls based on observations made by a qualified biologist. If owls are not found to be occupying habitat in the survey area during the preconstruction survey, the proposed disturbance activities may proceed. Take of active nests shall be avoided. Draft EIR p. 4.4-35.

Mitigation Measure MM BIO-2 requires Nesting Bird Avoidance and limits activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 15 through August 31). If construction must be initiated during the peak nesting season, vegetation removal and/or tree removal should be planned to occur outside the nesting season (September 1 to February 14) and a preconstruction nesting bird survey shall be conducted no more than 3 days prior to initiation of construction activities. The nesting bird preconstruction survey shall be conducted on foot inside the project site disturbance areas. If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 50- to 200-foot buffer for common nesting birds around the active nest, as determined by a biologist. For listed and raptor species, this buffer shall be expanded to 500 feet or as determined by a biologist (Draft EIR p. 4.4-35 and p. 4.4-36.)

Mitigation Measure MM BIO-4 requires Bat Preconstruction Surveys to avoid disturbance of special-status bat species during maternity season (approximately March-September). Preconstruction roosting bat survey(s) shall be conducted by a qualified bat biologist on potential roost structures identified by the bat biologist and mature vegetation no more than 30 days prior to initiation of construction activities if construction activities must occur during the roosting season. If future projects would impact rocky outcrops, mature vegetation, existing buildings, or other structures that could be used for roosting, a passive acoustic survey shall identify the species using the area for day/night roosting. If special-status roosting bats are present and their roosts would be impacted, a qualified bat biologist should prepare a plan to identify the proper exclusionary methods. Removal of mature trees should be monitored by a qualified bat biologist and occur by pushing down the entire tree (without trimming or limb removal) using heavy equipment and leaving the felled tree on the ground untrimmed and undisturbed for a period of at least 24 hours. To exclude bats from buildings/structures or rocky outcrops, exclusion measures should be installed on crevices by placing one-way exclusionary devices that allow bats to exit but not enter the crevice (Draft EIR p. 4.4.-36 and p. 4.4-37).

Mitigation Measure MM BIO-5 requires Special-Status Species Preconstruction Surveys for special-status plants and wildlife species with potential to occur in or around the project site shall be conducted prior to impacts on areas of suitable habitat for each respective species, including special-status plant species, Riverside fairy shrimp, burrowing owl, coastal California gnatcatcher, and least Bell's vireo. Surveys shall be performed by a qualified biologist with the appropriate federal/State permits, if necessary, and follow approved survey protocol, which includes appropriate timing of surveys. If listed species are observed and habitat areas cannot be avoided, then consultation/permitting would be required to obtain take authorization. Appropriate

avoidance, minimization, and compensatory mitigation shall be required for each listed species that could be impacted (Draft EIR p. 4.4-37).

Mitigation Measure MM BIO-9 requires that if during the 2021 LRDP planning process, a campus project has vegetation mapped as potential wetlands or the project site contains or is located immediately adjacent to a natural drainage course, a qualified biologist shall conduct a jurisdictional delineation. The jurisdictional delineation shall use current regulatory guidance to identify the presence of potential regulated waters and wetlands in the project vicinity. If there is potential for the project to adversely affect wetlands or waters, UCR shall conduct a pre-application meeting with appropriate agencies (USACE, the RWQCB, and/or the CDFW) prior to submittal of permit applications to discuss existing conditions, to confirm the agency's jurisdiction over water resources in the survey area, to discuss impacts to these resources that would result from the project, and to discuss the regulatory permitting process (Draft EIR p. 4.4-44).

The other Biological Resources mitigation measures (MM BIO-1A through MM BIO-8) support the surveys with necessary steps to then be taken to either avoid impacts or reduce them to less than significant levels. CEQA explains that "reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters." (CEQA Guidelines Section 15204(a).) The 2021 LRDP encompasses 1,100 acres of land and development over the next 15 years, and as a program-level analysis, these measures require site-specific analysis for future projects as the 2021 LRDP area builds out over time. Each project pursued under the 2021 LRDP will be assessed for potential impacts to biological resources specific to the project location and description once known. This approach is consistent with CEQA (See *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503 ["In sum, though the mitigation measures pointed out by Save Panoche Valley...require that a qualified biologist conduct preconstruction surveys, these measures do not improperly defer significant aspects of mitigation"]).

This comment is noted for the record; no changes to the Draft EIR are necessary.

Comment O1-36

D. Public Services

The City of Riverside Fire Prevention Division submitted comments in response to UCR's Notice of Preparation stating the significant increase in student population proposed by the LRDP will increase density on campus and as a result will require additional public services in the form of police and fire safety for all students, faculty, staff, and citizens who live in surrounding neighborhoods. They recommended placing a new fire station on or near the UCR campus to ensure the local Fire Department can continue to protect the community. EIR ES-8.

Despite this, the EIR claims the LRDP will not increase demand to a level that will require a new fire protection facility or substantial alterations to existing facilities and claimed impacts would be less than significant requiring no mitigation measures. EIR at 4.13-15. The EIR states "it can be anticipated that RFD would potentially need to increase fire protection staff, and potentially additional equipment to accommodate an increased call volume...the proposed 2021 LRDP would not fundamentally change the nature of campus operations, and several older structures would be retrofitted or replaced with modern structures requiring compliance with current and more

stringent fire code requirements, providing fire safety benefits in comparison to the baseline structures.” EIR at 4.13-16.

The EIR’s reasoning as to why a new fire station is not needed is erroneous. Buildings that are in compliance with modern fire codes still may catch fire or require assistance from the fire department. The EIR concedes the increase in campus population accommodated by the proposed 2021 LRDP may increase the fire department’s call volume, but still neglects to consider feasible mitigation efforts for this impact.

Response O1-36

The comment does not accurately summarize the NOP comments from the City of Riverside. The NOP comment letter includes no discussion of police services (despite the commenter’s assertions) and does not state that a new fire station is required in response to the LRDP; rather it states that the jurisdictions “the City....is also requesting that [the jurisdictions] have another discussion regarding placing a new fire station on or near the UCR campus.”

Please see Response L3-29, which explains that the Draft EIR disclosed that while there are no specific plans at this juncture for a new RFD facility, in the event a new fire station is required, it would be in the city limits of Riverside. Development of fire stations typically only disturb between approximately 0.5 acre and 1 acre of land. A new RFD station would likely be on an infill lot (between approximately 0.5 acre and 1 acre), since most of the City is highly developed and urbanized. The development at such a scale (a two-story high fire station on approximately 1 acre of land) is unlikely to result in a significant and unavoidable environmental impact. Additionally, the proposed 2021 LRDP includes numerous land use designations on East Campus (within the Student Neighborhood and Canyon Crest Gateway LRDP land use designation on east Campus) which allow “Public Safety” facilities, which include police and fire facilities within UCR’s LRDP programmatic campus buildout (and the EIR’s impact analysis of that buildout).

Comment O1-37

E. Traffic and Transportation

The EIR also acknowledges the increase in campus population would result in impacts related to AM peak hour queueing at the I-215/SR-60 Freeway Southbound Ramps at Martin Luther King Boulevard. EIR at 4.15-31. However, the EIR concedes a mitigation measure has only been proposed but its implementation is uncertain at this time leading to impacts that would be significant and unavoidable. This analysis is insufficient because it does not demonstrate any evidence as to why the mitigation measures have not fully been adopted or approved and does not recommend other additional measures to prevent the significant impact to the environment.

Response O1-37

Impact T-3 on Draft EIR p. 4.15-31 summarizes the off-ramp queuing impact to the intersection of I-215/SR 60 freeway southbound ramps at Martin Luther King Boulevard. Additional information regarding this impact, along with the proposed mitigation and feasibility of the proposed mitigation is provided on Draft EIR p. 4.15-32.

As documented on Draft EIR p. 4.15-32, MM T-1 states that improvements to the intersection of I-215/SR 60 freeway southbound ramps at Martin Luther King Boulevard shall consist of reconfiguring the southbound approach from one left-turn lane and one shared through/right-turn lane to one

shared left/through/right-turn lane and one right-turn lane, and signal timing optimization should also occur with the geometric improvements.

Furthermore, Draft EIR p. 4.15-32 explains

UCR does not have jurisdictional control over the identified intersection and any physical improvement would require an agreement with Caltrans. As the off-ramp is controlled by the Caltrans and physical improvements cannot be guaranteed at this time, the off-ramp queuing at this intersection is considered significant and unavoidable under the Cumulative plus Project scenario. Impacts would be significant and unavoidable. UCR recommends that Caltrans approve MM T-1. If Caltrans approves MM T-1, based on the Transportation Impact Analysis included as Appendix J to this EIR, impacts would be reduced to less than significant.

This approach is fully consistent with CEQA. (CEQA Guidelines Section 15091(a)(2); *Neighbors for Smart Rail v. Exposition Line Construction Authority* (2013) 57 Cal.4th 439, 465-466 [“While the Expo Authority and MTA cannot guarantee local governments will cooperate to implement permit parking programs or other parking restrictions, the record supports the conclusion these municipalities ‘can and should’ (§ 21081, subd. (a)(2)) do so”].

Comment O1-38

V. The EIR Fails to Adequately Consider Feasible Alternatives

CEQA requires that an EIR “produce information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750 – 751. To accomplish this, the EIR “must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” CEQA Guidelines § 15126.6(a). “The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” CEQA Guidelines § 15126.6(c).

Response O1-38

CEQA requires an EIR to describe a reasonable range of alternatives to a project or to the location of a project that feasibly attains most of the project’s basic objectives but avoids or substantially lessens any of the project’s significant environmental impacts. CEQA also requires an EIR to evaluate the comparative merits of the alternatives. Section 15126.6(a), of the CEQA Guidelines requires EIRs to describe:

...a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives that are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

In defining “feasibility” (e.g., feasibly attain most of the basic objectives of the project), CEQA Guidelines Section 15126.6(f)(1) states, in part: Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. In determining what alternatives should be considered in the EIR, it is important to consider the objectives of the project, the project’s significant effects, and unique project considerations. These factors are crucial to the development of alternatives that meet the criteria specified in CEQA Guidelines Section 15126.6(a).

Furthermore, Alternatives that fail to meet the fundamental project purpose need not be addressed in detail in an EIR. An EIR is also required to identify any alternatives that were considered by the lead agency but were rejected during the planning or scoping process, and briefly explain the reasons underlying the lead agency’s determination. Two alternatives were considered by UCR but not evaluated further in the EIR, including Remote/Distance Learning and Alternative Location. Refer to Section 6.4, *Alternatives Considered but Rejected*, of the Draft EIR for further detail. Analysis of four alternatives to the proposed 2021 LRDP was included in Section 6.5, *Alternatives Selected for Analysis*, of the Draft EIR to allow decision-makers to consider the proposed 2021 LRDP in light of hypothetical alternative development scenarios, thereby promoting CEQA’s purpose as an information disclosure statute.

Comment O1-39

The EIR discuss what it calls the “Reduced Development Program” alternative. EIR at 6-5. According to the EIR this alternative, compared to the preferred 2021 LRDP, would lessen or avoid impacts to biological resources, energy consumption, greenhouse gas emissions, noise, transportation, and utility and service systems. This alternative would also accomplish many of the 2021 LRDP objectives by still allowing development of student housing and increase in student population. EIR at 6-20.

CEQA contains a “substantive mandate” that agencies refrain from approving a project with significant environmental effects if “there are feasible alternatives or mitigation measures” that can substantially lessen or avoid those effects. *Mountain Lion Foundation v. Fish and Game Comm.* (1997) 16 Cal.4th 105, 134; Pub. Res. Code § 21002. Despite this alternative decreasing various environmental impacts it was not the preferred alternative seemingly because it limits expansion on one portion of the UCR campus.

Response O1-39

The commenter asserts that the Increased Student Housing Alternative “was not the preferred alternative seemingly because it limits expansion on one portion of the UCR Campus.”

Despite the commenter’s assertions, the Draft EIR does not identify a “preferred alternative.” The Draft EIR includes analysis of the proposed project (i.e. the 2021 LRDP) and four alternatives. The decision to approve the proposed 2021 LRDP, or one of the alternatives will be made by the Regents after release of the Final EIR. As explained in Draft EIR Section 6.7, Alternative 3 was determined to be the “Environmentally Superior Alternative.” This response assumes the commenter’s reference the “preferred alternative” is a reference to the “environmentally superior alternative” analysis, based upon the contents of comments O1-40 and O1-41 below. To the extent this is incorrect, please also see Draft EIR Section 6.5.2 for a comparison between Alternative 2 and the 2021 LRDP.

The commenter is incorrect, and the alleged reasoning was not the basis for the determination of the environmentally superior alternative. As demonstrated in Section 6, *Alternatives*, of the Draft EIR, there are different tradeoffs for each alternative (e.g., local versus regional impacts), which are dependent upon the specific resource areas. Individuals and the decision-makers may weigh these resource areas differently. The conclusions of the Alternatives analysis found Alternative 3, the Increase Student Housing Alternative, to be considered the environmentally superior alternative.

Alternative 3 would result in fewer impacts related to Air Quality, Energy (fuel), GHG emissions (Scope 3), Population and Housing, and Transportation (VMT). (See Table 6-1 and the associated comparison to Section 6.5.3 of the Draft EIR.) As explained under Alternative 2 (Reduced Development Program), “reducing the UCR student population under Alternative 2 would not reduce overall demand for higher education, and would simply relocate students to other campuses.” Draft EIR Section 4.12.2 explains that state law contains several provisions mandating certain enrollment plans and admissions practices. More specifically, that section explains⁶⁶:

The California Education Code contains several provisions mandating certain enrollment plans and admissions practices. Section 66202.5 of the Education Code states the following: “The State of California reaffirms its historic commitment to ensure adequate resources to support enrollment growth, within the systemwide academic and individual campus plans to accommodate eligible California freshmen applicants and eligible California Community College transfer students, as specified in Sections 66202 and 66730.”...[¶] Similarly, Section 66011(a) of the California Education Code provides that all resident applicants to California institutions of public higher education who are determined to be qualified by law or by admission standards established by the respective governing boards should be admitted to either a district of the California Community Colleges, in accordance with Section 76000, the California State University, or the University of California. Section 66741 of the California Education Code requires acceptance of qualified transfer students at the advanced standing level. [¶] Additionally, under the California Master Plan for Higher Education, the UC system guarantees access to the top 12.5 percent of California’s public high school graduates and qualified transfer students from California Community Colleges (UCOP n.d).

