

FINAL ENVIRONMENTAL IMPACT REPORT

CALIFORNIA INSTITUTION FOR MEN Mental Health Crisis Facility Project

State Clearinghouse No. 2018072022



APRIL 2019



PREPARED FOR:
California Department of
Corrections and Rehabilitation
Facility Planning, Construction and Management
9838 Old Placerville Rd, Suite B
Sacramento, CA 95827

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for the

California Institution for Men

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April 2019

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LIST OF ABBREVIATIONS

ACA	American Correctional Association
ADA	Americans with Disabilities Act
CAAQS	California Ambient Air Quality Standards
CCR	California Code of Regulations
CDCR	California Department of Corrections and Rehabilitation
CEQA	California Environmental Quality Act
CIM	California Institution for Men
CVFD	Chino Valley Fire District
DCG	CDCR Design Criteria Guidelines
EIR	Environmental Impact Report
gsf	gross square foot
LAC	California State Prison, Los Angeles County
lb/day	pounds per day
LED	light-emitting diodes
LEED	Leadership in Energy and Environmental Design
LOS	level of service
MHCF	Mental Health Crisis Facility
NAAQS	National Ambient Air Quality Standards
PM	particulate matter
PM ₁₀	respirable particulate matter
RWQCB	regional water quality control board
SCAQMD	South Coast Air Quality Management District
TIA	transportation impact analysis
VMT	vehicle miles traveled
WDR	waste discharge requirement
WWTP	wastewater treatment plant

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1 INTRODUCTION

California Department of Corrections and Rehabilitation (CDCR), as lead agency, prepared this final environmental impact report (Final EIR) in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15132). This Final EIR contains comments received on the draft environmental impact report (Draft EIR) for the proposed new 50-bed Mental Health Crisis Facility (MHCF) at the California Institution for Men (CIM) (proposed project), responses to those comments, and any revisions to the Draft EIR resulting from comments.

1.1 PROPOSED PROJECT OVERVIEW

On September 13, 1995, the U.S. District Court for the Northern District of California ruled in *Coleman v. Wilson* (now *Coleman v. Brown*) that CDCR was not providing adequate mental health care. Since that time CDCR has been undertaking various activities to address the deficiencies identified in the court's ruling. The provision of constitutionally adequate mental health care, as ordered by the courts, includes but is not limited to having licensed facilities that provide 24-hour care for stabilization and treatment of inmates with a mental health diagnosis. Inmates in mental health crisis are required to be placed in a mental health crisis facility as quickly as possible, at least no more than 24 hours from diagnosis. Compliance with the court orders requires providing mental health crisis beds distributed throughout the State and the recruitment of enough medically-trained mental health care staff to avoid delays in treatment.

In an April 2017 order, the *Coleman* court identified, but did not address in full, "the underlying causes of the systemic delays in access to mental health crisis beds: too few MHCBs [mental health crisis beds] to meet needs and inadequate staff on hand to timely assess inmates who need a crisis bed level of care." To address the court's concerns, CDCR plans to locate new MHCFs in areas with the highest potential for recruiting and retaining skilled medical professionals. CDCR is currently operating 34 unlicensed mental health crisis beds in the CIM infirmary. CDCR is proposing to construct a new MHCF at CIM, in consideration of its proximity to a recruitment pool of skilled medical professionals and to provide a permanent solution to the need for a licensed MHCF.

The MHCF at CIM would be constructed within the current property boundaries of CIM, in the northwest portion of the existing prison grounds. Inmate-patients are typically transferred to MHCF facilities on a limited-term basis (approximately ten days); when stabilized, the inmates are transferred to correctional facilities that provide the required housing and on-going mental health treatment. The new two-story MHCF building would encompass up to approximately 69,000 gross square feet. The MHCF building would provide space for 50 single-occupancy cells (comprised of 46 single cells and 2 double occupancy cells) dedicated to inmates in mental health crisis, along with mental health care treatment space, clinical support space, housing, recreation, custody, support, and administrative services. Housing, treatment, and support space would be built according to CDCR Design Criteria Guidelines; California Building Standards Code; CCR Title 24; mental health licensing; and other state design policies and regulations. Compliance with CCR Title 24 Building Energy Efficiency Standards would result in an energy-efficient building as it relates to electricity and natural gas consumption.

1.1.1 Summary of Key Conclusions of the Draft EIR

As described in the Draft EIR, the proposed project would not result in any significant and unavoidable impacts or cumulatively considerable impacts. The proposed project would result in potentially significant impacts that could be reduced to a less-than-significant level with implementation of proposed mitigation measures for Archaeological, Historical, and Tribal Cultural Resources, and Biological Resources.

The Draft EIR analyzed two alternatives to the proposed project: the No Project Alternative and the Alternative Location within CIM Facilities. The environmentally superior alternative is the proposed project because it would not result in greater impacts than any of the alternatives and would avoid all significant impacts (with mitigation). The proposed project also, would best achieve the project objectives.

1.1.2 Summary of Key Revisions Presented in the Final EIR

Since release of the Draft EIR, CDCR continued to develop and refine the design of the proposed project. The refinements add details of the proposed facility, but most resources addressed in the Draft EIR are unaffected by the refinements. Specifically, the gross square footage of the MHCF in a one-story configuration changed from 61,000 gross square feet to approximately 69,000 gross square feet. A preliminary detailed site plan for the proposed MHCF is presented in Exhibit 2-4 of Final EIR Chapter 2, “Summary of the Proposed Project.”

The square footage described in the Draft EIR was identified based on similar MHCFs at other state prisons and for the purpose of estimating the construction cost of the facility. As the design process progressed, CDCR determined that the design of the proposed MHCF at CIM would not be strictly based on existing prototypical facilities at other prisons. CDCR also recognized the opportunity to address the arrangement of the interior of the new facility to achieve an improved therapeutic environment flexible enough to serve inmate patients experiencing mental health crisis and inmate patients experiencing other levels or degrees of mental illness. Two aspects of an improved therapeutic environment were increased circulation space within housing and treatment areas and better natural lighting. Other factors leading to the minor increase in square footage include staff/inmate security needs, compliance with state building codes, adapting the building and related service areas (including secure reception areas for CDCR inmate transport) to the proposed site, compliance with all CDCR Design Criteria Guidelines, compliance with fire codes, mental health treatment licensing provisions, and energy conservation.

The increase to approximately 69,000 gross sf did not change the number of proposed mental health crisis beds in the facility (50), planned staffing (165), or parking/utility demands. CDCR still expects that all treatment of inmate patients at the proposed MHCF will be for a limited duration of approximately 10 days. The proposed MHCF is not planned for long-term inmate housing and treatment.

The square footage has been updated throughout the Draft EIR, as presented in Chapter 4, “Revisions to the Draft EIR.” Each resource area was also reviewed to determine whether revisions to the impact analysis were warranted. Modeling for the air quality, greenhouse gas, and energy analyses was updated with new assumptions based on 69,000 gross square feet (the analysis was “rounded up” to address up to 70,000 gross square feet) (updates are presented in Appendix B, “Revised Air Quality and Greenhouse Gas Emissions,” and Appendix C, “Revised Energy Consumption”). Significance determinations for greenhouse gas and energy impacts did not change. With the design modification, the local significance threshold for respirable particulate matter (PM₁₀) would be exceeded. As described in revisions to the air quality analysis (see Chapter 4 of this Final EIR, “Corrections and Revisions to the Draft EIR”), a new mitigation measure suggested in a comment letter from the South Coast Air Quality Management District (Comment Letter A2; see Section 3.2 of this Final EIR, “Comments and Responses”) is presented that would reduce impacts below the level of significance.

1.2 PURPOSE OF THE RESPONSES TO COMMENTS DOCUMENT

CEQA requires a lead agency that has prepared a Draft EIR to consult with and obtain comments from responsible and trustee agencies that have jurisdiction by law with respect to the project, and to provide the public with an opportunity to comment on the Draft EIR. The Final EIR is the mechanism for responding to these comments. This Final EIR has been prepared to respond to comments received on the Draft EIR, which are reproduced in this document; and to present corrections, revisions, and other clarifications to the

Draft EIR, including project updates, made in response to these comments and as a result of CDCR's ongoing planning and design efforts. The Final EIR will be considered by the Secretary of CDCR when deciding whether to approve the proposed MHCF at CIM.

This Final EIR will also be used by CEQA responsible and trustee agencies to ensure that they have met their requirements under CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or that have jurisdiction over portions of the project.

The responsible and trustee agencies listed below may have responsibility for, or jurisdiction over, implementation of portions of the proposed project:

- ▲ California Department of Fish and Wildlife,
- ▲ Santa Ana Regional Water Quality Control Board, and
- ▲ South Coast Air Quality Management District.

1.2.1 Comments That Require Responses

Section 15088(c) of the State CEQA Guidelines specifies that the focus of the responses to comments shall be on the disposition of significant environmental issues. Responses are not required for comments regarding the merits of the proposed project or on issues not related to the project's environmental impacts. Several of the issues raised in comments on the Draft EIR state the commenter's preference about whether the project should be approved, or provide general statements concerning the Draft EIR and its conclusions, but without comments regarding the Draft EIR's specific content. Detailed responses may not be possible or warranted for comments that do not address the environmental impacts of the proposed project and whether they were properly addressed in the Draft EIR; these instances are noted in the response to such comments. However, the Secretary of CDCR will review all comments, including those that do not warrant a response under CEQA, before considering certification of the Final EIR or approving the proposed project.

1.3 ENVIRONMENTAL REVIEW PROCESS

On December 6, 2018, CDCR released the Draft EIR for a 53-day public review and comment period (more than the 45 days required by law). The Draft EIR was submitted to the State Clearinghouse for distribution to reviewing agencies; posted on CDCR's website (<https://www.cdcr.ca.gov/FPCM/Environmental.html>); and was made available in hardcopy at the Chino Branch Library: 13180 Central Avenue, Chino, CA, 91710 and CDCR offices: 9838 Old Placerville Road, Suite B, Sacramento, CA 95827. A notice of availability of the Draft EIR was published in the San Bernardino Sun, the Chino/Chino Hills Champion, the Inland Valley Daily Bulletin, and distributed by CDCR to the mailing list for this proposed project.

CDCR held a public hearing on January 10, 2019, at the Chaffey College Community Center, to receive comments from agencies and the public on the Draft EIR. The hearing was transcribed by a court reporter.

Written and verbal comments were received from six local agencies and 21 individuals during the public comment period. Chapter 3, "Comments and Responses to Comments on the Draft EIR," identifies the individuals and agencies that comments, presents their respective comments, and provides responses to these comments. None of information added to the EIR because of comments received or progress on CDCR's proposed project design constitute "significant new information" by CEQA standards (State CEQA Guidelines Section 15088.5); recirculation of the Draft EIR is not warranted.

1.4 DOCUMENT ORGANIZATION

This Final EIR is organized as follows:

Chapter 1, “Introduction,” describes the purpose of the Final EIR, summarizes the proposed MHCF project (including recent design refinements) and the major conclusions of the Draft EIR, provides an overview of the CEQA public review process, and describes the content of the Final EIR.

Chapter 2, “Summary of the Proposed Project,” describes the location, background, and goals and objectives for the proposed MHCF project, and describes the proposed project elements in detail.

Chapter 3, “Comments and Responses to Comments on the Draft EIR,” contains a list of all parties who submitted comments on the Draft EIR during the public review period, copies of the comment letters received, a copy of the transcript from the proposed MHCF project public hearing, and responses to the comments. The chapter begins with a set of master responses that were prepared to respond comprehensively to multiple comments that raised similar issues. A reference to the master response is provided, where relevant, in responses to individual comments.

Chapter 4, “Corrections and Revisions to the Draft EIR,” presents excerpted revisions to the Draft EIR text made in response to comments, or to amplify, clarify or make minor modifications or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by underline where text is added.

Chapter 5, “References,” identifies the sources of information cited in this document.

Chapter 6, “List of Preparers,” identifies the lead agency contacts as well as the preparers of this Final EIR.

2 SUMMARY OF THE PROPOSED PROJECT

The California Department of Corrections and Rehabilitation (CDCR) proposes to construct and operate a new Mental Health Crisis Facility (MHCF) at the California Institution for Men (CIM) (proposed project). The proposed project would be constructed within the current property boundaries of CIM, in the northwest portion of the existing prison grounds.

2.1 PROJECT LOCATION

The property boundaries of CIM, located at 14901 Central Avenue in the City of Chino, encompass approximately 1,500 acres owned by the State of California. CIM is within the central portion of Chino in San Bernardino County, approximately 33 miles southeast of downtown Los Angeles (see Exhibit 2-1 for the regional location of the proposed project). Regional access to CIM is by State Route 71.

There are four secure inmate housing facilities (or “yards”) within CIM: facilities A, B, C, and D. These facilities are all separated from each other, so none share perimeter fencing (see Exhibit 2-2). The site for the proposed MHCF is within the existing secure perimeter of Facility D, at the location currently occupied by a closed and disused chapel, a disused/empty swimming pool, as well as associated sidewalks and landscaping. Demolition and removal of these components and related improvements would be necessary for construction of the proposed facility. The facility would be situated directly adjacent to the existing CIM inmate infirmary.

2.2 DESCRIPTION OF PROPOSED PROJECT

The new MHCF building would be configured as two-story building with up to approximately 69,000-gross square feet (gsf) of overall building footprint. As noted in Chapter 1.1.2 of the Final EIR, the approximately 69,000 gross sf footprint is larger than the 61,000 gross sf footprint evaluated in the Draft EIR, and this larger footprint is considered in Chapter 4 of this Final EIR, “Corrections and Revisions to the Draft EIR. This is a refinement in project design but does not alter the capacity of the facility. The MHCF building would provide space for a total of 50 beds (comprised of 46 single cells and 2 double occupancy cells) dedicated to inmates in mental health crisis, along with mental health care treatment space, clinical support space, housing, recreation, custody, support, and administrative services. Housing, treatment, and support space would be built according to CDCR Design Criteria Guidelines; California Building Standards Code; California Code of Regulations Title 24; mental health licensing; and other State design policies and regulations. The facility would be constructed to highly secure standards and the building will also be designed to allow the provision of other levels of mental health care in addition to crisis. The slightly larger facility does not require additional staffing.

Other proposed project components include a new access road for the MHCF with a new cyclone fence and secure vehicle access area, improvements to the existing pedestrian pathway between the administration building and the MHCF site to comply with Americans with Disabilities Act (ADA) requirements and resurfacing and restriping portions of the existing administration building parking lot to comply with ADA requirements. A 360-space paved parking lot for staff and visitors would be installed in one of two areas. Both options would be located outside of the secure perimeter of Facility D and would be accessed from Merrill Avenue. Parking lot Option A, located just southwest of the Facility D perimeter, would be approximately 3 acres. Parking lot Option B, located south of the Facility D perimeter and immediately east of the existing parking lot, would be approximately 2.5 acres. The MHCF will be built in accordance with the