This reasoning consistent with the Supreme Court which explained “the future residents and occupants of development enabled by Project approval would exist and live somewhere else if this Project is not approved. Whether ‘here or there,’ GHG emissions associated with such population growth will occur.” (*Center for Biological Diversity v. Department of Fish and Wildlife* (2015) 62 Cal.4th 204, 257.) Additionally, state law routinely recognizes the negative consequences of denial of growth and housing in urbanized areas. Gov. Code § 65589.5(b) explains that “It is the policy of the state that a local government not reject or make infeasible housing development projects... without a thorough analysis of the economic, social, and environmental effects of the action.” As further discussed in Section 65589.5(a) “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, *reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.*” Comment O1-25 from DeLano and DeLano implicitly acknowledges this concept. Similarly, Comment L3-56 reached the same conclusion as UCR, that Alternative 3 is the environmentally superior alternative.

⁶⁶ In-text citations provided in this quote are found at the end of Section 4.12, *Population and Housing*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

Comment O1-40

The EIR identifies the “Increased Student Housing” alternative as the environmentally superior alternative. EIR at 6-42. It states this alternative would result in fewer impacts related to air quality, fuel consumption, greenhouse gas emissions, population and housing, and transportation. *Id.* However, this alternative simply allows UCR to develop more housing and expand its student population above what is currently proposed in the 2021 LRDP. The EIR fails to adequately analyze how this will decrease impacts on the areas discussed above and relies on the EIR’s inadequate mitigation measures as reasoning for diminishing impacts on the environment.

Response O1-40

Please see Response O1-39.

Comment O1-41

“[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” CEQA Guidelines § 15126.6(b). Importantly: “An environmentally superior alternative cannot be deemed infeasible absent evidence the additional costs or lost profits are so severe the project would become impractical.” *See supra, Kings County Farm Bureau*, 221 Cal.App.3d at 736. The EIR fails to provide evidence of additional costs or lost profits that would make the environmentally superior alternative impractical. Thus, the Reduced Development Program alternative should be chosen as the feasible alternative capable of accomplishing the majority of the objectives while lessening the environmental impacts of the 2021 LRDP.

Response O1-41

As noted under Response O1-39, the determination that Alternative 3 was environmentally superior was based upon environmental factors, not “costs or lost profits.” Nor has Alternative 2 been determined to be infeasible. The decision to approve, disapprove, or modify the proposed project or an Alternative is not made by Staff, but is made by the decision-making body after release of the Final EIR.

Comment O1-42

VI. The EIR Must be Recirculated

The draft EIR claims to be a program EIR for the 2021 LRDP. “A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible.” CEQA Guidelines § 15168(c)(5). Future projects and project EIR’s within the 2021 LRDP would be tiered from the draft EIR. “Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project and does not justify deferring such analysis to a later tier EIR or negative declaration.” *Id.* at § 15152(a).

The draft EIR’s discussions and analyses are sufficiently lacking as a program EIR and must be significantly revised and recirculated.

Response O1-42

As discussed in Responses O1-1 through O1-41 there is no merit to this assertion. The commenter's assertions are based upon misrepresentations of the EIR's analysis, conclusions, and CEQA. The UC finds that the modifications and revisions described above do not trigger recirculation.

Comment O1-43

VII. Conclusion

Thank you for your consideration of these concerns.

Response O1-43

UCR appreciates the DeLano & DeLano taking the time to review the 2021 LRDP Draft EIR. This comment contains conclusionary remarks and does not require a response pursuant to CEQA Guidelines Section 15088(a).

LETTER O2 UNIVERSITY NEIGHBORHOOD ASSOCIATION

Gurumantra Khalsa, Co-Chair
September 3, 2021

Comment O2-1

These comments are in response to UCR's 2021 Long Range Development Plan which addresses only the 1,108 acres of campus land on either side of the I-215/SR-60 freeway in the City of Riverside.

The projected student increase to 35,000 is in addition to City's projected population increase of approximately 56,000. This is in effect equivalent to putting a small city (with inadequate infrastructure to support itself) into the surrounding, already overburdened neighborhoods.

The LRDP states a desire to "allow for the growth and expansion of the UCR while ensuring preservation and enhancement of surrounding residential neighborhoods" (4.12-6).

It further states a desire to "enhance the University Neighborhood's quality of life by protecting single family areas, providing quality, affordable housing and enhancing neighborhood shopping". (4.12-6) Yet it offers no definitive policy, practice, or strategy to ensure any meaningful result beyond the merely aspirational.

Response O2-1

The Commenter asserts that "the projected student increase to 35,000 is in addition to the City's projected population increase of approximately 56,000." Please see Responses O1-6 and O1-24.

The language cited by the commenter from Draft EIR p. 4.12-6 is related to the *City of Riverside's* "University Neighborhood Plan," not the 2021 LRDP, and the objectives of the plan are provided as part of the general Environmental Setting discussion for context only. The University Neighborhood Plan is a City of Riverside planning document, and while UCR, as a state entity, is under no obligation to adhere to the objectives of city planning documents, UCR values the communities surrounding the campus (please refer to Master Response 1: Comments on the Project and Other Non-Environmental Issues). The proposed 2021 LRDP was described in detail in Draft EIR, Section 2, *Project Description*.

The comment does not require a change to the Draft EIR; therefore, no additional response is required.

Comment O2-2

It further states that “approximately 77 percent of the total campus population requires non-UCR-affiliated housing under baseline conditions.” (4.12-8) This need for housing will be met by the city of Riverside and surrounding cities in the region. No evidence is given to validate the claim that there will be no significant impacts to those cities or neighborhoods.

Response O2-2

The comment cites a factual statement on Draft EIR p. 4.12-8 that “approximately 77 percent of the total campus population requires non-UCR-affiliated housing under baseline conditions.” As explained in the text, this is a discussion of *baseline conditions*, not an environmental impact analysis. It is not the purpose of CEQA to analyze or mitigate existing baseline conditions, rather, the impact analysis is based upon changes caused by the project in comparison to baseline. (CEQA Guidelines Sections 15125 and 15126.2(a); *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”].

Please refer to Section 4.12.3, *Environmental Impacts and Mitigation Measures*, of the Population and Housing section of the Draft EIR for the full analysis of environmental impacts related to population and housing. Section 4.12.4 of the Draft EIR discusses cumulative impacts related to population and housing in the broader regional area. Revisions to Section 4.12, *Population and Housing*, are included in Final EIR Chapter 4, *Revisions to the Draft EIR*. Also refer to Appendix B of the Final EIR.

Comment O2-3

The residents of the University Neighborhood are well aware of the impacts from the growth and success of UCR in becoming a campus of choice.

Back in 2013 the University Neighborhood Association (UNA) demanded and got a moratorium on all building permits precisely because the impacts from student housing demand were destroying the single-family character of our neighborhood.

Our neighborhood went from over 65% owner occupancy to less than 35%. Long time residents, many with campus ties, sold and moved out of the neighborhood.

As a result of increased campus growth and demand for affordable housing, landlords began cutting up living and dining rooms and making them into bedrooms. It was not unusual to have eight or more students living in a single-family home.

The increase in students residing in these formerly single-family units led to a series of raging parties and disturbances of epic proportions. This further accelerated the exodus of owner-occupied units. Both housing and quality of life conditions were rapidly degrading. Affordability demanded more students crowd into unhealthy and unsafe conditions.

Response O2-3

The State CEQA Guidelines (14 California Code of Regulations Section 15000 et. seq.) establishes the scope of analysis of social and economic impacts of a project and their indirect effects that is

required under CEQA. These provisions, which are described below, provide a framework for considering many of the comments received on social and economic effects of the project, including issues such as student housing affordability, job opportunities, property values, and other socioeconomic impacts.

In evaluating the environmental impacts of a project, an EIR must evaluate indirect physical effects, in addition to the direct effects of a project. Direct effects are effects that are caused by a project and occur at the same time and place. An indirect environmental effect is a change in the physical environment that is not immediately related to a project, but that is caused indirectly by a project. CEQA does not require the analysis of generalized social and economic effects, such as job opportunities and property values. A lead agency is also not required to analyze conclusory statements regarding social and economic impacts that are not supported by substantial evidence in the record. The commenter's assertion that "neighborhood went from over 65% owner occupancy to less than 35%" is unsupported and is a level of detail which is not required to describe baseline conditions. (CEQA Guidelines Section 15125.) Based on the CEQA Guidelines and the requirements of CEQA, this EIR does not address the effects of the project on the potential for environmental impacts due to economic effects such as housing affordability or social changes such as multi-generational or multi-person households.

While local jurisdictions address affordable housing through State-mandated Housing Elements as part of their General Plans, as a State agency the University of California is not subject to the same planning requirements. Section 4.12.2, Regulatory Setting, in Section 4.12, *Population and Housing*, of the Draft EIR provides an overview of the various requirements that affect enrollment levels, and resultant housing needs, in the UC system. Housing affordability is an economic and social issue that may inform decisions made by UCR, but it is not treated as a significant effect on the environment (CEQA Guidelines Section 15064(e), Determining the Significance of the Environmental Effects Caused by a Project) and, therefore, does not require analysis under CEQA. According to CEQA Guidelines Sections 15064(d) and 15064(e), a CEQA document must consider the reasonably foreseeable environmental consequences of physical changes resulting from a project's economic or social changes. That is, social and economic effects are only relevant under CEQA if they would result in, or are caused by, an adverse physical impact to the environment. A shortage in the supply of affordable housing units is not, in and of itself, an identifiable physical impact on the environment. A project's potential effects on property values or housing prices are also not a physical impact on the environment, unless they would result in reasonably foreseeable physical impacts on the environment (e.g., neighborhood blight).

UCR acknowledges that rising housing prices and the constrained supply of affordable housing are important local and regional issues. A core objective of the 2021 LRDP is to increase the supply of university-provided housing significantly to accommodate a greater share of the UCR student population. This comment does not require changes to the Draft EIR, and no additional response is necessary.

Comment O2-4

Our sewerage [sic] system was not designed for this increased capacity... The LRDP offers no evidence to show that campus growth will not impact sanitary sewerage [sic].

Response O2-4

The comment states the 2021 LRDP does not offer evidence regarding impacts to sanitary sewage capacity. It is assumed the comment refers to the Draft EIR characterizing sewer impacts, and not the 2021 LRDP itself.

Potential impacts to the wastewater and sewer infrastructure connecting UCR to the City sewage system are discussed in Section 4.17, *Utilities and Services Systems*, of the Draft EIR in particular under Impact U-1 on Draft EIR p. 4.17-25 through p. 4.17-31. As discussed therein, the City sewer infrastructure is generally in need of upgrading, and the City and UCR both have examined possible upgrades in anticipation of increased population and associated development. The Draft EIR examines impacts related to wastewater flows from the 2021 LRDP, as well as cumulative impacts addressed in Section 4.17.4 of the Draft EIR, which include analysis of the capacity of the RWQCP to treat increased flows from both full 2021 LRDP buildout and full buildout anticipated by the City through 2037. Please see Responses L3-47 through L3-49 for additional information.

This comment does not result in changes to the Draft EIR.

Comment O2-5

The resulting pressure on street parking became problematic leading to a neighborhood wide permitted parking system.

Response O2-5

As discussed in Response O2-2, existing issues are not impacts of the project. Furthermore, as noted in the comment, a permit parking program was implemented, as acknowledged on Draft EIR p. 4.15-6. Please note that parking capacity was removed from CEQA Guidelines Appendix G checklist as an environmental issue area required to be analyzed in the Draft EIR. Nevertheless, parking was discussed on Draft EIR p. 4.15-6.

The proposed 2021 LRDP projects that campus growth would create a net demand of up to 3,100 parking spaces on campus for a total projected capacity of approximately 12,700 spaces. To meet projected demand, the proposed 2021 LRDP includes four new parking structures in addition to Parking Structure 1 (construction completed in 2021).

This comment is also internally inconsistent with Comment O1-22 from UNA, which faults UCR for providing too much parking.

Comment O2-6

It took several years of close collaboration with the City, UCR and the UNA to bring things back to acceptable behaviors. This was due in large part to the efforts of the UNET Team. (University Neighborhood Enhancement Team). This was a joint UCR/City Police collaboration with each supplying five officers to the team.

Under the leadership of UCR Sgt. Anthony Zamora (retired) and Jeff Kraus in Campus Community Relations, several successful initiatives were instituted to teach students living off campus about community standards and expectations. It was so successful that Jeff Kraus and I presented a Town and Gown success story at a Neighborhoods USA Conference in Eugene, OR.

This promising and by all accounts successful collaboration has effectively evaporated in a matter of months.

This year UCR pulled out of UNET agreement stating that they were deploying their resources to on-campus activities. Jeff Kraus was recently let go due to budget constraints. Mr. Kraus was hired specifically because the 2005 LRDP had grossly underestimated the impacts to the University Neighborhood.

Response O2-6

This comment expresses an opinion regarding UNET and police services in the surrounding communities and does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue.

UCR values its partnership with the City and continues to engage in frequent communication/collaboration commands staffs from both agencies. The UCRPD will continue ongoing communications with the City of Riverside police department to evaluate service levels in the areas around campus. It should be noted that individuals are subject to the provisions of the RMC and intermittent community complaints are handled on a case by case basis by enforcement officers. Refer to UCR Relationship to the Surrounding Community under Master Response 1: Comments on the Project and Other Non-Environmental Issues pertaining to the Good Neighbor Guidelines.