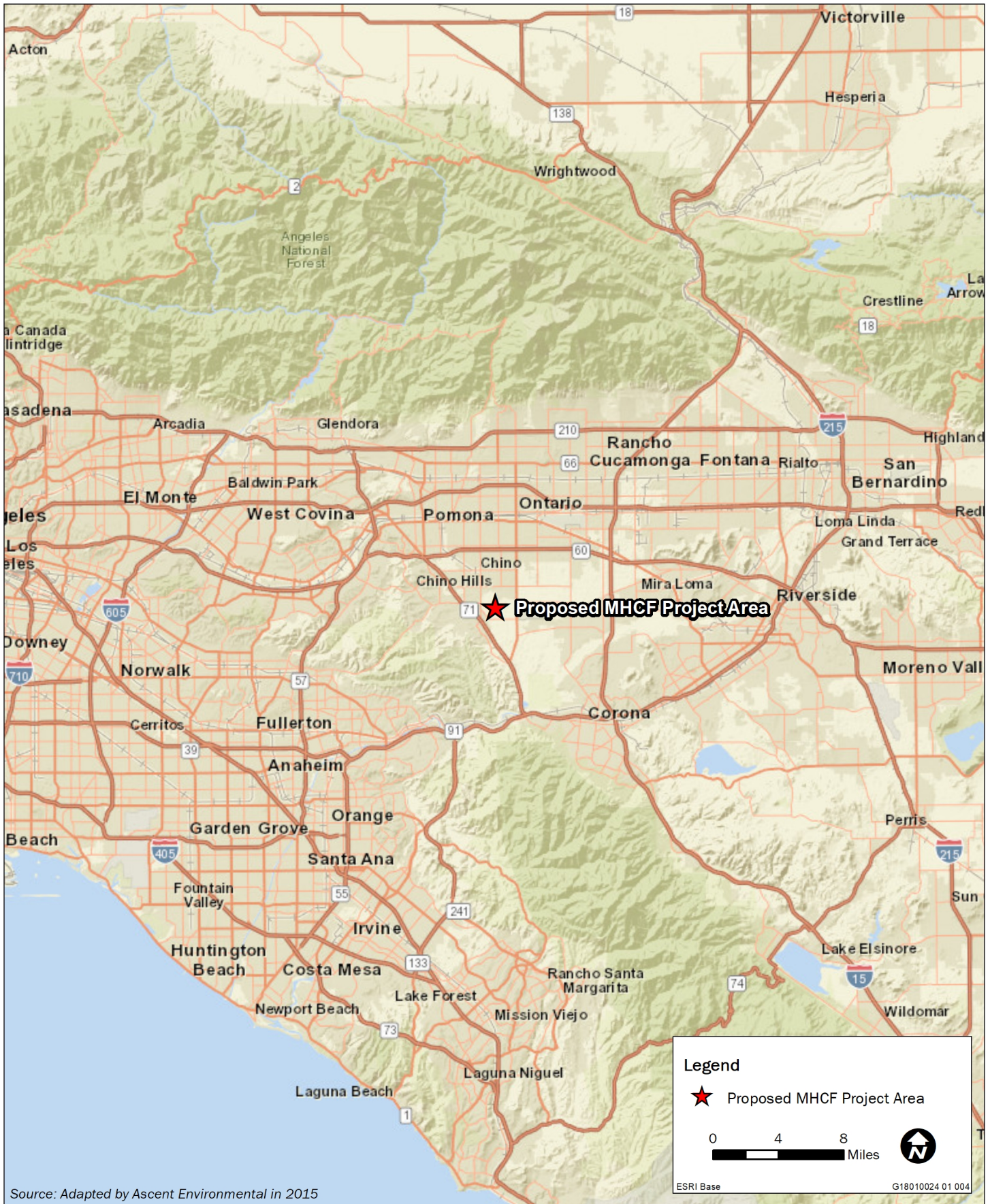


Exhibit 2-1

Regional Vicinity



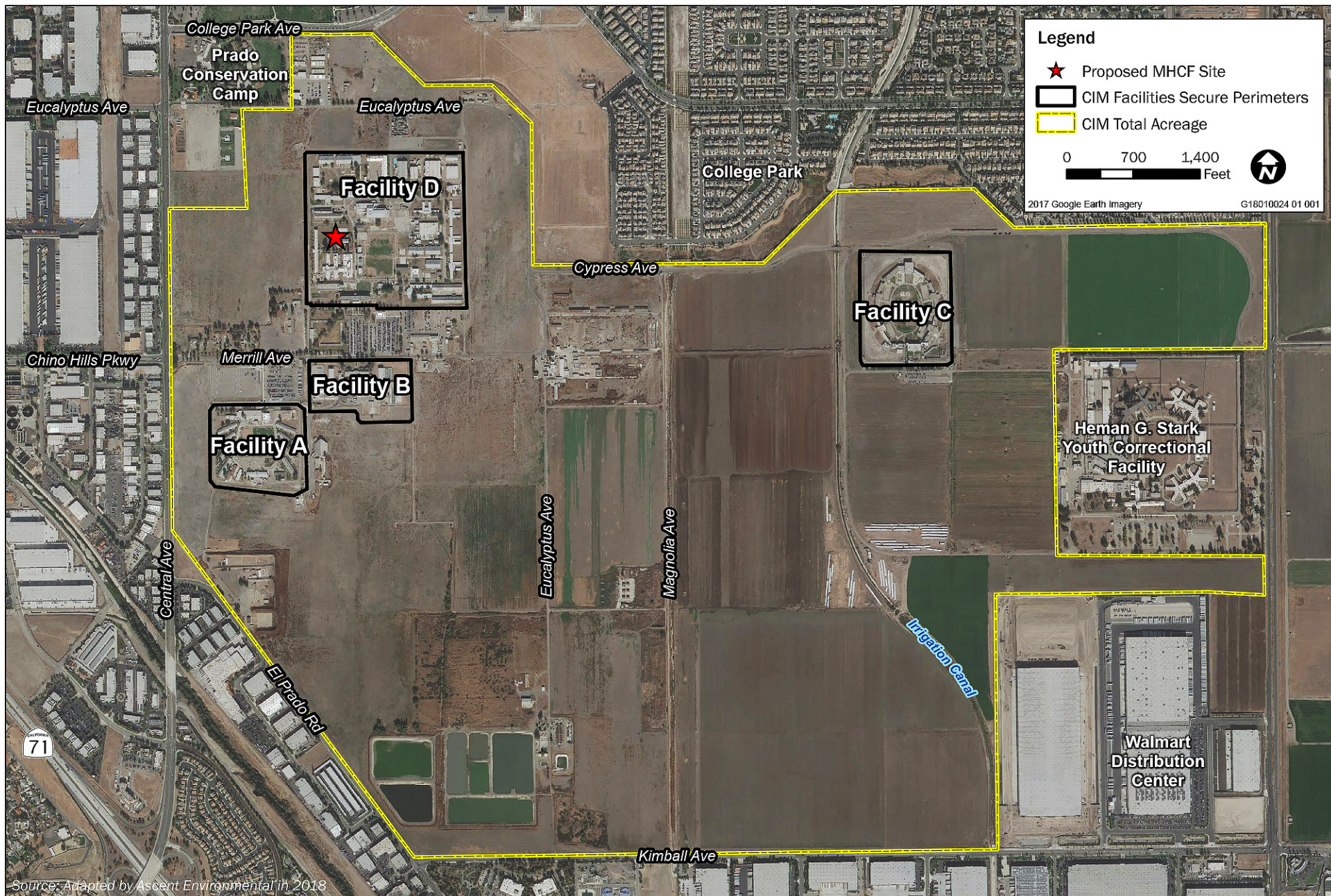


Exhibit 2-2

CIM and Surrounding Areas

U.S. Green Building Council's sustainable design principles established through its Leadership in Energy and Environmental Design (LEED) rating system. Exhibit 2-3 shows the proposed site plan. Exhibit 2-4 provides additional preliminary detail on the site plan for the proposed MHCF.

2.3 PROJECT OBJECTIVES

CDCR's objectives for the proposed project are to:

- ▲ comply with the provisions of the 2017/2018 State Budget Act to prepare preliminary construction plans for a 50-bed mental health crisis facility at CIM;
- ▲ facilitate compliance with court orders to provide constitutionally adequate mental health treatment, including licensed, permanent mental health treatment services, within the State's correctional system and to reduce transfer times for inmate-patients in a mental health crisis state;
- ▲ locate treatment services in a geographically central area of the greater southern California region to complement existing mental health crisis beds in other parts of the State;
- ▲ locate treatment services in a geographically central area of the greater southern California region to facilitate recruitment and retention of skilled medical and mental health professionals; and
- ▲ prioritize infill over greenfield (e.g., non-developed land) development by utilizing developed areas and existing infrastructure to maximize efficient use of State resources and minimize conversion of natural resources, consistent with overall State goals.

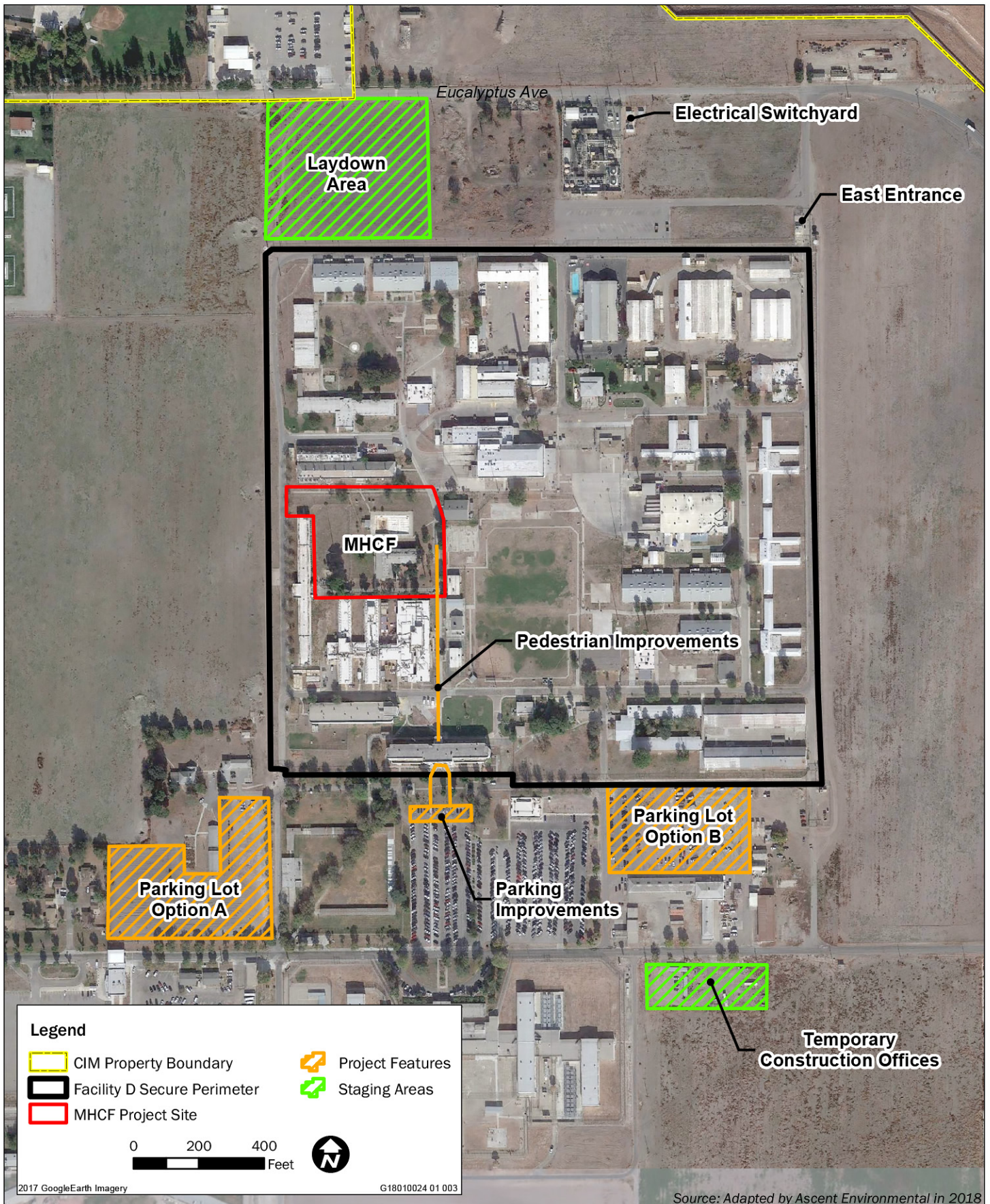


Exhibit 2-3

Proposed MHCF Site Plan



**Exhibit 2-4****Proposed MHCF Site Plan – Preliminary Detail**

3 RESPONSES TO COMMENTS

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

3.1 LIST OF COMMENTERS ON THE DRAFT EIR

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

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

Table 3-1 List of Commenters

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

3.2 COMMENTS AND RESPONSES

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

3.2.1 Master Responses

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

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

Master Response 1: Condition and maintenance of existing infrastructure

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As stated in Section 2.3 of the Draft EIR:

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

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

3.2.2 Agencies



Chino Valley Fire District

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

Board of **Letter A1**

John

President

Harvey Luth

Vice President

Mike Kreeger

Sarah Ramos-Evinger

Winn Williams

Fire Chief

Tim Shackelford

January 2, 2019

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

SUBJECT: PROPOSED MENTAL HEALTH CRISIS FACILITY CALIFORNIA INSTITUTION FOR MEN

Dear Mr. Sleppy:

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

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

Sincerely,

Tim Shackelford

cc: Letter dated August 7, 2018

A1-1



Chino Valley Fire District

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

Board of Directors

Mike Kreeger
President
John DeMonaco
Vice President
Ed Gray
Harvey Luth
Sarah Ramos-Evinger

Fire Chief
Tim Shackelford

August 7, 2018

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

SUBJECT: PROPOSED MENTAL HEALTH CRISIS FACILITY CALIFORNIA INSTITUTION FOR MEN

Dear Mr. Sleppy:

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

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

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

A1-2

A1-3

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

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

A1-3
cont.

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

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

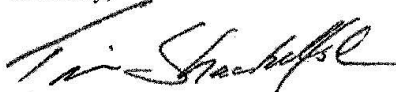
A1-4

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

A1-5

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

Sincerely,



Tim Shackelford

Special Districts Leadership Foundation - District of Distinction Since 2008

Letter A1	Chino Valley Fire District Tim Shackelford, Fire Chief 1/2/2019
----------------------	------------------------------------------------------------------------------

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



South Coast Air Quality Management District

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

Letter
A2

SENT VIA E-MAIL AND USPS:

CDRCChinoMHCF@ascentenvironmental.com

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

January 22, 2019

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

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

SCAQMD Staff's Summary of Project Description

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

A2-1

SCAQMD Staff's Summary of Air Quality Analysis

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

Recommended Mitigation Measure for Localized Air Quality Impacts from Construction

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

A2-2

Tier 4 Construction Equipment or Level 3 Diesel-Particulate Filters

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

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

Robert Sleppy

January 22, 2019

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

A2-2
cont.

Conclusion

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

A2-3

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

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS:AM
SBC181212-02
Control Number

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

³ *Ibid*. Page 18.

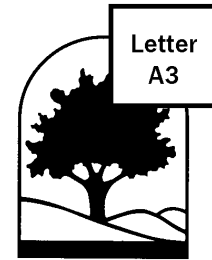
Letter A2	South Coast Air Quality Management District Lijin Sun, J.D., Program Supervisor, CEQA IGR 1/22/2019
----------------------	------------------------------------------------------------------------------------------------------------------

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

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

A2-3

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



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Chino Hills, CA 91709
(909) 364-2600

www.chinohills.org

January 23, 2019

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

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

Dear Mr. Sleppy:

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

A3-1

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

A3-2

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

A3-3

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

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

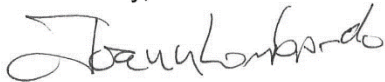
1/23/19
Page 2 of 2

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

A3-3
cont.