While staffing levels and initiatives/programs are important to public services in general to maintain an effective level of service, CEQA is concerned with the physical impacts of a project on the environment. Regarding public services, and in accordance with Appendix G of the CEQA Guidelines, CEQA is concerned specifically with whether a project would result in substantial adverse physical impacts associated with the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services. Please refer to Response L3-28 for a summary of the analysis pertaining to police services in the Initial Study prepared for the 2021 LRDP.

For background purposes, it should be noted that in May of 2016, the City of Riverside was considering the elimination of the UNET program due to budget cuts, in which UCR was not supportive in the elimination of the program. In 2019, UCR approached the City about the transition of UNET away from its historic (25 year) operation to one more focused on specific collaborations during key peak periods (e.g., start of terms) and increased use of technology (e.g., license plate recognition cameras) to increase efficiency. The City and UCR agreed to end UNET in that historic structure in 2019 and it was disbanded in Spring of 2020, and UCR proposed a "UNET 2.0" model for an MOU with the City for the program going forward, but the City did not support that MOU at that time.

Comment O2-7

Without UCR's participation in UNET, we have two city officers on patrol for the entire East policing area. This includes several campus adjacent neighborhoods besides the University Neighborhood. Our response times for disruptive student parties is non-existent.

Response O2-7

This comment states the number of City officers that patrol around the East policing area and inadequate response times to disruptive student parties in the neighborhoods, and does not state a

specific concern or question regarding the sufficiency of the analysis contained in the Draft EIR, nor does the comment raise a new environmental issue.

UCR is not responsible for City's allocation of resources. Individuals are subject to the provisions of the RMC and intermittent community complaints are handled on a case by case basis by enforcement officers. Also refer to Response O2-6.

Comment O2-8

Without Jeff Kraus we have zero contact with campus officials to discuss or plan for solutions to behavior problems we all know will occur and lead to a further degradation of our quality of life. All of UCR's institutional memory and the successful remedies regarding off-campus student behavior are no longer in place leaving the UNA at great risk for an accelerated loss of neighborhood quality of life. It also portends great reputational harm to UCR.

Response O2-8

This comment pertains to the UNA's opinion about the surrounding neighborhood quality of life and does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the Draft EIR, nor does the comment raise a new environmental issue. Therefore, no response is required. However, UCR maintains an institutional commitment that includes staff presence at community meetings (e.g., UNA meetings) and special events to ensure that the continuity of representation and resident's voices are heard. There are many avenues the community can contact the university depending on the relevant issues that arise including but not limited to the Governmental & Community Relations Office, the UCR Police Department, Student Affairs, and the Health, Well-being & Safety Division. Additionally, UCR has established a web reporting form at <https://deanofstudents.ucr.edu/partnership/good-neighbor-report-form#no-back> and a community@ucr.edu email address to receive resident input.

UCR works tirelessly to balance our educational mission with our responsibility to support and protect the health and well-being of our community and region. We strive to make a positive impact on our local economy, culture, and resources—and in turn, the community provides extraordinary experiences and opportunities for our Highlander campus community family. UCR is committed to educating its students of the content of the Good Neighbor Guidelines and responding to incidences appropriately relating to on- and off-campus behavior. The Good Neighbor Guidelines are available to all UCR students, faculty, and staff, as well as the public, and outlines the basic elements of being a responsible member of the greater Riverside community. The Good Neighbor Guidelines also includes a framework for civic engagement and address upkeep and beautification, traffic safety and parking, neighborhood relations, public intoxication and substance abuse, and noise. The guidelines are consistent with the educational role of the University, the rights and needs of all residents, city ordinances, standards of common courtesy, and are directed toward encouraging and maintaining positive neighbor relationships. Refer to UCR Relationship to the Surrounding Community under Master Response 1: Comments on the Project and Other Non-Environmental Issues pertaining to the Good Neighbor Guidelines.

This comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of this Final EIR for their consideration in reviewing the proposed 2021 LRDP and EIR.

Comment O2-9

The LRDP offers no solution to policing or public safety concerns beyond campus borders. To say there will be no impacts is absurd given the history of campus growth.

Response O2-9

The comment raises a question about public safety beyond the campus borders.

The Initial Study for the 2021 LRDP (Appendix A of the Draft EIR) concluded that the need for police services on campus would incrementally increase in relation to student, staff, and faculty population anticipated under the proposed 2021 LRDP. As discussed in the Draft EIR, it is anticipated that the proposed 2021 LRDP would accommodate public safety facility and staffing needs as part of the approximately 1,344,344 gsf new administrative and support facility space proposed in the buildout of the proposed 2021 LRDP. As the LRDP is a development planning document, it does not specifically address staffing, but it is logical to assume that with increased facilities and population would come increased staffing for the police and public safety within the campus.

Policing within the city itself is provided by RPD and is funded by the payment of proportionate property taxes and sales taxes to the City by the residents of Riverside. Likewise, property taxes and sales taxes from new residents in neighboring jurisdictions would support the appropriate police protection agency. Therefore, no further evaluation was required in the Draft EIR. While the comment is noted, it does not raise an issue with the analysis in the Draft EIR and therefore no additional response is required.

Comment O2-10

The LRDP states “The nearest county park to the UCR campus is the Box Springs Mountain Reserve, located 0.6 mile east of the campus. The Reserve is on 3,400 acres of land east of Riverside with several miles of multi-use trails (Riverside County 2020a). The system includes a wide variety of formal and informal trails.”

The University Neighborhood borders the Box Springs Mountain Preserve. This is a wilderness preserve that includes a trail to the “C”, a student- built memorial to celebrate UCR. This trail and the entire Preserve has had **all recreational trail access cut**. This happened because a new Metrolink rail line began using the tracks running along the base of the mountain.

All recreational trail access was cut **at the request of UCR** for student safety concerns. Thus access for not only students, but for the thousands of residents who used these trails for decades has been terminated and remains so today.

At the time access was cut, anyone wishing to use the trails had to cross not only the tracks but also cross private property wilderness parcels. Since that time, those parcels were acquired by the Friends Of Riverside’s Hills and donated to Riverside County Parks with the intention that a bridge and/or tunnel be constructed to reopen safe access.

The LRDP states policies related to parks and recreation in The University Neighborhood Plan. One policy (4.14-10) is “Preservation of the Box Springs Mountain Reserve Park through access restrictions and prevention of off-road vehicles in the open spaces.” I don’t see any evidence to support the claim that access restrictions – zero access currently, will lead to no increases in student use at our other wilderness park sites. If anything, logic would argue for increased usage.

Response O2-10

Please see Response O2-1, which explains that the cited policies from the “University Neighborhood Plan” are the City of Riverside’s policies and plan, not the contents of the UCR 2021 LRDP.

The Box Springs Mountain Reserve has several miles of multi-use trails accessible from Riverside and Moreno Valley. According to the Riverside County Regional Park and Open Space District, the preserve is open for public day use between the hours of 7:00 a.m. and 6:00 p.m. Dogs are also welcome to use the trails.⁶⁷ All Trails reports that the trail loop is lightly trafficked.⁶⁸ These sources document the officially designated public trails, which are maintained by the County and over which the university has no jurisdiction. Enforcement of the rules of park, trail, and reserve use is the responsibility of the County.

The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including the Box Springs Mountain Preserve. Furthermore, the 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics (Draft EIR p. 4.14-15). The university cannot predict nor control the actions of individuals using the wilderness areas in and around Riverside.

Research conducted by the United States Geological Survey (USGS) reports that the most common sources of trail degradation include vegetation loss, erosion, muddiness, exposure of tree roots, and other natural factors.⁶⁹ Pedestrian use was not found to create significant erosion on formal trails or otherwise significantly impact recreational facilities. UCR cannot predict nor control the actions of individuals using the wilderness areas in and around thousands of acres of hiking trails and natural areas in Riverside County.

The 2021 LRDP provides plentiful indoor and outdoor, on-campus recreation areas. Please see Responses L3-30, O1-27, O1-28, and O1-29 for additional information on recreational facilities and analysis.

Comment O2-11

The University Neighborhood does not have any developed parks.

The LRDP states that “The closest City-run parks to the UCR campus are Abdula Park, approximately 0.1 mile southwest of West Campus (approximately 1 mile from International Village), Islander Park, approximately 0.3 mile east of East Campus at the base of the Box Springs Mountains (approximately 0.3 mile from Glen Mor), and Bordwell Park, approximately 0.3 mile west of the West Campus (approximately 0.9 mile from International Village). Other parks near the UCR campus include Highlander Park, approximately 0.2 mile northeast of East Campus (approximately 0.2 mile from Falkirk Apartments), and Mt. Vernon Park, approximately 0.7 mile northeast of East Campus (approximately 0.7 mile northeast of Glen Mor).”

⁶⁷ Riverside County Regional Park and Open-Space District. 2021. [website] <https://www.rivcoparks.org/box-springs-mountain-reserve> (accessed October 2021).

⁶⁸ AllTrails. 2021. “Box Springs Mountain Loop. California/AllTrails. <https://www.alltrails.com/trail/us/california/box-springs-mountain-loop> (accessed October 2021).

⁶⁹ United States Geological Survey (USGS). 2006. Assessing and Understanding Trail Degradation: Results from Big South Fork National River and Recreational Area. Jeffrey L. Marion, Principal Investigator. Blacksburg, VA. February 2006.

Islander Park is the closest city park and it is a wilderness park – only trails. The swimming pool is closed most of the year. The city parks referenced in the LRDP are either not close enough for students to walk to or are wilderness parks under pressure from increased usage.

UCR uses the following significance criteria questions related to recreation. Would the proposed 2021 LRDP: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The LRDP concludes . “THE PROPOSED 2021 LRDP WOULD NOT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THOSE FACILITIES WOULD OCCUR OR BE ACCELERATED. IMPACTS RELATED TO INCREASED USE OF PARKS AND RECREATIONAL FACILITIES WOULD BE LESS THAN SIGNIFICANT. NO MITIGATION MEASURES ARE REQUIRED”.

The assumption that campus growth will have no impact on our parks has already been demonstrated to be false. We went from being under-parked per capita, to becoming even more under-parked with the elimination of the Box Springs Mountain Preserve.

Response O2-11

The comment expresses concern about the use of regional open spaces and parks, and is of the opinion that development under the 2021 LRDP could affect local and regional trails and parks because the area is “being under-parked per capita.” As discussed in Response L3-30, the commenter is not applying the EIR’s significance thresholds or methodology. Furthermore, the Draft EIR’s analysis acknowledges that additional parks spaces will likely be constructed under cumulative conditions.

The Draft EIR provides information about nearby City and County recreation facilities for the purposes of detailing the environmental setting. It is the finding of the Draft EIR that, most parks and off-campus recreational areas are not within walking distance for students (0.5 mile or less), including the Box Springs Mountain Preserve trailheads. To the extent individuals drive to these locations, they would be limited by parking availability. Consequently, UCR is increasing its interior and exterior recreation spaces along with its increased development to accommodate increases in student enrollment, as anticipated under the 2021 LRDP. The management of the Box Springs Mountain Preserve is the purview of the County, and the 2021 LRDP does not include language that encourages use of regional trails, parks, or wilderness areas.

All development proposed under the 2021 LRDP would occur on the campus, including the replacement and expansion of existing residential facilities, which would be accompanied by a commensurate increase or preservation of existing and new outdoor and indoor spaces throughout the campus. While the idea that the student residents may travel to off-campus recreational uses is noted, it is impossible to quantify this and to do so would be speculative and beyond the scope of programmatic or project-level CEQA analysis. The increase in on-campus facilities compensates for the increase in student residents. The Draft EIR reflects assumptions that are the most likely given the situation and the campus population geographic distribution. Because the 2021 LRDP offers commensurate increases in both indoor and outdoor recreation spaces on campus, it adequately provides for the increase in on-campus employees and students.

Please also see Responses L3-30, O1-27, O1-28, O1-29, and O2-10. Revisions to the analysis in the Draft EIR are not necessary.

Comment O2-12

I realize that open space parks and developed parks are two different categories. However, when a neighborhood has only undeveloped, open space parks, and while access to those parks are curtailed or eliminated, the claim of no significant increase in usage can certainly be made, but that goal has come at the expense of an entire community losing access to a singular, treasured neighborhood amenity.

To claim no deterioration at our other wilderness parks due to campus growth defies logic and is unsupported by any evidence. Sycamore Canyon Wilderness Park has massive trail degradation and erosion due to off trail bike riding. The fencing along the Metrolink line has been repeatedly cut to allow access to neighborhood trails. This is an unsafe condition and unlikely to keep everyone off the trails.

Response O2-12

As explained in Response O2-2, it is not the purpose of CEQA to analyze or mitigate existing baseline conditions, rather the impact analysis is based upon changes caused by the project in comparison to baseline. (CEQA Guidelines Sections 15125 and 15126.2(a); *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]).

The commenter’s concern about the loss of the Box Springs Preserve as a recreational amenity is noted. Vandalism and provisional or informal trail cutting are existing problems in many wilderness areas and the jurisdiction under which those areas fall work hard to address these. As noted in the Draft EIR, the 2021 LRDP provides increased interior and exterior recreational spaces designed to meet the needs of increased student enrollment and growing staff and faculty, including off campus faculty/staff/students. The 2021 LRDP would include the replacement and expansion of existing residential facilities, which would be accompanied by a commensurate increase or preservation of existing and new outdoor and indoor spaces throughout the campus. All development proposed under the 2021 LRDP would occur on the campus, including the replacement and expansion of existing residential facilities, which would be accompanied by a commensurate increase or preservation of existing and new outdoor and indoor spaces throughout the campus. While the idea that the student residents may travel to off-campus recreational uses is noted, it is impossible to quantify this and to do so would be speculative and beyond the scope of programmatic or project-level CEQA analysis, and would not be significant, as explained in response L3-30. The increase in on-campus facilities compensates for the increase in student residents. The Draft EIR reflects assumptions that are the most likely given the situation and the campus population geographic distribution. Because the 2021 LRDP offers commensurate increases in both indoor and outdoor recreation spaces on campus, it adequately provides for the increase in on-campus employees and students. Please also see Responses L3-30, O1-27, O1-28, O1-29, and O2-10. Revisions to the analysis in the Draft EIR are not necessary.