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

Sincerely,



Joann Lombardo
Community Development Director

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

Letter A3	City of Chino Hills Joann Lombardo, Community Development Director 1/23/2019
----------------------	-------------------------------------------------------------------------------------------

A3-1 The comment provides introductory text. No response is necessary.

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

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

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

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

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

**Letter
A4**

EUNICE M. ULLOA
Mayor

TOM HAUGHEY
Mayor Pro Tem



CITY of CHINO

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

MATTHEW C. BALLANTYNE
City Manager

January 28, 2019

VIA EMAIL AND U.S. MAIL

CDCRChinoMHCF@ascentenvironmental.com

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

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

Dear Mr. Sleppy:

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

A4-1

Project Baseline

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

A4-2

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

¹

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



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- The department and state Legislature are aware that CIM has fallen into an unacceptable state of repair due to years of neglect. However, the department received \$96 million in fiscal year 2007/08 for maintenance and special repairs for all its facilities, and it only allocated an average of \$4 million a year for maintenance and special repairs at CIM. An outside consultant hired by the department estimates that seven times that amount, \$28 million annually, is needed to maintain CIM in its present "poor" condition, neither improving it nor allowing it to degrade further.
- The consultant's data shows that if funding is not dramatically increased, CIM's condition would reach such a level of degradation by 2014 that independent facilities management experts throughout the industry would recommend demolishing and replacing the entire institution.

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

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

A4-2
cont.

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

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

Project Description and Piecemealing the Project

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

A4-3

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

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

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

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

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

A4-3
cont.

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

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

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

A4-4

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

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

A4-4
cont.

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

Project Alternatives and Predetermination of Outcome

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

A4-5

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

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

A4-6

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

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

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

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

A4-6
cont.

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

Public Services and Security Issues

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

A4-7

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

A4-8

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

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

A4-9

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

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

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

A4-9
cont.

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

A4-10

Aesthetics/Light and Glare

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

A4-11

Transportation/Traffic

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

A4-12

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

A4-13

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

A4-13
cont.

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

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

A4-14

Utilities/Infrastructure

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

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

A4-15

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

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

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

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

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

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

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

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

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

A4-15
cont.

A4-16

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Storm Water

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

A4-17

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

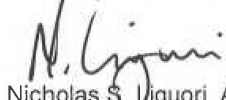
Certification of EIR; Request for Notice of Determination

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

A4-18

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

Sincerely,



Nicholas S. Liguori, AICP
 Director of Development Services

Enclosures

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

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

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

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

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

- A4-4 The comment correctly states that pages 1-2 and 3-1 of the Draft EIR state “the building will also be designed to allow the provision of other levels of mental health care in addition to crisis.” The commenter is correct that the project would allow flexibility such that if bed space at the MHCF is not needed for inmates in mental health crisis, other mental health treatment can be provided. However, the planned capacity (50 beds) and the facility’s employment (165 staff) would not be affected by this approach.
- The comment also expresses concern that other potential future facility modifications at CIM should be considered together with the proposed MHCF as a single project. As identified in Table 5-2 of the Draft EIR “List of Projects in the Vicinity of the CIM MHCF Project” ongoing facility improvements (such as health care improvements) and maintenance projects at CIM are considered in the cumulative impact analysis. The impacts of the projects listed in Table 5-2 are considered for their potential to combine with the impacts of the proposed project to result in cumulative effects, and the comment does not raise any specific deficiencies in the analysis, so no further response can be provided. These are separate projects, with independent utility, considered under separate legislation from that authorizing the MHCF, and would operate completely independent of the project. They are not necessary for the operation of the proposed project, or necessary to achieve the project objectives, nor are they a reasonably foreseeable consequence of approving the project. These separate projects would undergo separate CEQA review, as is appropriate with projects that are unconnected to other projects.
- Please see response to comment A4-3 for additional response regarding the adequacy of the project description.
- A4-5 The comment is correct in stating that one of the objectives of the proposed project specifically identifies CIM as the location for the MHCF, because it was identified as such in the 2017-2018 State Budget Act. The State Budget Act is a legislative action and not subject to CEQA. CEQA requires a stable project description to inform the decision-making process. State CEQA Guidelines Section 15124(a) states that the description of the project shall include “the precise location and boundaries of the proposed project.” However, the Budget Act does not approve the project; it only allows for preliminary plans. CEQA review, project approval by the Secretary of CDCR and funding approval by the State Public Works Board would be needed before the project could be constructed. The project could be approved or rejected at any of these steps. This is no different from any other project, including one in the City of Chino, which would be proposed at a specific location owned by the landowner.
- Insofar as the proposed project would result in significant environmental impacts, State CEQA Guidelines Section 15126.6(a) requires that an EIR describe a reasonable range of alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project. Offsite alternatives to the proposed project at CIM were considered but eliminated for several reasons as described in Draft EIR sections 7.4.3, “Offsite Alternative – California Rehabilitation Center at Norco,” and 7.4.4, “Offsite Alternative – California State Prison, Los Angeles County at Lancaster.”
- A4-6 The comment expresses the view that the alternatives analysis is inadequate as locations outside of CIM were not adequately analyzed. See response to comments A3-3 and A4-5. There are no alternatives that could avoid or substantially lessen (unmitigated) significant effects of the proposed project (because none exist). Also, for this reason, a statement of overriding considerations is not warranted.
- The alternative location at California Rehabilitation Center, Norco, would result in additional significant impacts relating to the demolition of National Register of Historic Places-eligible structures, compared to the project, so it is environmentally inferior even if it could ultimately

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

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

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

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

A4-12

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

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

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

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

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

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

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

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

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

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

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

A4-13

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

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

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

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

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

A4-14

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

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

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

A4-15

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

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

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

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

A4-16

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

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

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

No changes to the Draft EIR are necessary.

A4-17

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

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

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

A4-18

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



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 P.O. Box 9020 • Chino Hills, CA 91709
 TEL (909) 993-1600 • FAX (909) 993-1985
www.ieua.org

January 28, 2019

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

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

Dear Sir or Madam,

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

A5-1

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

1. Wastewater/Sewer Conveyance

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

A5-2

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

Water Smart - Thinking in Terms of Tomorrow

Paul Hofer
President

Jasmin A. Hall
Vice President

Kati Parker
Secretary/Treasurer

Michael E. Camacho
Director

Steven J. Elie
Director

Kirby Brill
Interim General Manager

Mr. Robert Sleppy

Page 2

January 28, 2019

2. Condition of Existing Infrastructure at CIM

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

A5-3

3. Public Safety Related to Crime

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

A5-4

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

Sincerely,

Inland Empire Utilities Agency



Chris Berch, P.E. BCEE

Executive Manager of Engineering/Assistant General Manager

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

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

A5-3 The comment suggests that CDCR consider incorporating recycled water infrastructures and water conservation programs into new and existing facilities. Modifications to existing facilities are outside the scope of the proposed project. Leadership in Energy and Environmental Design, CDCR Design Criteria Guidelines; California Building Standards Code; CCR Title 24 require implementation of various water conservation practices in the proposed building. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.

A5-4 The comment expresses concern over community safety and suggests the proposed MHCF be designed to prevent inmate escapes. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.



Gavin Newsom
Governor

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



Kate Gordon
Director

Letter
A6

January 29, 2019

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

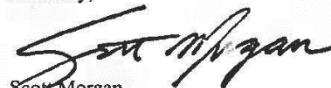
Subject: Mental Health Crisis Facility at the California Institution for Men
SCH#: 2018072022

Dear Robert Sleppy:

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

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

Sincerely,


Scott Morgan
Director, State Clearinghouse

A6-1

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

Document Details Report State Clearinghouse Data Base

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

Type EIR Draft EIR
Description Note: Review Per Lead

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

Lead Agency Contact

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

Project Location

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

Proximity to:

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

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

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

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

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



Edmund G. Brown Jr.
Governor

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



Ken Alex
Director

November 26, 2018

TO: CEQA LEAD AND REVIEWING AGENCIES

RE: ANNOUNCEMENT OF CHANGE, NEW CEQA DATABASE

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

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

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

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

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

State.clearinghouse@opr.ca.gov

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

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

**Letter
A6**

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

A6-1

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

3.2.3 Individuals

**Letter
I1**

Alta Cunningham

From: Rachel Zaokopny <rzaokopny@gmail.com>
Sent: Thursday, January 3, 2019 5:13 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Chino Prison Mental Health Unit

To whom it may concern,

With an understanding of the challenges in serving incarcerated persons with mental illness, I appreciate the State's goal in building this new facility. In my professional experience, I feel this facility is greatly needed and perhaps with the appropriate public outreach may be better accepted within the community.

I1-1

As an aside, with planned new construction, I hope there is consideration given to renovating the existing prison facility.

I1-2

Sincerely,
 Rachel Selleck

**Letter
I1**

Rachel Selleck
 1/3/2019

- I1-1 The comment expresses support for the proposed MHCF. No response is necessary.
- I1-2 The comment suggests renovating the existing CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

**Letter
I2**

Alta Cunningham

From: Cristina L <clcali@hotmail.com>
Sent: Friday, January 4, 2019 9:43 PM
To: CDCRChinoMHCF Public Comments
Subject: Chino Mental Facility Proposal

Hello,

We are residents at the College Park Community in Chino. We definitely oppose the proposed mens mental facility for several reasons. The current mens prison is deteriorating and should be torn down and moved out of Chino. Also, how does the city or government justify adding a mental facility right next to existing and growing family communities? Are they not concern of the danger this can potential have on the residents? Will the city and government be fully responsible for any crime committed due to this decision? I'm certain there are other locations more suitable than Chino.

I2-1

I2-2

Please reconsider the impact adding a mental facility will have on the communities and residents as well as the crime this will bring to the city of Chino.

Thank you
 Cristina Azevedo

Letter I2	Cristina Azevedo 1/4/2019
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I2-1 The comment expresses opposition to the proposed project and states that the existing CIM facility is deteriorating and should be torn down. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

I2-2 The comment expresses the belief that the proposed MHCF will bring crime to Chino and expresses concerns about public safety related to the proposed MHCF. Please see Master Response 2.

The comment also states that there are other locations more suitable for the proposed project than Chino. The suitability of offsite alternatives is addressed in Chapter 7, "Alternatives," of the Draft EIR.

The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham

**Letter
I3**

From: Patricia Yeates <pyeates54@icloud.com>
Sent: Saturday, January 5, 2019 12:33 AM
To: CDCRChinoMHCF Public Comments
Subject: Chino prison

I have lived in College Park for four years. In that time period there has been a minimum of two escapes at the prison. I fear for my mine and my daughter's safety now that they are considering adding a mental hospital to the prison. Currently Collage Park is a quite family neighborhood. But since the announcement of the hospital I have seen families with children move.

Unfortunately I will be out of town on the date of the planned meeting to discuss this matter, but I do plan on voicing my opinion, and supporting an acton to stop this from happening.

Patricia Yeates
 14407 Penn Foster
 Chino CA 91710
 Sent from my iPad

I3-1

Letter I3	Patricia Yeates 1/5/2019
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I3-1 The comment expresses concern related to public safety in the College Park area from the operation of the proposed project at CIM. The College Park area is located on 710 acres of former CIM property that was surplusd to the City of Chino in the early 2000s. It is adjacent to the northern area of the prison. The City approved a specific plan in 2004 that allowed development of 2,200 homes, parks, college uses, and other development (City of Chino 2004).

With regard to public safety, please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Letter I4

Alta Cunningham

From: Karen Aguilar <karena2306@yahoo.com>
Sent: Monday, January 7, 2019 9:41 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Crisis Build

Hello,

My family and I purchased a home in Chino because we loved it here. Getting passed the prison was a hurdle for us, because a prison is frightening, and frankly it's a prison. Nothing nice about it. We made it work. A mental facility would without a doubt bring an unwanted crowd to a city that has plenty of wonderful things to offer its community. We are a home with children and it's hard to explain to them they are safe where we live, adding this would in no way contribute to our future or that of our children. We strongly discourage this and would vote against it if need be. We can use new schools in chino even more police patrol to have a watchful eye on our neighborhood.

I4-1

Thank you.

Karen Aguilar- Lee

Letter I4	Karen Aguilar-Lee 1/7/2019
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I4-1

The comment expresses concern that the proposed project would bring an unwanted crowd to the city and that families would not feel safe. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham

Letter I5

From: Susan Li <eversunny88@gmail.com>
Sent: Friday, January 11, 2019 10:10 AM
To: CDCRChinoMHCF Public Comments
Subject: Opposition to MHCF project at CIM

I oppose this project because I am very concerned with the safety of our community as the result of this project.

I5-1

XU LI

Letter I5	Susan Li 1/11/2019
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I5-1

The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I6**

From: 微笑麦乐 <1145280072@qq.com>
Sent: Friday, January 11, 2019 11:22 AM
To: CDCRChinoMHCF Public Comments
Subject: Opposition to MHCF project at CIM
Attachments: 0111_1.jpg

I oppose this project because I am very concerned with the safety of our community as the result of this project
 chino college park resident : Emma Li

I6-1

**Letter
I6**

Emma Li
 1/11/2019

I6-1

The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I7**

From: Daniel Merrill <knickfan80@yahoo.com>
Sent: Friday, January 11, 2019 12:39 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed CIM Mental Health Facility

Good Afternoon,

My name is Daniel Merrill and I live in the Woodbury neighborhood of College Park. I am writing to voice my concerns against the proposed Mental Health Facility at CIM. The current state of CIM is unacceptable (especially with the most recent escapes). Money needs to be centered on modernizing the current facility instead of adding a new mental health facility.

I7-1

Thank you,

Daniel S. Merrill
 714.606.9571

**Letter
I7**

Daniel Merrill
 1/11/2019

I7-1

The comment states that the current state of CIM is unacceptable and that money needs to be centered on modernizing the current facility instead of adding a new mental health facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I8**

From: Kevin Chen <kevinchen226@gmail.com>
Sent: Thursday, January 24, 2019 8:54 AM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,

Kevin Chen

7018 Piedmont St.
Chino CA 91710

I8-1

**Letter
I8****Kevin Chen**
1/24/2019

I8-1

Please see response to comment I3-1 concerning the history and location of College Park in connection with CIM. The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I9**

From: 瑞琦公司 <lafayette9986@gmail.com>
Sent: Sunday, January 27, 2019 10:46 PM
To: CDCRChinoMHCF Public Comments
Subject: letter from college park resident
Attachments: Opposition to the MHCF 2.pdf

Date: January 23, 2019

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

Copy: Office of the Mayor, City of Chino
 Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,

Name

Address
 Contact phone number

I9-1

**Letter
I9**

lafayette9986@gmail.com
1/27/2019

I9-1

Please see response to comment I3-1 concerning the history and location of College Park in connection with CIM. The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I10**

From: 瑞琦公司 <lafayette9986@gmail.com>
Sent: Sunday, January 27, 2019 10:46 PM
To: CDCRChinoMHCF Public Comments
Subject: letter from college park resident
Attachments: Opposition to the MHCF 2.pdf

Date: January 23, 2019

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

Copy: Office of the Mayor, City of Chino
 Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,

Name

Address
 Contact phone number

I10-1

Letter I10	lafayette9986@gmail.com 1/27/2019
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I10-1 The comment is a duplicate of Letter I9.

Alta Cunningham**Letter
I11**

From: Steve Elie <selieh2o@gmail.com>
Sent: Monday, January 28, 2019 10:07 AM
To: CDCRChinoMHCF Public Comments
Subject: L2 CDC re DEIR Jan 28 2019.pdf
Attachments: L2 CDC re DEIR Jan 28 2019.pdf

Please acknowledge receipt of this letter.