Comment O2-13

Thank you for your consideration of these comments on behalf of the entire University Neighborhood Association.

Response O2-13

UCR appreciates the UNA taking the time to review the 2021 LRDP Draft EIR. This comment contains conclusory remarks and does not require a response pursuant to CEQA Guidelines Section 15088(a).

2.3.5 Individuals

LETTER I1 LETITIA PEPPER

July 15, 2021

Comment I1-1

First, I believe that Newson's Executive Order re in-person meetings has expired. Therefore, UCR must hold in-person meetings about this plan.

Response I1-1

The commenter incorrectly alleges that Governor Newsom's Executive Order for in-person meeting has expired during the time of the Draft EIR comment period and that UCR must hold an in-person meeting. As a result of the ongoing outbreak of COVID-19, recommendations placed on in-person gatherings throughout California, and based on Governor Newsom's signed Executive Order N-29-20 allowing local and state agencies to hold virtual meetings via teleconference, the 2021 LRDP Draft EIR public hearing was held on August 4, 2021 via Zoom. Executive Order N-29-20 did not expire until September 30, 2021, approximately two months after the virtual public hearing (Executive Order N-08-21).

Comment I1-2

Second, regardless of whether that order has expired, UCR signed a Settlement Agreement with Smart Neighbors for Smart Growth several years ago. That Settlement Agreement requires UCR to hold two meetings with the nearby residents (who would include the members of Smart Neighbors and the University Neighborhood Association) BEFORE it engages in any CEQA-related project.

The LRDP is a CEQA-related project. Therefore, before UCR begins CEQ-required[sic] meetings on the LRDP, it first needs to fulfill the prerequisite two meetings with us, the nearby residents who obtained this contractual concession from UCR. With us, not with the City at large.

Response I1-2

This comment expresses an opinion on the Smart Neighbors for Smart Growth (SNSG) Settlement Agreement and does not address the adequacy of the EIR analysis. An email response dated July 21, 2021, was sent to the commenter from University of California (UC) Legal - Office of General Counsel which stated the following:

The UCR campus disagrees with your assertion that the preliminary meeting requirement set forth in the 2006 settlement agreement between the campus and Smart Neighbors for Smart Growth (SNSG) applies to the 2021 Long Range Development Plan (LRDP). As you point out in your email, the SNSG agreement requires the campus to hold two public meetings prior to the release of CEQA documentation for public review: one to solicit input on project design, and a subsequent design selection meeting to present the project proposed by the campus to be

subject to CEQA. These meetings are intended to be prior to, and in addition to, any meetings required by CEQA or to approve the project. While the LRDP is a "project" as defined by CEQA and must undergo environmental review, it is not an implementation plan or a commitment to any specific project or project design. Rather, it is a long-range planning document intended to guide campus development for the next 15 years. For this reason, it is not the type of project that was contemplated in the SNSG agreement as requiring two pre-CEQA meetings. The pre-CEQA meetings, as evidenced by the language in Section 3A of the SNSG agreement, are intended to apply to campus development projects that go through a "schematic design phase" and undergo "project design," neither of which are part of or applicable to the LRDP. Future campus development projects proposed pursuant to the LRDP and subject to public review under CEQA will be subject to the pre-CEQA public meeting requirement set forth in the SNSG agreement, and such meetings will be noticed and held accordingly.

In the meantime, the LRDP and the LRDP Draft EIR will be subject to extensive public review at multiple junctures, including an over 45-day period for public review and comment that started on July 14, a public meeting on August 4, and consideration by the Regents this fall."⁷⁰

This comment does not address the adequacy of the EIR analysis. No further response is necessary.

Comment I1-3

I've included Jeff Kraus in this email because he knows all about this. Don't you, Jeff?

Also, UCR cannot unilaterally decide to whom in our neighborhood to give emailed notice of those two neighborhood meetings. There is no way we can be sure that UCR's emails went to everyone in our area -- as opposed to the City at large.

So UCR is going to have to coordinate with us to send out notices to the nearby residents about the two pre-requisite meetings that must be held before anything on the LRDP can be held. Since there is not a master e-mail list for area residents, this is going to need to involve signage and notices taken door to door -- notices whose contents will need to be approved by Smart Neighbors for Samrt[sic] Growth and the UNA leadership.

We look forward to your response; please "reply all" to this e-mail.

Response I1-3

This comment does not address the adequacy of the EIR analysis. No further response is necessary. Please refer to Response I1-2 pertaining to compliance with the SNSG Settlement Agreement for community meetings.

Comment I1-4

Well, Jeff Kraus's e-mail just bounced back, so maybe Jeff finally retired from UCR. That may explain why no one bothered to mention to you the Settlement Agreement and the need for two pre-CEQA meetings with our neighborhood before any CEQA project can begin.

Has UCR abandoned have a Community Laison[sic] Officer? If not, wold[sic] you please give me the name and contact information for Jeff's successor?

⁷⁰ Krumbein, Alison. 2021. Senior Counsel, UC Legal – Office of the General Counsel. Email Correspondence to Ms. Letitia Pepper. July 21, 2021.

Again, please hit "reply all" when you respond, so the other interested parties -- who knew Jeff -- can have that information as well.

Response I1-4

This comment does not address the adequacy of the EIR analysis. No further response is necessary. Please refer to Response I1-2 pertaining to compliance with the SNSG Settlement Agreement for community meetings.

Comment I1-5

I have just been informed that UCR fired Jeff the week before last, only giving him to the end of the day to clear out his office.

UCR did not interview him on the way out, did not bother to get his contact list or find out what were the things he was working on.

The Vice Chancellor he was working for is supposed to take over his responsibilities, but she commutes from Indio. I do not know her name.

Since you work for UCR, please find out who is handling the community liaison now, so she can be copied with these e-mails. She probably doesn't know about the Settlement Agreement; that may be why UCR fired Jeff -- because he KNEW, and organized the two-pre-CEQA meetings.

Response I1-5

This comment does not address the adequacy of the EIR analysis. No further response is necessary. Please refer to Response I1-2 pertaining to compliance with the SNSG Settlement Agreement for community meetings.

LETTER I2 ELLEN WHITEHEAD

August 17, 2021

Comment I2-1

The campus is moving away from using "freshmen" and now using "first-year student."

Response I2-1

This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required. However, this comment is noted, and a footnote on page 2 (PDF page 10) in the 2021 LRDP document has been revised to note that the use of the term "freshmen" is interchangeable with "first-year" and edits have been made on pages 2 and 38 (PDF pages 10 and 46) in the 2021 LRDP document.

Comment I2-2

The Student Life section focuses primarily on Housing, Student Union, Recreation, Athletics, etc, but does not specifically mention other units within Student Affairs that need additional space and consideration (i.e., Costo Hall offices and other student support centers/departments). I did chat with Uma and he reassured me that these areas are being considered. It might be helpful to add a note about these areas.

Response I2-2

The Student Life program in the 2021 LRDP program model is inclusive of the spaces the commenter notes above. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

LETTER I3 RICHARD BLOCK

September 2, 2021

Comment I3-1

Please consider the comments in this letter on the DEIR for the new UCR LRDP. As an emeritus UCR faculty member, I generally approve of UCR's initiatives, including much of the DEIR for this LRDP. However, I point out certain inadequacies in the DEIR's analysis of impacts on off-campus sites. The necessity of adequate analysis of such off-campus impacts had been emphasized by the California Supreme Court, which in *City of San Diego et al. v. Board of Trustees of the California State University* (2015) stated

"...the Board's interpretation of the Marina dictum is mistaken because it depends on legally unsupportable distinction between environmental impacts occurring on the project site and those occurring off-site. CEQA draws no such distinction for purposes of mitigation. Instead, CEQA defines the "environment" as "the physical conditions which exist within the area which will be affected by a proposed project" (Pub. Resources Code, § 21060.5) and mandates that "[e]ach public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so" (id., 21002.1, subd. (b), italics added). Indeed, this point represents one of Marina's main holdings. (See Marina, supra, 39 Cal.4th at pp. 359–360, 367, 46 Cal.Rptr.3d 355, 138 P.3d 692.) In the 2007 EIR, the Board commits to undertake a wide variety of mitigation measures on the SDSU campus (e.g., constructing noise barriers, preserving on-site native plant habitats, creating wetlands, and incorporating flow control measures to prevent erosion). If these on-site mitigation measures can be properly funded through the project budget without an earmarked appropriation, then so too can off-site mitigation measures."

I shall concentrate in the present comment letter on the potential physical impact on off-campus park facilities, especially on the hiking trails in the Box Springs Mountain Park/Reserve (BSMP/R).

Response I3-1

Comment noted. This comment does not raise an issue with the analysis in the Draft EIR and provides a summary of their interpretation of CEQA case law; therefore, no additional response is required.

Comment I3-2

As is obvious, and explicitly stated in the 2019 EIR for UCR's North District Development (NDD) Plan, even though "the NDD Plan would not increase enrollment, and therefore would not have an effect on the demand for regional parks or recreational facilities", nevertheless "unmet demand for recreational facilities could lead to use of off-campus facilities." In contrast to the NDD, the LRDP calls for a huge increase in enrollment. However, at p. 67 (the DEIR page numbers in this letter are the pdf page numbers of the 900 page pdf), the present DEIR makes the conclusory statement:

“Recreation Impact REC-1. The proposed 2021 LRDP would include most of the recreational facilities and parkland on the UCR campus and incrementally develop new recreation facilities and open spaces that would adequately serve the campus population. The proposed 2021 LRDP would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of those facilities would occur or be accelerated. Impacts related to increased use of parks and recreational facilities would be less than significant. No mitigation measures are required.”

However, there is no evidence presented in the DEIR for these speculative claims regarding use and physical deterioration of nearby existing parks. I will provide evidence of potential impacts, in particular pertaining to hiking and biking in Riverside County’s nearby BSMP/R.

Response I3-2

In brief, the commenter states that the off-campus park deterioration is not adequately addressed in the Draft EIR. The commenter further alleges that the EIR analysis is conclusory, by citing pdf page 67 (Draft EIR p. ES-53), which is within the *Executive Summary* of the Draft EIR.

The Executive Summary is required to “contain a *brief* summary of the proposed actions and its consequences. The language of the summary should be as clear *and simple as reasonably practical.*” (Emphasis added; CEQA Guidelines Section 15123.) Draft EIR Section 4.14 provides a detailed 24 page analysis of recreational resources. The commenter is referred to Section 4.14, *Recreation*, for further information.

The 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics. (Draft EIR p. 4.14-15)

The commonly accepted standard for park access/walkability is 0.5 mile and 10 minutes,^{71,72} and individual's willingness to walk varies greatly depending on age, health, time availability, quality of surroundings, safety, climate, and many other factors.⁷³ While the idea that student residents may travel to off-campus recreational uses is noted, it is impossible to quantify this, and it would be speculative to attempt quantifying the number of visitors for each trail and park. Furthermore, such facilities would also be potentially limited by vehicular parking available. Logical assumptions have been used in the analysis of programmatic-level impacts. The increase in on-campus facilities compensates for the increase in student residents. As explained in Section 4.14, under Impact REC-1 (Draft EIR p. 4.14-17 and p. 4.14-18), as revised:

...There are four State parks and two State Recreation Areas near the UCR campus that the campus population may utilize. Additionally, there are five off-campus parks near the UCR campus that the campus population may utilize....Other parks near the UCR campus include Highlander Park, approximately 0.2 mile northeast of East Campus (approximately 0.2 mile from Falkirk Apartments and 0.8 mile from the center of East Campus) and Mt. Vernon Park, approximately 0.7 mile from East Campus (approximately 0.2 mile northeast of Glen Mor and

⁷¹ U.S. Department of Transportation. 2008. National Highway Traffic Study Administration and the Bureau of Transportation Statistics. *National Survey of Pedestrian and Bicyclist Attitudes and Behaviors*. August 2008.

⁷² The Trust for Public Land. 2021. 2021 City Park Facts: The Year in Parks. May 2021.

⁷³ Smart Cities Dive. 2017. Pedestrians and Park Planning: How Far Will People Walk? [webpage].

<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/pedestrians-and-park-planning-how-far-will-people-walk/24937/> (accessed October 2021).

1.2 miles from the center of East Campus). ~~However, because~~ Since these facilities are not in the immediate vicinity of UCR, they are unlikely to be used by campus population on a regular basis, especially when considering UCR provides more, as well as a variety of different recreational facilities than is accessible at these regional and community parks. As described above, students are primarily expected to use on-campus recreational facilities... The closest off-campus parks to campus, such as Andulka Park and Bordwell Park have facilities such as basketball courts, tennis courts, and baseball fields. If certain facilities are being used (i.e., turf area, tennis courts), individuals may elect to participate in ongoing activities or choose alternate activities in the area. The impacts of increased use of parks would not result in substantial deterioration.

...

It is anticipated the new campus population accommodated under the proposed 2021 LRDP would mostly utilize on-campus recreational facilities and to the extent they use off-campus facilities, they would use bicycle and trail networks in the region. Increased usage of bike paths does not typically result in substantial deterioration, rather bike facilities are typically deteriorated by tree roots and natural phenomena.