Sent from my iPhone so I hope autocorrect was at least humorous

STEVEN J. ELIE

17017 ESTORIL STREET

CHINO HILLS, CA 91709

EMAIL: selieh20@gmail.com

TELEPHONE: (909) 393-6382

MOBILE: (909) 938-4394

January 28, 2019

VIA EMAIL ONLY**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**

Office of Facility Planning, Construction and Management

P.O. Box 942833

Sacramento, CA 94283-0001

Attention: Robert Sleppy

Email: CDCRChinoMHCF@ascentenvironmental.com

Re: Draft Environmental Impact Report re Mental Health Crises Facility of the
California Institution for Men, State Clearing House No. 2018072022

Dear Mr. Sleppy:

This letter will put in writing some of the comments I made on January 10, 2019, which were reported stenographically, with respect to the captioned draft EIR which are incorporated herein. I also make additional comments as set forth below. These Comments are my own and are not to be attributed to anyone other than me, including, but not limited to, any organization or law firm. As I stated on January 10, it is disappointing that representatives of CDCR have attempted to diminish the very real infrastructure issues at CIM that exist by calling them social issues and then the DEIR itself relies heavily on such crumbling infrastructure to avoid having to obtain new approvals.

111-1

The purpose of a Draft EIR is ultimately for the public and decisionmakers to be able to be provided with substantial evidence such that any decision made based on the document can be an informed one. This DEIR is flawed because instead of seeking and providing actual information, it contains assumptions which are likely at odds with reality as to the current state of infrastructure at the CIM, among other problems. These flaws cause the DEIR to be flawed and I believe you should re-draft and re-circulate the DEIR, if at all.

PROJECT DESCRIPTION

In Section 1.2.3 and 3.4 there is mention of two alternative designs of the main building proposed, a single story building with a 61,000 square foot footprint and a 2 story building with a 35,000 square foot footprint. Given that the CDCR is proposing a significant project here, this type of major decision should not be deferred and could very well lead to segmentation. The environmental impacts such as visual and other impacts of a 2 story building vs. a one story building have not even been mentioned, let alone analyzed.

111-2

Mr. Robert Sleppy

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Re: Draft Environmental Impact Report re Mental Health Crises Facility

of the California Institution for Men, State Clearing House No. 2018072022

January 28, 2019

Page 2

ALTERNATIVES

The “alternatives” listed include only the “No Project” alternative and a vague description of building the project somewhere else on the property without any indication of truly where else or how that is any different from the apparently already chosen “superior alternative.” A better (and true) alternative would be one where existing, deteriorating infrastructure would be brought into the 21st Century so that the new facility could properly rely on that infrastructure.

111-3

EXISTING INFRASTRUCTURE

In Section 2.3, page 2-9, there are several “responses” to and acknowledgement of the public’s comments concerning infrastructure at the existing facilities, but the DEIR concludes that “maintenance of existing facilities is ‘unrelated’ to the proposed project”. To the contrary, the existing infrastructure as to water and wastewater, at minimum, are being used to support this DEIR, without any analysis of their conditions or compliance with State or Federal law. It is unfortunate that the public’s very real concerns about crumbling infrastructure are being ignored and that attitudinal problem carried through in this DEIR and the presentations to the public on January 10.

111-4

WASTEWATER TREATMENT/WDR 95-24/IMPACTS NOT ANALYZED

The DEIR refers to the Waste Discharge Requirements put in place in 1995 for the then existing facilities and which are encapsulated in WDR 95-24. Then, without analysis of literally anything, the DEIR concludes that the wastewater from this new facility can be added to existing flows with no impact. This is flawed as well and provides no analysis.

First, there is no legal or other analysis in the DEIR that would indicate why a new building (or buildings) would be permitted to be part of existing and out dated WDRs. There is no indication whatsoever that such an analysis has been done.

111-5

Second, this is compounded by the fact that the type of secondary treatment and discharge to percolation ponds being used at CIM would not be permissible for anyone today as they increase the TDS and BOD loads to the already significantly impacted Chino Basin. All dischargers to the Chino Basin today (and for some time) have had to meet strict requirements for their discharges and, at minimum, use tertiary treatment for wastewater/recycled water. Percolation ponds for secondary treated wastewater are not allowed, period. It is shocking that the State of California still uses them and then irrigates crops with this water.

Mr. Robert Sleppy

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Re: Draft Environmental Impact Report re Mental Health Crises Facility

of the California Institution for Men, State Clearing House No. 2018072022

January 28, 2019

Page 3

Third, nowhere in the DEIR is there an analysis of the state of the wastewater infrastructure on which the DEIR relies for its assumptions about future use of the system if this project is built. The wastewater treatment systems were first built in the 1940s and had many troubles over the next few decades. WDR 95-24 itself recounts MANY problems historically which lead to the issuance of new WDRs, over 30 years ago. Indeed, it is likely given the lack of spending for regular maintenance of other portions of the facility, that the wastewater transport system at CIM is structurally unsound and/or leaking.

111-5
cont.

In any event, these issues are ignored completely in the DEIR and there is no analysis whatsoever of existing infrastructure, its state of repair and utility (let alone whether it is appropriate for use in the 21st Century) or whether the existing permitting allows the use of such facilities by newly constructed facilities.

As you know, the CDCR has also had similar issues at its Mule Creek State Prison facility in or near Ione, California. See, e.g., http://www.ledger.news/news/board-of-supervisors-join-investigation-of-mcsp-part-in-the/article_d5c26124-1532-11e9-b192-1bb961920c15.html. The people of the Chino Valley do not want this aged, crumbling facility to pollute the groundwater. Your DEIR does nothing to analyze if it will.

111-6

APPENDIX E TRAFFIC STUDY

The traffic study states on page 24 that the “Project would generate a negligible number of inmate transfer trips.” Therefore, the study does not account at all for these trips.

Section 3.6.1 of the DEIR indicates that the inmates to be served from this Project could come from any “nearby” State facility and that inmates will only stay in the new facility on a limited basis and no more than 10 days. They would then be transferred to other facilities once “stabilized”.

111-7

The Traffic Study is incomplete at best because it ignores what could be 50 trips a day in some instances. This could also include multiple vehicles (given the category of inmates involved) for each inmate or two, at multiple times per day. I suppose you could say I am speculating, but the traffic study ignores the DEIR and does not address the inmates who will obviously be coming in and out of the facility, maybe dozens of people every week.

Mr. Robert Sleppy

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Re: Draft Environmental Impact Report re Mental Health Crises Facility

of the California Institution for Men, State Clearing House No. 2018072022

January 28, 2019

Page 4

CONCLUSION

The issues raised herein are likely the tip of the iceberg and from all accounts the infrastructure at CIM is crumbling now. The DEIR improperly assumes a number of things without analysis and the basis of a number of conclusions is improper making them faulty, at best. I 11-8

Please feel free to call me at any time.

Very truly yours,



Steven J. Elie

Letter I11	Steven J. Elie 1/28/2019
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- I11-1 The comment provides introductory text and summarizes the comments that follow. No response is necessary.
- I11-2 The comment incorrectly states that environmental impacts of a two-story building versus a one-story building have not been analyzed. As discussed in response to comment A4-3, State CEQA Guidelines Section 15124 states that “the description of the project ... should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.” In consideration of the early stage of CDCR’s design process, the Draft EIR evaluated impacts based on reasonable maximum assumptions for any variables related to the site plan. This allows for an informed analysis while still providing some flexibility as the design process progresses.
- Visual impacts are discussed beginning on page 4.1-1, in Section 4.1, “Issues Found Not to Be Significant,” of the Draft EIR and both a single- and two-story building are evaluated. The MHCF is described as being located within Facility D, with a two-story dormitory blocking views of the proposed new facility from the west, and the nearest residence located approximately 0.5 miles to the east, behind an 8-foot tall sound wall. Page 4.1-2 of the Draft EIR discusses a one-story MHCF compared to a two-story MHCF. The analysis concludes that the construction of a one-story building would not be visible from offsite areas and a two-story might be slightly visible, however it would be indistinguishable from the existing facilities.