The Draft EIR reflects assumptions that are the most likely given the situation and the campus population geographic distribution. Because the 2021 LRDP offers commensurate increases in both indoor and outdoor recreation spaces on campus, it adequately provides for the increase in on-campus employees and students. Similar reasoning was expressly upheld in *Save Our Access San Gabriel Mountains v. Watershed Conservation Authority* (2021) Case No. B303494 __Cal.App.5th__ [“concluding there would be not substantial physical deterioration [of parks] (or acceleration of deterioration, because displaced visitors would be dispersed across a large region. That is a rational conclusion...”)]. Please see Final EIR Chapter 4, *Revisions to the Draft EIR*.

Comment I3-3

Hiking up and down a mountain, especially by young people, has become very popular in recent years. Indeed, regarding the City’s Mount Rubidoux (on the far side of downtown, and thus not close to UCR) as noted in

<https://www.pe.com/2016/07/13/riverside-city-to-track-number-of-mount-rubidoux-visitors/>

“It’s clear that Riverside’s Mount Rubidoux has become increasingly popular in recent years, but the city now has a way to measure the park’s visitors. Early last month the parks department installed automated counters that detect how many people, whether on foot or on bicycles, are coming into the park through its two official entrances. Statistics for cyclists aren’t yet available, but early numbers for walkers show an average of about 2,100 a day are using the mountain, though some days saw more than 3,000 visitors, according to a city report. Poles at the 9th Street and Glenwood Drive entrances contain infrared lights that track how many times their beam is broken. They don’t register people who enter on unofficial trails.”

That was in 2016, and more recent (pre-Covid) figures, as recounted by the City’s Parks Department, are often 5,000 hikers using Mt. Rubidoux on a weekend day. But Mt. Rubidoux is (DEIR p. 664) “about 5 miles west of campus”, and UCR students, faculty and staff who want to hike up and down a mountain, in expansive open space with wide vista views, use the trails on the near-campus BSMP/R. I happen to be personally knowledgeable about the BSMP/R and its use: I was the founder and President of the Box Springs Mountains Conservation Association which in the 1970s led the citizen impetus for the County to acquire 2,200 acres to establish the Park, and I was involved then

in consideration of establishment of some of the Park trails (e.g., the “Skyline Trail”). A few years ago, as an officer of Friends of Riverside’s Hills (FRH) I helped negotiate an agreement with the Riverside County Transportation Commission (RCTC) that (as mitigation) provided funding that led to the conservation of an additional 900 acres on Box Springs Mountain. The BSMP/R now has 3,400 acres preserved as natural open space, with miles of hiking trails (not paved, unlike Mt. Rubidoux, and thus more natural).

Response I3-3

The comment presents their anecdotal opinion of the growing trail use in city open space systems, particularly the Box Springs Mountain Park/Reserve. Furthermore, outdoor activities/uses during the last two years (2020 and 2021) are not considered representative of typical recreational uses due to the COVID-19 pandemic, which precluded individuals from socializing in indoor areas.

Please see Response O2-10, Response O2-11, Response I3-2, and Response I3-4 through Response I3-11 for further information related to recreation facility use by the UCR campus population.

Comment I3-4

For generations there have been two main trail accesses to Box Springs Mountain from the side close to the campus, the Park’s west side: the Big C trail and the Two Trees Trail. The one that was especially popular with UCR students (and faculty and staff) was the Big C trail that went from the east end Big Springs Rd, about 0.5 miles east of the UCR campus, across the rail tracks and up to UCR’s Big C. The Big C is a large concrete letter C (for Cal) constructed by UCR students in the 1950s, and is on the 160 acre UC Land Reserve on Box Springs Mountain (that reserve is now largely surrounded by the County’s BSMP/R). More on the UCR Reserve and the present condition of the Big C below, but for now I concentrate on the Big C trail. For generations of UCR students, it was a tradition to make hikes on that trail up to the Big C and back, and large numbers of UCR students (and staff and faculty) did so regularly – in fact such a hike was a feature event of each year’s UCR Homecoming event (UCR people, especially sports teams, are informally called Highlanders). That hike involved trespassing across the railroad tracks (and also across some private land since added to the County and City parks). A few years ago, after several Metrolink passenger trains a day began running past there, RCTC, which owned the rail right-of-way, put up a fence (from Mt Vernon Ave to south of Big Springs Rd) to prevent such trespassing. Now significant numbers of UCR students still use that trail (one often sees their headlamps at night) by crawling through a culvert or going under or over the fence, or (a longer way) by using BSMP/R trails from near the end of Blaine St, but large numbers instead use the Two Trees Trail, which is farther north and starts at the end of Two Trees Rd and climbs about 1,000 feet (versus about 400 feet for Mt Rubidoux trails) to the Park ranger’s house, from where other trails spread out.

For over 50 years I have lived at 424 Two Trees Rd, which is at the start (bottom) of the Two Trees Trail, and have had a good view of the amount of people using that trail. I have talked with many of them (there is a small parking lot there) and a very large number of them are associated with UCR, most often students (sometimes partying in the parking lot with loud music). In recent years, particularly since the fence closed off easy student access to the Big C trail, I have personally observed that there has been a huge increase in the number of people, especially UCR students, using the trail. Of course the number of those users is a small fraction of that for Mt Rubidoux, consistent with the fact that the Two Trees trail is much steeper, much longer and much more rugged.

Indeed, unlike the main Mt Rubidoux trails, which are paved, the Two Trees Trail (and the other BSMP/R trails) are unpaved, thus fragile and subject to deterioration from overuse. Such overuse has already resulted in negative impacts, and further increase in use will result in even more negative environmental impacts on the land which is after all part of a Multiple Species Habitat Conservation Plan (MSHCP) Reserve.

Response I3-4

The comment discusses the trails and open spaces in Riverside that are affected by pedestrian use.

The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including the Box Springs Mountain Preserve. Furthermore, the 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics (Draft EIR p. 4.14-15). Finally, the USGS notes that the most common sources of trail degradation include vegetation loss, erosion, muddiness, exposure of tree roots, among other natural factors.⁷⁴

The anecdotal opinion about trail use near the commenter's home is noted. However, the commenter does not provide underlying evidence and determining the number of people who may use the trail who are unique to UCR is beyond the scope of analysis required by CEQA for this project. Furthermore, numerous other commenters believe that similar analysis should be performed at locations which are individually important to them. (e.g., Comment L3-30 [Commenting upon usage of City Parks and facilities, Gage Canal Trail], Comment I3-8 [commenting upon usage of the 1,500-acre Sycamore Canyon]). CEQA Guidelines Section 15204(a) explains that "reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project." UCR alone encompasses over 1,100 acres of land, and there are thousands of acres of parks, open space, natural habitat and hiking trails within the region. Furthermore, UCR's population is dwarfed by the overall population of Riverside County (approximately 2.5 million). It is infeasible to quantitatively analyze and project usage for all these dispersed locations throughout the county.

The 2021 LRDP provides plentiful indoor and outdoor, on-campus recreation areas. MSHCPs are under the jurisdiction of their lead agencies, who also enforce their provisions, which is beyond the purview of the university and outside the scope of the 2021 LRDP. This comment does not require a revision to the Draft EIR.

Comment I3-5

Such potential impacts from substantially increased use due to the increase in use by UCR people include (but are not limited to) uncontrolled widening of the trail, cut-trenches to shorten switchbacks, breaking down of water-bars, increases in erosion, graffiti, trash, human-caused wildland fires, sometimes from smokers (DEIR p. 785: "The Box Springs Mountains area has Very High risk fire susceptibility), and the need for emergency medical personnel (just a couple of weeks

⁷⁴ United States Geological Survey (USGS). 2006. Assessing and Understanding Trail Degradation: Results from Big South Fork National River and Recreational Area. Jeffrey L. Marion, Principal Investigator. Blacksburg, VA. February 2006.

ago, a hiker collapsed and died on the trail, with fire engines with EMTs appearing at the end of Two Trees Rd to attend to him).

Response I3-5

The comment discusses the trails and open spaces in Riverside and concern that increased use will damage the preserve and require emergency personnel.

This concerns expressed in this comment are noted, as quoted and discussed in the Draft EIR. The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including the Box Springs Mountain Preserve. Furthermore, the 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics (Draft EIR p. 4.14-15). Finally, the USGS notes that the most common sources of trail degradation include vegetation loss, erosion, muddiness, exposure of tree roots, among other natural factors.⁷⁵ Pedestrian use was not found to create significant erosion on formal trails or otherwise significantly impact recreational facilities. Once underlying soil has become exposed, such as on the existing trails, natural processes are the primary contributor to erosion, not increased usage. The university cannot predict nor control the actions of individuals using the wilderness areas in and around Riverside. Additionally, as noted above and Comment I3-9, access to the “Big C trail” has been cutoff and limited through the installation of fencing. It should be noted that the City has posted a sign at the beginning of a trail access at Big Springs Road and Goodrich Drive noting that there is No “C” Trail Access and not to enter. While some limited amount of trespassing may occur, such as crawling through the cited culvert, such impediments are substantial barriers to most of the population, and usage is not anticipated to exceed baseline levels before the fence was installed.

Comment I3-9 also appears inconsistent with this comment and seeks to increase access to the trail. Consequently, it is unclear whether the commenter wants to limit access or increase access to the trails.

The 2021 LRDP provides plentiful indoor and outdoor, on-campus recreation areas. This comment does not require a revision to the Draft EIR.

Comment I3-6

Many of the above factors resulting from overuse/abuse of the trails can lead to local slope failures/landslides, as the DEIR at p. 789 notes:

“Steep topography fractured and unconsolidated bedrock conditions, and expansive soils make hillside areas unstable, including those in the Box Springs Mountains area. Landsliding in these areas may result from heavy rain, erosion, removal of vegetation, seismic activity, wildfire, or combinations of these and other factors.”

Thus, the LRDP’s large increase in the number of UCR people, with concomitant large increase in use of the BSMP/R trails, portends potential negative impacts.

⁷⁵ United States Geological Survey (USGS). 2006. Assessing and Understanding Trail Degradation: Results from Big South Fork National River and Recreational Area. Jeffrey L. Marion, Principal Investigator. Blacksburg, VA. February 2006.

Response I3-6

The comment notes that increase in the use of local trails could result in local slope failures.

The Draft EIR discusses slope failure relative to seismic activity and post-fire vegetation removal in Section 4.7, *Geology and Soils*, and Section 4.18, *Wildfire*. Neither of these sections puts forth information that pedestrian use of the trails would result in slope failure. The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including the Box Springs Mountain Preserve. Furthermore, the 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics (Draft EIR p. 4.14-15). The 2021 LRDP provides plentiful indoor and outdoor, on-campus recreation areas. Please see Response I3-5. This comment does not require a revision to the Draft EIR.

Comment I3-7

The DEIR, at p. 679, states

“The campus population would continue to have full access to on-campus parks and recreational facilities, which would reduce the need to use off-campus community facilities. However, the proposed 2021 LRDP would incrementally result in an increase in off-campus residents of approximately 6,395 people (13,884 net increase to the campus population – 7,489 new on-campus beds) by academic year 2035/2036. There are four State parks and two State Recreation Areas near the UCR campus that the campus population may utilize. Additionally, there are five off-campus parks near the UCR campus that the campus population may utilize.”

and then goes on to list those five City parks, but fails to even mention there the Box Springs Mountain Park/Reserve, which is a County facility (neither state nor city). The same paragraph then goes on to claim:

“However, because these facilities are not in the immediate vicinity of UCR, they are unlikely to be used by campus population on a regular basis, especially when considering UCR provides more, as well as a variety of different recreational facilities than is accessible at these regional and community parks ... The impacts of increased use of parks would not result in substantial deterioration.”

But to the contrary, there is a facility near the campus, namely the BSMP/R, which offers hiking (and mountain biking) in an expansive open space wildland mountain-type experience that is simply unavailable on the UCR campus and is used by campus population on a regular basis. The relatively small and cultivated UCR Botanic Gardens (DEIR p. 166: “approximately 40 acres” “situated on a slight rise”) and nearby UCR open space are neither large enough, wild enough, nor high and steep enough to offer anything like a comparable experience. Recent years’ increases in UCR students, faculty and staff have already led to much higher use of the Two Trees Trail. It is evident that the LRDP’s large further increase in UCR people, 13,448 including 7,489 new on-campus beds, will include many who, like for the present UCR people, will avail themselves of the nearby mountain hiking or biking experience. This has the potential to sharply increase the use of the Two Trees Trail and thus the negative environmental impacts there, as noted above. The DEIR is inadequate in completely failing to consider any of this.

Response I3-7

The commenter is concerned that the increased population on campus will use the trails near his residence and result in environmental impacts.

The commenter alleges that the DEIR does not consider the Box Springs Mountain Reserve. This recreational facility was described on Draft EIR p. 4.14-2, which states “The nearest county park to the UCR campus is the Box Springs Mountain Reserve, located 0.6 mile east of the campus. The Reserve is on 3,400 acres of land east of Riverside with several miles of multi-use trails (Riverside County 2020a).”⁷⁶ The system includes a wide variety of formal and informal trails. Riverside County maintains sections of a major regional multi-use trail, the Santa Ana River Trail. This trail is a multi-use trail complex that runs alongside the Santa Ana River and is part of a planned regional trail extending across multiple jurisdictions from the Pacific Ocean in Orange County through Riverside County to the San Bernardino Mountains in San Bernardino County.”

Currently, according to Table 4.12-9, *Baseline UCR Campus Population Resident Distribution*, in Section 4.12, *Population and Housing*, of the Draft EIR, 23 percent of the total campus population lives on campus, with the largest portion of campus population (45 percent) living more than 20 miles from the UCR campus, outside of Riverside, and only 10 percent of the total population living in Riverside. The 2021 LRDP would facilitate development that would increase student housing on campus to accommodate up to 40 percent of new students (68 percent of the increase in the student population). The increase in student housing would be accompanied by increased recreational amenities, as described above and detailed in the Draft EIR and the 2021 LRDP. These would largely be single students with a lower proportion constituting families.

Under current conditions, UCR does not offer housing for faculty and staff; this would continue to be the case under the 2021 LRDP. Thus, new staff, faculty, and their families and friends, along with 60 percent of the student body, would not be living on campus. If they do choose to live in Riverside, their residences would be subject to the City regulations concerning parks. As predicted by current trends, approximately 45 percent of staff and faculty would reside more than 20 miles from the UCR campus (See Draft EIR Table 4.12-9, *Baseline UCR Campus Population Residence Distribution*); this portion of the campus population constitute commuters who are more likely to use recreation facilities close to home when they are not in class or at work, and their residences would have been subject to the same State-legislated in-lieu recreation fees as those built within Riverside. If they use open spaces and pedestrian trails while at work (e.g., on a 30- to 60-minute lunch break), it is logical to assume they are not likely to travel off campus because of time constraints. The commonly accepted standard for park access/walkability is 0.5 mile and 10 minutes,^{77,78} and individual's willingness to walk varies greatly depending on age, health, time availability, quality of surroundings, safety, climate, and many other factors.⁷⁹

While the idea that student residents may travel to off-campus recreational uses is noted, it is impossible to quantify this, and it would be speculative to attempt quantifying the number of visitors for each trail and park. Logical assumptions have been used in the analysis of programmatic-level impacts. The increase in on-campus facilities compensates for the increase in student

⁷⁶ In-text citations provided in this quote are found at the end of Section 4.14, *Recreation*, and in Section 7, *References*, in the 2021 LRDP Draft EIR and provided as part of the Draft EIR Administrative Record.

⁷⁷ U.S. Department of Transportation. 2008. National Highway Traffic Study Administration and the Bureau of Transportation Statistics. *National Survey of Pedestrian and Bicyclist Attitudes and Behaviors*. August 2008.

⁷⁸ The Trust for Public Land. 2021. 2021 City Park Facts: The Year in Parks. May 2021.

⁷⁹ Smart Cities Dive. 2017. Pedestrians and Park Planning: How Far Will People Walk? [webpage].

<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/pedestrians-and-park-planning-how-far-will-people-walk/24937/> (accessed October 2021).

residents. The Draft EIR reflects assumptions that are the most likely given the situation and the campus population geographic distribution. Because the 2021 LRDP offers commensurate increases in both indoor and outdoor recreation spaces on campus, it adequately provides for the increase in on-campus employees and students. Nevertheless, clarifications have been added to Draft EIR p. 4.14-17 (please see Final EIR Chapter 4, *Revisions to the Draft EIR*):

Operation – Off-Campus

The campus population would continue to have full access to on-campus parks and recreational facilities, which would reduce the need for new students/faculty/staff to use off-campus community facilities. However, the proposed 2021 LRDP would incrementally result in an increase in off-campus residents of approximately 3,589 new students and 2,806 faculty and staff ~~6,395 people (13,884 net increase to the campus population – 7,489 new on-campus beds)~~ by academic year 2035/2036. There are four State parks and two State Recreation Areas near the UCR campus that the campus population may utilize. Additionally, there are five off-campus parks near the UCR campus that the campus population may utilize. ~~The closest~~ Nearby off-campus parks ~~to the UCR campus are~~ include Andulka Park, approximately 0.1 mile southwest of West Campus (approximately 1 mile from International Village and more than 2 miles from the center of East Campus), Islander Park, approximately 0.3 mile east of East Campus at the base of the Box Springs Mountains (approximately 0.3 mile from Glen Mor and 0.8 mile from the center of East Campus), the Box Springs Mountain Reserve (approximately 1 mile east of the center of East Campus), Two Trees Trail (approximately 1.5 miles east of the center of East Campus), and Bordwell Park, approximately 0.3 mile west of the West Campus (approximately 0.9 mile from International Village and nearly 2 miles from the center of East Campus). Other parks near the UCR campus include Highlander Park, approximately 0.2 mile northeast of East Campus (approximately 0.2 mile from Falkirk Apartments and 0.8 mile from the center of East Campus) and Mt. Vernon Park, approximately 0.7 mile from East Campus (approximately 0.2 mile northeast of Glen Mor and 1.2 miles from the center of East Campus). ~~However, because~~ Since these facilities are not in the immediate vicinity of UCR, they are unlikely to be used by campus population on a regular basis, especially when considering UCR provides more, as well as a variety of different recreational facilities than is accessible at these regional and community parks. As described above, students are primarily expected to use on-campus recreational facilities, including but not limited to the 155,000-square-foot UCR Student Recreation Center, a Baseball Complex, Soccer fields, Harrison Field (Softball), the UCR Track Facility, a long distance cross country course, Johnson Family Practice Center, the Botanic Gardens, pedestrian and bike paths, and numerous outdoor malls, courtyards and open spaces. As discussed in the regulatory setting discussion under “Student Recreation Center,” memberships are included in tuition fees, and included 28,375 individuals. Consequently, many students, faculty, and staff would have easy on-site access to existing and improved UCR recreational facilities which will be substantially more convenient and accessible than off-site locations. The closest off-campus parks to campus, such as Andulka Park and Bordwell Park have facilities such as basketball courts, tennis courts, and baseball fields. If certain facilities are being used (i.e., turf area, tennis courts), individuals may elect to participate in ongoing activities or choose alternate activities in the area. The impacts of increased use of parks would not result in substantial deterioration.

The above text clarification does not constitute substantial new information, as defined by the State CEQA Guidelines Section 15088.5 as they provide clarity and do not change the significance of any

impacts. As such, recirculation of the Draft EIR is not required under CEQA standards and is not required prior to consideration by the Regents for certification.

Comment I3-8

Aside from the impacts on the Box Springs Mountain Park/Reserve, the planned increase in UCR population has the potential to have similar impacts on the City's 1,500 acre Sycamore Canyon Wilderness Park (SCWP). Although not offering the mountain experience of the BSMP/R, it too offers trails with an expansive open space experience that the very limited UCR campus open space area cannot offer. SCWP trails already suffer from many of the same impacts indicated above for the BSMP/R trails, and the huge increase in UCR people, many using the SCWP trails, will involve similar potential negative impacts to those in the BSMP/R. In this letter I am emphasizing the BSMP/R because I am more familiar with it.

Response I3-8

Please refer to Response I3-7.

Comment I3-9

Regarding the Big C Trail in the BSMP/R, where easy access from the UCR campus has been cut off by the fence along RCTC's rail right-of-way, in order to make that access available again, there needs to be a tunnel under or bridge over RCTC's single-track 100-foot wide right-of-way (no at-grade crossing would be allowed). As part of the settlement of litigation between FRH and RCTC a few years ago, RCTC agreed to allow licensing for a tunnel undercrossing – such a crossing would also serve as a wildlife crossing. FRH subsequently arranged for the engineering firm Hernandez, Kroone & Associates, Inc. to issue a report recommending locations and estimating the costs of such a crossing. The HKA engineering report showed two undercrossing sites (and one bridge crossing site) were feasible, Site 1 a bit north of the east end of Big Springs Rd, and the Site 2 several hundred feet farther north (with a bridge crossing site somewhat farther north). The engineering cost for either undercrossing site was estimated (at that time) to be a little under \$1 million. Subsequently, another FRH officer and I met with UCR Chancellor Kim Wilcox and then-newly-appointed Vice-Chancellor Gerry Bomotti to discuss the possibilities, and provided them a copy of the engineering report. The Chancellor was enthusiastic about having an undercrossing at Site 1, which would be the most convenient for UCR students. Access to any of the sites involved crossing over a 4.1 acre parcel of R-1 8500-zoned private land owned by my wife and me; we subsequently arranged to have that parcel gifted to the City to be added for open space and trails to the City's Islander Park (the DEIR, at p. 665, mentions "Islander Park, approximately 0.3 mile east of East Campus at the base of the Box Springs Mountains (approximately 0.3 mile from Glen Mor)") and its trail system, which did cross that 4.1 acre parcel. Access to any of the sites from the mountain (County) side involved crossing over parcels that had been privately owned but have since been added to the BSMP/R after being acquired several years ago with funds that FRH had obtained from the RCTC settlement agreement. FRH and I personally have done our part; now UCR needs to come up with its fair share for the funding of a crossing, as mitigation and for the benefit of its greatly increasing number of students. Also, it would be appropriate for the UCR Foundation to raise funds to enable restoration of the Highlander celebration of the Big C hike.

Response I3-9

The 2021 LRDP is concerned with potential development within the campus and while the university notes the colloquial importance of the Big C and the trail to it, the university has no jurisdiction over the lands in the Box Springs Mountains Preserve, nor does it fund or maintain facilities or amenities in that open space area. It should be noted that the City has posted a sign at the beginning of a trail access at Big Springs Road and Goodrich Drive noting that there is No “C” Trail Access and not to enter. This comment raises questions about areas beyond the scope of the 2021 LRDP Draft EIR; therefore, no additional response is required.

Comment I3-10

The UCR Natural Reserve containing the Big C (“the Big C Reserve”) was mentioned above. I note that the DEIR (p. 15, footnote) excludes consideration of any of the UC Natural Reserves. However, those Reserves are used for teaching and research by UCR faculty, staff and students (which is the Reserves’ purpose), and the LRDP’s large increase in planned number of UCR people will have potential negative impacts on the Reserves, including on the nearby wildlife. The DEIR fails to consider any of this.

Response I3-10

The 2021 LRDP is concerned with potential development within the campus and while the university notes the colloquial importance of the Big C and the trail to it, the university has no jurisdiction over the lands in the Box Springs Mountains Preserve, nor does it fund or maintain facilities or amenities in that open space area. The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including Box Springs Mountain Preserve. Furthermore, the 2021 LRDP provides for adding 97,740 gsf of indoor recreational space to the existing 211,061 gsf of indoor recreational facilities. It would also increase outdoor fields on campus. It would continue to maintain and enhance the UCR Botanic Gardens, the extensive on-campus open space network, and to manage and maintain on-campus recreational facilities shared with UCR Athletics (Draft EIR p. 4.14-15).

The commenter also asserts that the DEIR does not consider “any of the UC Natural Reserves.” The UCR Reserves were expressly discussed on Draft EIR p. 4.14-16, which states “The 2021 LRDP proposes a campus open space framework that represents the network of green spaces that together contribute to its unique character. As shown in Figure 2-1, this network includes *the land use designations of Open Space Reserve and the UCR Botanic Gardens.*” Biological resource impacts and the open space reserves were also expressly discussed and analyzed in Draft EIR Section 4.4, *Biological Resources* (e.g., Draft EIR p. 4.4-29).

Comment I3-11

One concern about the Big C Reserve that needs to be considered is the condition of the Big C concrete. We were informed by UCR, including at the meeting with the Chancellor discussed above, that the concrete of the Big C is in places crumbling or undermined, so is in danger of falling apart, potentially injuring or killing students or others visiting the site and having significant potential impacts on wildlife and on the BSMP/R land below, meaning that major repairs to the Big C are needed. The LRDP’s increase in students, staff and faculty will result in more people visiting the site and thus more people being put in danger. Again, the DEIR is inadequate in failing to consider the Big C Reserve and the condition of the Big C, where repair is needed.

Thanks for consideration of these comments.

Response I3-11

The commenter notes that the concrete C on the hillside in the Box Springs Mountains is a danger to students and other visitors to the Box Springs Mountain Preserve.

The 2021 LRDP is concerned with potential development within the campus and while the university notes the colloquial importance of the Big C and the trail to it, the university has no jurisdiction over the lands in the Box Springs Mountains Preserve, nor does it fund or maintain facilities or amenities in that open space area. The 2021 LRDP does not have any policies that encourage use of trails or direct students, staff, and faculty to use trails in any of the nearby preserves, including Box Springs Mountain Preserve. Any degradation of the Big C is not the type of danger that would occur quickly and threaten human life nor would it have the potential to collapse or harm hikers (this is a structure that is approximately 1 foot off the ground and on a slight slope).^{80,81} Nor would potential visitors exacerbate existing degradation.

The commenter also asserts “the DEIR is inadequate in failing to consider the Big C Reserve and the condition of the Big C, where repair is needed.” It is not the purpose of CEQA to analyze or mitigate existing baseline conditions, rather the impact analysis is based upon changes caused by the project in comparison to baseline. (CEQA Guidelines Sections 15125 and 15126.2(a); *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [“The FEIR was not required to resolve the [existing] overdraft problem, a feat that was far beyond its scope”]).

LETTER I4 JILL JOHNSTON-YOUNG

September 10, 2021

Comment I4-1

I am a neighbor of UCR and a UCR graduate. My dad was a founding faculty member and there is a chair endowed in his memory along with George Helmkap, his old lab partner and best friend, and Hart Schmidt, a friend of our family. I am providing that history because I want to make it clear I am a UCR supporter from before birth.

I just received the UCR LRDP response from the City. I am not in favor of UCR growing in yet more out of control ways. We do not have enough police to contain the behavior of today's students (I feel old saying that- but it is true). We have had 18 months of peace and quiet. Now we have stop signs once again being treated as raceways. We have trash being tossed from cars with UCR stickers. We have 8 cars to a house- which is illegal. We are most certainly going to have Covid breakouts with frat parties that are already occurring. At some point UCR must take responsibility for importing 35,000 students without housing, parking, utilities, water, drainage, activities, or a respect for what adults expect in a neighborhood. I am hopeful we are not going to have another year of used condoms on our driveways after drunken boys pee there in the night. I hope nobody else's children see couples having sex by their parents' cars (both true stories).

⁸⁰ Nobody Hikes in LA (2014). Image of “Big C.” [digital photograph]. *Wordpress.com* <https://nobodyhikesinla.files.wordpress.com/2014/01/big-c.jpg> (accessed October 2021).

⁸¹ Max Richter. 2014. Image of “Big C.” [digital photograph]. New University. https://www.newuniversity.org/wp-content/uploads/2014/04/BigC3_CourtesyOfMaxRichter.jpg (accessed October 2021).

Response I4-1

Comment noted. UCR acknowledges Ms. Jillian-Young's family ties to the university.

The commenter expresses an opinion on UCR's growth, police resources and enforcement, vehicles speeding in the surrounding area, trash, number of vehicles parked at a house, COVID outbreaks due to fraternity parties, housing, parking, utilities, water, and drainage, and does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft EIR.

Please refer to Section 4.10, *Hydrology and Water Quality*; Section 4.12, *Population and Housing*, 4.13, *Public Services*; and Section 4.17, *Utilities and Service Systems*, of the Draft EIR for a discussion and environmental impacts analyses pertaining to hydrology and water quality, housing, police, and utilities and service systems, respectively. The Draft EIR provides appropriate programmatic analysis of environmental conditions associated with 2021 LRDP implementation and the mitigation measures provided in the Draft EIR are intended to be applicable to various projects that may be proposed/considered as part of 2021 LRDP implementation. As a program-level analysis, the Draft EIR requires all projects under the 2021 LRDP to undergo project-level review, which requires site-specific analysis for future projects as the 2021 LRDP area builds out over time. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

Comment I4-2

That being said, the City is not being d=fair[sic] in their response, and I would ask you to consider attending the hearing coming up for the hotel being proposed and railroaded into downtown Riverside. If you are not aware of it, the City is advocating for an 8 story hotel on one acre with almost no parking next to a historic church (First Congregational Church, founded by our city's founders and more than 110 years old) and the Life Arts building, alos[sic] 100 years old and fragile). The City planners and politicians are wanting to shove this through. In fact Erin Edwards met with the builders to try to "mitigate" the impact of going from a flat parking lot to 8 stories blocking all light and creating traffic with literally no place to go by adding an extra few feet to an observation deck.

The City is trying to do this with no EIR whatsoever by hiding behind preserving fifty year old fire station. That station is known to have toxic waste under it. Because of that they are allowing 226 rooms and 140 parking places- including staff parking. There is no inclusion of extra policing, no word on the demand for utilities- even with the downtown going without power for 36 hours this week. No traffic study, No addressing the added pollution of 226 rooms of guests and staff fighting over 140 parking places -in addition to meetings they plan to hold there. No mitigation for surrounding areas for 6 days a week construction for two full years. No word on water- which we do not have enough of as it is. Nothing about the impact on the downtown neighbors.

And importantly there is zero on the impact on historic sites. They are holding you accountable for the UCR women's center (which I was part of) and the LGBTQ center. For the city sponsored project? Not one word about the impact on two 100 plus year old buildings; a church literally tied to the Mission Inn underground; the same church which was the home for the Harada family and supported their fight to ensure the rights of Japanese immigrants to own property all the way to the Supreme Court (note the city staff are currently doing photo ops in front of Harada House after not funding it for decades). That church sponsored speaking trips for Booker T Washington and had him speak from the pulpit. It is a National Historic landmark. The City does not mention any of that history in its planning report. Not anywhere. How does that even begin to compare to the Women's

Center? Barbara Gardner would laugh if she did not have Alzheimer's. She was a friend of mine. I rented a room from her. Historic belongs to the historic sites downtown, and Cahuilla sites in our hillsides above UCR. The trails taken by Spanish explorers and early Mexican communities. The City does not even touch on it in the defense of the hotel project for Marriott. They are using a fifty year old fire station that is attached to leaking oil and fuel lines tied to the old filling station on Lime and Mission Inn. (That is why that site has not been redeveloped. It is toxic. And the fire station likely has plenty of toxic construction materials as well as soil and fuel in the ground under it.)

The City's plan for Marriott[sic] takes no measures to ensure the church has natural light, nor protection from the impact of construction. No seismic study. It also includes a building that will literally hang over the sidewalk and eat all street parking. It will remove parking from the church, and downtown.

It appears from reading their response to UCR that they are demanding all of the things that they either ignored or decided did not need mitigation for the hotel. The parking is noted as being so short downtown that it really did not matter and not having enough is to be expected. They gave UCR none of those breaks.

I fully admit I am doing this to try to stop the hotel and get it back to manageable. But I am also incensed that my city would be so blatantly demanding from UCR while giving the keys to the city to a hotel chain. There is no mention of police or fire needs by adding a high rise hotel. It is mentioned in the UCR response. No mention of pollution from cars. That's all over the UCR response from the City. No mention of too much construction. UCR is called out for that. No mention of utilities. UCR- all over it. I personally cannot wait to see how many Marriott customers have their cars broken into when they have to be left three blocks away for lack of parking. The City makes no mention of police shortages nor need for funding more. Not so for UCR. It sounds and feels like somehow Marriott is getting favored status over one of the oldest establishments and employers in the city- UCR.

I hope UCR will download the plans for the hotel and the City planner information and use it to counter their response. I also hope you will attend the hearing about the hotel and call them out on their treating a private company as a favored customer and not UCR. That has to be unethical. They need to treat all projects equally and they said so in the planning document for the hotel. Hold them to it and call them out.

Response I4-2

Comment noted. The commenter expresses an opinion pertaining to a City of Riverside project more specifically the Marriott hotel proposed to be constructed at 3420-3482 Mission Inn Avenue,⁸² and not the analysis of potential 2021 LRDP-related impacts provided in the Draft EIR or the adequacy of the Draft EIR analysis. No further response is necessary.

Comment I4-3

Finally, as a UCR child who grew up as UCR did, I have some concerns about the safety of Pierce Hall and the rest of the original science buildings-Chem, Physics, Geology. My dad was part of Pierce coming into being. He described walking on old construction materials for sidewalks. But my mom, Margaret, and Libby Helmkamp, and other wives (who were all college educated but did not[sic] work except to support UCR) described driving our family station wagons into the LA area and going to old military surplus depots. They would load up used military lab gear- beakers, hot plates, glass,

⁸² Riverside, City of. 2021e. City Council Chamber Virtual Meeting. August 17, 2021.
http://riversideca.granicus.com/player/clip/4598?view_id=2&redirect=true (accessed October 2021).

centrifuges, and on and on. Those went into the labs. The glassblower would reuse them to create what they needed for experiments. (Yes, UCR had a glassblower. We kids loved watching him). Since that time of growing up all over the campus and in and out of those buildings, and in our cars that transported that stuff, my generation has faced illness. Lots of it. Lupus. Cancer. Leukemia. MS. Asthma. We lost Lee, a former Graduate Dean (as was my dad). My dad developed polymyositis. Jennifer Nickel was an attorney and is now disabled by MS. Claudia Schmidt died of leukemia while teaching at a university in Wisconsin. Her mom died of cancer. The Helmkamp's faced lupus that killed one daughter and cancer in others. Libby had dementia and so did George. There were far too many miscarriages amongst the wives. Those are but a few of us. In the new construction please be cautious- we were told during construction debris was simply tossed under the site. My dad said they were told to go to the basement in nuclear drills- and he would not do so. He never allowed us in the basement of Pierce Hall.

Those depots were WWII and Korean era extras. There was no respect for the power of nuclear dangers at that time. In his last days my dad and I talked about some of this, and he said he would not be surprised if there was danger present. His disease is one that has no genetic origin. He participated in clinical studies to try to help the next generation. UCSD has his tissue samples. I hope UCR will consider a study on the families who grew up in that part of the campus, especially during the 50's, 60's and 70's.

Response I4-3

Comment noted. All campus renovation projects, and new campus development, would be required to comply with applicable federal, State, and UCR regulations as outlined in MM HAZ-1 through MM HAZ-4 in Section 4.9, *Hazards and Hazardous Materials*, of the Draft EIR.

Comment I4-4

Thanks for taking time to read this. I would like to see UCR grow responsibly (with UNET back) and the City being equally responsible. I hope to see you at the hearing for the Marriott. The city is not treating UCR fairly according to the standards they set for others.

Response I4-4

Comment noted. UCR appreciates the commenter taking the time to provide a comment letter. The comment provides a closing statement. This comment does not address the adequacy of the Draft EIR analysis of potential impacts associated with implementation of the 2021 LRDP. No further response is necessary.

2.3.6 Public Hearing – August 4, 2021

COMMENT PH1 KEVIN DAWSON

Comment PH1

Ok. Can you hear me? Ok, great. Thank you. Good evening. Um, I hate to say this, but I would like almost the presentation to be re-presented. Uh, and I hate to ask this, but I'd like it to be by somebody else that doesn't have his accent. I could not understand what he was saying and I think it was also complicated by the type of microphone he might have been using. Uh, it came across as garbled. Um, and I think that it needed to be presented a little bit slower, you know as you

requested, that we speak slowly and clearly. Um, I couldn't understand about half of what he was said, and I am a little more used to having to talked to him before. I am a little bit more familiar with his accent but anyone else out there I think would have had a great difficulty. Um, you know, you're also asking that I state my full name. My name is Kevin Dawson, it's K-e-v-i-n D-a-w-s-o-n and I am with the University Neighborhood Association.

Um, I am also requesting that the comment period be extended. Um, it is a hardship to expect the public, to uh or anyone, to examine such a voluminous document, a document that's almost as long as the uh the Senate Bill that was passed the other day. Um, and also it's in the middle of a nationwide if not worldwide pandemic and the Zoom meeting is a format that discourages public participation. So, I believe it's very reasonable for an extension of the public comment period. That's all the comment I am going to give tonight.

Response PH1

The commenter expresses an opinion on the clarity of some portions of the public hearing presentation, request the presentation be re-presented, for the presentation be done by someone else, and does not address the adequacy of the EIR analysis. No further response is necessary. However, UCR staff did repeat portions of the presentation related to the LRDP, in response to potential clarity issues during the public hearing. UCR staff also noted that the way in which the request was phrased was hurtful to the UCR staff member and an unfortunate occurrence to have happened during the public hearing. It should further be noted that one member of the public attending the hearing (Gurumantra Khalsa) submitted a comment in the Zoom comment box that he had no difficulty understanding the presenter. The public hearing recording was posted on the UCR website (<https://pdc.ucr.edu/environmental-planning-ceqa>) after the public hearing so that Agencies, interested parties, and members of the public would be able to relisten/replay to the public hearing in its entirety.

The Draft EIR was available for a 51-day public review and comment period beginning July 14, 2021 and ending September 3, 2021. During the public review period, the public was invited to submit comments via mail and/or e-mail on the Draft EIR to the UCR Planning, Design & Construction office located at 1223 University Avenue Suite 240 Riverside, California 92507 or at ceqa@ucr.edu, respectively, by 5:00 p.m. on September 3, 2021. In response to the comment received by Mr. Dawson, UCR staff reviewed OPR guidance and executive orders issued by the Governor to determine whether any changes have been made to the minimum required timeframe for public review (45-day timeframe) of the Draft EIR due to COVID-19 and determined that there have been no changes to the minimum required timeframes for review of Draft EIRs in response to COVID-19. Therefore, UCR determined that the comment period would not be extended beyond the 51-day timeframe provided. Please also see Master Response 3, Extension of Public Review Period, for additional information. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

Comment PH1a – Gurumantra Khalsa

A comment was submitted through the Zoom chat feature during the comment from Mr. Dawson as follows:

Gurumantra Khalsa 06:54 PM

I had no difficulty understanding Uma. Just thought you should know.

Response PH1a

UCR appreciates the commenter informing staff of his ability to understand the presenter. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

COMMENT PH2 GURUMANTRA KHALSA

Comment PH2

Can you hear me? Great. Thanks for having the meeting. I concur with Kevin in terms of an extension on this. I mean, you know, your original PDF for this thing is 100 page narrative and that's before you get to the appendices, where you are basing your decisions on. I don't see any way that we can make intelligent analysis on that, in the short time that you've given us to do that. So, I would love to have an extended comment period.

But, if it turns out we don't, I've got some concerns about assumptions regarding you know, your housing plan with your public/private stuff only gets built if the public-private thing works. It doesn't preclude you guys from building out spaces on campus to get money for it that could attract students and you know maybe the housing doesn't get built.

You know, this has happened before. You know, your projections for growth and how much your capacity to handle housing students on campus hasn't tracked very well and the impacts are evident all over the neighborhood surrounding the campus. And with the growth projections you're having, you're blowing off the impacts to what that's going to mean to local parks, local streets, local utilities, sewer systems. You know, none of that stuff is being addressed unless it is and I just haven't seen it in the appendices yet. But you know, I am concerned. You know, I am fully aware that you've got the capacity to grow and to whatever size you could grow to but at what cost for the surrounding community and the taxpayers if we're going to have to foot the bill for infrastructure improvements that you know you are not addressing. You don't have any UNET anymore. There's no police force.

You know, fire. You don't need a fire station because your buildings aren't going to burn. I mean, that's essentially your argument for not doing this. These are very concerning to us as neighbors who largely been you know, this is the University Neighborhood, we were the original settlers of your campus and there's a lot of support for you, but over time, that's being eroded because there's less and less people who are living here because of the quality of life segregation. They're dying off. You don't have that kind of support from a lot of the neighbors anymore and now that you have fired Jeff Kraus, it's like, you're not going to hear it until it's too late. So, I've got real concerns about what you are up to with your new plans here and I was involved in all of that community meetings stuff and whatnot; I understand you've got a mission but your thought process seems to be in a silo without a context in a City like your map shows and I think we need to address that a little more. Thanks for hearing me.

Response PH2

The Draft EIR was available for a 51-day public review and comment period beginning July 14, 2021 and ending September 3, 2021. During the public review period, the public was invited to submit comments via mail and/or e-mail on the Draft EIR to the UCR Planning, Design & Construction office located at 1223 University Avenue Suite 240 Riverside, California 92507 or at ceqa@ucr.edu, respectively, by 5:00 p.m. on September 3, 2021. In response to the comment received by Mr.

Khalsa, UCR staff reviewed OPR guidance and executive orders issued by the Governor to determine whether any changes have been made to the minimum required timeframe for public review (45-day timeframe) of the Draft EIR due to COVID-19 and determined that there have been no changes to the minimum required timeframes for review of Draft EIRs in response to COVID-19. Therefore, UCR determined that the comment period would not be extended beyond the 51-day timeframe provided. Please also see Master Response 3, Extension of Public Review Period, for additional information.

UCR acknowledges the opinions expressed by the commenter on the public-private partnerships (P3), housing students on campus, the quality of life of surrounding neighbors, and the 2021 LRDP. It should be noted the commenter participated in the 2021 LRDP planning efforts as a member of City and Community Working Group.

Please refer to Section 4.13, *Public Services*; Section 4.14, *Recreation*; Section 4.15, *Transportation*; and Section 4.17, *Utilities and Service Systems*, of the Draft EIR for a discussion and environmental impacts analyses pertaining to police/fire, local parks, local streets, and utilities/sewer systems, respectively. The Draft EIR provides appropriate programmatic analysis of environmental conditions associated with 2021 LRDP implementation and the mitigation measures provided in the Draft EIR are intended to be applicable to various projects that may be proposed/considered as part of 2021 LRDP implementation. As a program-level analysis, the Draft EIR requires all projects under the 2021 LRDP to undergo project-level review, which requires site-specific analysis for future projects as the LRDP area builds out over time. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

COMMENT PH3 COUNCILWOMAN CLARISSA CERVANTES

Comment PH3

Hello. Can you hear me? Wonderful. Clarissa Cervantes, C-l-a-r-i-s-s-a C-e-r-v-a-n-t-e-s, and I am with the City of Riverside and I am Councilmember Clarissa Cervantes representing Ward 2. As the elected representative of Ward 2, I wanted to take the opportunity to share that the University of California, Riverside, is located in an area which my district covers. In addition to encompassing the campus, Ward 2 also has the surrounding neighborhoods in close proximity to UCR such as University Neighborhood, Eastside, Canyon Crest, University Knolls, Colony East, and Sycamore Canyon.

I am here to urge and encourage UCR and its representatives that the comment period be extended for members of the public to provide additional comment and feedback. In particular as it relates to the significant and unavoidable impacts. I am happy to coordinate and work with the University to arrange neighborhood meetings with in-person and virtual opportunities to gather further feedback from the community's neighborhoods that are experiencing quality of life impacts as it relates to the growth of campus. Thank you and my office is available to be reached at by contacting myself or my legislative representative, Miguel Lujano. Thank you.

Response PH3

Comment noted. The commenter notes that UCR and surrounding communities near UCR is within Ward 2, the district that the commenter represents as a Councilmember for the City of Riverside.

The Draft EIR was available for a 51-day public review and comment period beginning July 14, 2021 and ending September 3, 2021. During the public review period, the public was invited to submit

comments via mail and/or e-mail on the Draft EIR to the UCR Planning, Design & Construction office located at 1223 University Avenue Suite 240 Riverside, California 92507 or at ceqa@ucr.edu, respectively, by 5:00 p.m. on September 3, 2021. UCR staff reviewed OPR guidance and executive orders issued by the Governor to determine whether any changes have been made to the minimum required timeframe for public review (45-day timeframe) of the Draft EIR due to COVID-19 and determined that there have been no changes to the minimum required timeframes for review of Draft EIRs in response to COVID-19. Therefore, UCR determined that the comment period would not be extended beyond the 51-day timeframe provided. Please also see Master Response 3, Extension of Public Review Period, for additional information.

Please see Response PH4 regarding additional community engagement meeting with the Residents of Eastside Active in Leadership community group. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

COMMENT PH4 MIGUEL LUJANO

Comment PH4

Hi there. Thank you very much. I sincerely appreciate that. Yes, my name is Miguel Lujano with the auspice of Councilmember Cervantes and my comments are actually on behalf of one of our community groups who readily could not be with us here today.

The Residents of Eastside Active in Leadership, they wanted to make sure that our university, because we are such good partners, and I am speaking in first term, because we are such good partners, to continue to fostering that growth that we've made tremendous progress with not only the Eastside Hills but others, coming out and speaking to the residents that are members of the meetings that they hold monthly. Regrettably, we were not able to have those communications. It would be great if we could postpone any vote and come to the people where they are at, in the meetings that they are at, to please present this information, in a way that they understand, and in a timeframe they can. Many of the residents couldn't be with us today because of work schedules, so we ask that you please postpone the vote and come speak to residents. And I was speaking in first person in terms there from one of our residents, Griselda Martinez. So, thank you very much. If you have any questions on behalf of our community members, please feel free to reach the office of Councilmember Cervantes. You can call the office at 951-826-5419. Thanks.

Response PH4

Comment noted. UCR values the communities surrounding the campus. UCR staff from the Governmental & Community Relations office reached out to the office of Councilwoman Cervantes to coordinate a meeting between UCR staff and the REAL community group to go over the 2021 LRDP. On August 27, 2021, a presentation on the 2021 LRDP was provided by UCR staff at the REAL virtual community meeting; the slide deck and presentation was provided in both English and Spanish. The REAL community group appreciated UCR providing a presentation on the 2021 LRDP at their virtual community meeting. It should be clarified that no vote has taken place and the 2021 LRDP and EIR will be going to the Regents for consideration at the November 2021 meeting. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no further response is required. The comment is included in the record, which will be considered by the Regents in their deliberations over potential approval of the 2021 LRDP.

COMMENT PH5 GURUMANTRA KHALSA

Comment PH5

I just wanted to say thanks to all of you for putting it on and going through it twice and hanging in with us. I appreciate it and um, I enjoyed it the second time as much as the first time. So, thanks.

Response PH5

UCR appreciates the commenter taking the time to listen in on the 2021 LRDP Draft EIR public hearing. This comment does not raise an issue with the analysis in the Draft EIR; therefore, no additional response is required.

2.4 References

- AllTrails. 2021. "Box Springs Mountain Loop. California/AllTrails. <https://www.alltrails.com/trail/us/california/box-springs-mountain-loop> (accessed October 2021).
- California Energy Commission. 2021. SB 100 Joint Agency Report, Achieving 100 Percent Clean Electricity in California: An Initial Assessment, page 10. <https://efiling.energy.ca.gov/Efiling/GetFile.aspx?tn=237167&DocumentContentId=70349> (accessed October 2021).
- California Natural Resources Agency. 2018. Statement of Reasons for Regulatory Action Amendments to the State CEQA Guidelines. OAL Notice File No. Z-2018-0016-12. Sacramento, CA. November 2018. https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/2018_CEQA_Final_Statement_of%20Reasons_111218.pdf (accessed October 2021).
- Ghori, Imran. 2021. "Solar panels added to two campus buildings." *Inside UCR*. [web journal] June 2, 2021. <https://insideucr.ucr.edu/stories/2021/06/02/solar-panels-added-two-campus-buildings> (accessed October 2021).
- Krumbein, Alison. 2021. Senior Counsel, UC Legal – Office of the General Counsel. Email Correspondence to Ms. Letitia Pepper. July 21, 2021.
- Max Richter. 2014. Image of "Big C." [digital photograph]. New University. https://www.newuniversity.org/wp-content/uploads/2014/04/BigC3_CourtesyOfMaxRichter.jpg (accessed October 2021).
- Nobody Hikes in LA (2014). Image of "Big C." [digital photograph]. Wordpress.com <https://nobodyhikesinla.files.wordpress.com/2014/01/big-c.jpg> (accessed October 2021).
- Ober, Holly. 2019. "UC Riverside and CARB partner to train tomorrow's environmental leaders." *Inside UCR*. [web journal] October 17, 2019. <https://insideucr.ucr.edu/stories/2019/10/17/uc-riverside-and-carb-partner-train-tomorrows-environmental-leaders> (accessed October 2021).
- Riverside, City of. 1992. University Avenue Specific Plan. Riverside, CA. Amended October 2021.
- _____. 2007. Riverside General Plan 2025 PEIR, 5.1 Aesthetics. Riverside, CA. Amended November 2012. <https://riversideca.gov/cedd/planning/city-plans/general-plan-0> (accessed October 2021).

- _____. 2018. Circulation and Community Mobility Element. *City of Riverside General Plan*. Riverside, CA. Amended February 2018.
https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/general-plan/12_Circulation_&_Community%20Mobility_Element_with%20maps.pdf (accessed October 2021).
- _____. 2019. Jay Eastman, AICP, Principal Planner City of Riverside letter to Kome Aljise, Executive Director Southern California Association of Governments, regarding the methodologies used to address the 2021-2029 Housing Element planning horizon. September 13, 2019.
<https://scag.ca.gov/sites/main/files/file-attachments/091319cityofriverside.pdf?1605504907> (accessed October 2021).
- _____. 2020. Draft Initial Study and Proposed Mitigated Negative Declaration for the Hunter Substation Replacement Project. Public Utilities Department. Riverside, CA. July 2020. [website]
http://www.riversidepublicutilities.com/projects/pdf/hunter/Hunter%20Substation_Public%20Draft%20Initial%20Study%20and%20Proposed%20Mitigated%20Negative%20Declaration.pdf
- _____. 2021a. City Council Meeting Minutes dated October 5, 2021. Riverside, CA.
<https://riversideca.legistar.com/View.ashx?M=M&ID=884064&GUID=E0B9D0E9-89CE-4809-B287-7970777A0510> (accessed October 2021).
- _____. 2021b. Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report, Riverside, CA. SCH#2021040089. Riverside, CA. July 2021.
https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf (accessed October 2021).
- _____. 2021c. Riverside Draft Housing Element. Riverside, CA. October 2021.
<https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach> (accessed October 2021).
- _____. 2021d. Resolution Number 23752, Adoption of the Comprehensive Riverside Pact Plan. Riverside, CA. August 17, 2021.
<https://aquarius.riversideca.gov/clerkdb/0/doc/335602/Page1.aspx> (accessed October 2021).
- _____. 2021e. City Council Chamber Virtual Meeting. August 17, 2021.
http://riversideca.granicus.com/player/clip/4598?view_id=2&redirect=true (accessed October 2021).
- Riverside County Regional Park and Open-Space District. 2021. [website]
<https://www.rivcoparks.org/box-springs-mountain-reserve> (accessed October 2021).
- Riverside Transit Agency (RTA). 2019. Short Range Transit Plan FY19-FY21. Riverside, CA.
- Smart Cities Dive. 2017. Pedestrians and Park Planning: How Far Will People Walk?
<https://www.smartcitiesdive.com/ex/sustainablecitiescollective/pedestrians-and-park-planning-how-far-will-people-walk/24937/> (accessed October 2021).

- Southern California Association of Governments (SCAG). 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Appendix. Los Angeles, CA. April 2016. https://scag.ca.gov/sites/main/files/file-attachments/f2016rtpscsc_demographicsgrowthforecast.pdf?1606073557 (accessed October 2021).
- The Trust for Public Land. 2021. 2021 City Park Facts: The Year in Parks. May 2021.
- U.S. Department of Transportation. 2008. National Highway Traffic Study Administration and the Bureau of Transportation Statistics. National Survey of Pedestrian and Bicyclist Attitudes and Behaviors. August 2008.
- United States Geological Survey (USGS). 2006. Assessing and Understanding Trail Degradation: Results from Big South Fork National River and Recreational Area. Jeffrey L. Marion, Principal Investigator. Blacksburg, VA. February 2006.
- University of California, Riverside. 2018. Student Housing Market Study for University of California Riverside. Attachment 2, Survey Tabulation, p. 2. Riverside, CA. May 25, 2018.
- _____. 2021a. Good Neighbor Guidelines. <https://conduct.ucr.edu/policies/good-neighbor-guidelines> (accessed October 2021).
- _____. 2021b. "Economic Impact." [webpage] <https://www.ucr.edu/about/impact> (accessed October 2021).
- _____. 2021c. "UC Riverside by the Numbers." *About: Numbers and Facts*. [webpage] <https://www.ucr.edu/about/ranks-and-facts> (accessed October 2021).
- _____. 2021d. LRDP Historical Construction Gross Area Square Foot Revised 10-6-2021. [tabular dataset]. Riverside, CA. October 6, 2021.
- _____. 2021e. Active Project Status Report. [tabular dataset] <https://rprojects.ucr.edu/media/521/download> (accessed October 2021).
- _____. 2021f. Draft Long Range Development Plan. Riverside, CA. September 2021.
- University of California Office of the President. 2018. Code of Regulatory Compliance, Volume 3, Chapter 4. *UC Facilities Manual*. Last updated August 2018. <https://www.ucop.edu/construction-services/facilities-manual/volume-3/vol-3-chapter-4.html> (accessed October 2021).
- _____. 2019. Budget for Current Operation: Summary of the Budget Request as Approved by the Regents, 2020-2021. Berkeley, CA. https://www.ucop.edu/operating-budget/_files/rbudget/2020-21-budget-summary.pdf (accessed October 2021).
- _____. 2020. Statewide Policy on Sustainable Practices. Berkeley, CA. July 24, 2020.
- Vista, City of. 2013. City Council Agenda Packet. Item D3 pdf page 328, response to comments to Delano & Delano. <https://records.cityofvista.com/WebLink/DocView.aspx?id=946989&searchid=e7d8eea9-0c7d-4988-94f5-943c6a260aa6&dbid=0&cr=1> (accessed October 2021).
- Western Riverside Council of Governments (WRCOG). n.d. Transportation Uniform Mitigation Fee (TUMF) Exemptions. Riverside, CA. https://wrcog.us/DocumentCenter/View/8827/TUMF_Exemptions (accessed October 2021.)

_____. 2017. Transportation Uniform Mitigation Fee (TUMF) Nexus Study, 2016 Update. Riverside, CA. <https://wrcog.us/DocumentCenter/View/1020/TUMF-2017-Nexus-Study-current?bidId=>

This page intentionally left blank.