The comment provides no information suggesting why this analysis of visual impacts is not adequate. Further, no information is provided to support the contention that the analysis is deferred or segmentation. Consequently, no additional response on these issues is needed.

I11-3

The comment suggests that an alternative should be considered that modernizes existing infrastructure for the new MHCF to rely on. The existing infrastructure at CIM is only relevant to the project to the extent that its use would result in environmental impacts. This type of alternative is unrelated to the proposal to construct the MHCF and to reduce or avoid its significant environmental impacts, as required by CEQA. Also, because this suggested alternative does not meet any of the project objectives, it is not a feasible alternative to the proposed project under CEQA. Please see Master Response 1 regarding the condition of existing infrastructure at CIM.

I11-4

The comment states that the existing conditions of CIM need to be analyzed. Specifically, the comment incorrectly states that existing water and wastewater infrastructure are being used to support this Draft EIR, without any analysis of their conditions or compliance with State or federal law.

Any improvements or other work possibly resulting in physical environmental changes to infrastructure that is necessary to support construction or operation of the MHCF must be considered part of the proposed project. In designing the proposed project and developing the project description presented in the Draft EIR (Chapter 2), CDCR assessed the condition and capacity of existing infrastructure, including electrical generation and distribution lines, water and wastewater treatment and distribution pipes, roadways, and parking. A proposed parking lot is included in the project description to support operation of the MHCF. CDCR determined that no other improvements to infrastructure are needed. Further, the project's potential to adversely affect infrastructure was evaluated in the Draft EIR; see the discussions of water and wastewater infrastructure on page 4.11-5 through 4.11-7 in Section 4.11, "Utilities and Service Systems."

The comment does not offer any evidence to show that CIM is out of compliance with any state or federal law. The Chino Basin is adjudicated; therefore, it is subject to rules, regulations, and long-term plans to manage groundwater production, recharge, and quality. Current planning documents indicate that sufficient groundwater is available to CIM through the overlying agricultural pool, in accordance with the Peace II Agreement; please see response to comment A4-16. CIM operates the onsite WWTP in accordance with WDRs (Order No. 95-24) adopted by the Santa Ana RWQCB on April 9, 1976 (updated most recently in 1995). Compliance with the WDRs includes discharge specifications, which are currently met by CIM. Please also see response to comment A5-2.

I11-5

The comment states that the Draft EIR does not provide an analysis of the proposed project's ability to meet WDR 95-24. Impact 4.11-2, on page 4.11-6 of the Draft EIR, describes the existing demand and demand associated with the proposed MHCF, concluding that adequate capacity exists at the WWTP. So long as CIM operates within the permitted capacity of the WWTP, RWQCB approval is not required for CDCR to add facilities at CIM. The WWTP is in compliance with WDR 95-24, and there are no unusual characteristics associated with the MHCF that would result in a different constituent quality of untreated sewage that would cause the WWTP to violate its WDRs. Please also see response to comment A5-2.

The comment also contends, without evidence, that the WDRs are out of date. WDRs are issued in California by the various RWQCB, in this case, the Santa Ana RWQCB, to protect water quality. They are reissued every 5 years, ensuring compliance with current laws and regulations, and current scientific understanding regarding pollutants of concern. The RWQCB staff ensure compliance with the WDRs by reviewing waste discharge reports and inspecting WWTPs for compliance with WDRs on a regular basis. If the plant is found to comply with the

WDRs, then a report finding no violations is issued. Minor corrective actions associated with operations may be noted and require attention. A summary of inspections is provided on the Regional Board's website. As shown, CIM's WWTP has been inspected 26 times since issuance of the WDRs (the last time in 2018). No violations of the WDR are shown (California Integrated Water Quality System Project 2019).

With regard to the assertion that secondary treatment would not be allowed today, the commenter provides no supporting evidence. Secondary treatment, particularly for land application of effluent, is common in California. Higher levels of treatment (typically known as "tertiary") are typically required when treated effluent will be recycled for use on landscaping and in other public arenas.

Regarding orders that recount problems leading up to WDR 95-24, some 30 years ago, while this may be of historical interest, it does not address the fact that the WWTP has been inspected regularly and shows no violations of the WDRs.

- I11-6 The comment refers to alleged groundwater issues at another CDCR facility. This issue is not related to any groundwater quality reports at CIM. Please see response A4-15. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- I11-7 The comment states that the traffic analysis is incomplete as it does not account for inmate transfer trips. The commenter is correct that the DEIR did not address inmate transfer trips. See response to comment A4-12, which explains that inmate transfer trips could total 20 trips per day, as a worst-case-scenario where all inmates are assumed to be high security and requiring two vans for transport. Thus, the commenter's calculation of 50 trips per day is incorrect.
- I11-8 The comment makes a general summary comment and concludes that the infrastructure at CIM is crumbling. Please see Master Response 1 regarding the condition of existing infrastructure at CIM.

Alta Cunningham**Letter
I12**

From: fepa23@yahoo.com
Sent: Monday, January 28, 2019 10:18 AM
To: CDCRChinoMHCF Public Comments
Subject: Fw: Proposed MHCF
Attachments: new doc 2019-01-28 09.39.47_20190128094322.pdf

Hi there,

Please find the file attached to this email.

Date: January 23, 2019

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

Copy: Office of the Mayer, City of Chino
Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,

Name Fernando Palacios, Jie XU.
Address 14197 Haverford Ave. Chino CA 91710
Contact phone number (626) 568-4900.

I12-1

Letter I12	Fernando Palacios 1/28/2019
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- I12-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I13**

From: Kim Briggs <kimb@controlworksbas.com>
Sent: Monday, January 28, 2019 2:18 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Crisis Facility
Attachments: letter 1-28-19.pdf

Please see attached letter.

--

Kim Briggs

Date: January 23, 2019

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

Copy: Office of the Mayer, City of Chino
Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,



Name *Kim Briggs*

Address *14422 Bethany Ave.*

Contact phone number *909.636.9167*

I13-1

Letter I13	Kim Briggs 1/28/2019
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- I13-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I14**

From: B. Bjerke <gammax2001@yahoo.com>
Sent: Monday, January 28, 2019 3:34 PM
To: CDCRChinoMHCF Public Comments
Subject: Prison Mental Health Center

The current EIR is incomplete and you must address the following subjects:

Placing a facility inside an aging and failing facility	I I14-1
The safety of citizens during the transfer process. Many times en route there would be access to escape plans in the over 4000 trips a year and without armed guards.	I I14-2
The disposal of human waste since facility is not on sewer system.	I I14-3
Pollution of water supply	I I14-4
Contamination of soil and human waste smells invading nearby community.	I I14-5
The payment of Chino Valley fire Department for services rendered to this facility that facility is not equipped to handle.	I I14-6
Noise from the prison. Loud speaker assignments that are heard over in College Park.	I I14-7
Loss of property values for College Park Residents.	I I14-8
Glare from lights at facility that will invade homes and yards of nearby residents.	I I14-9
Traffic increase on city streets	I I14-10
Noise during construction	I I14-11
EIR must include a site plan.	
And an answer to how a ten day stay is going to stabilize someone who is experiencing a major mental health breakdown.	

Sincerely,

Brigid Bjerke

Letter I14	Brigid Bjerke 1/28/2019
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- I14-1 The comment states that the existing CIM facility is aging and failing. Please see Master Response 1 regarding the condition of existing infrastructure at CIM. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- I14-2 The comment expresses safety concerns related to prisoner transport. Please see Master Response 2 regarding security considerations. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

- I14-3 The comment states that the Draft EIR must address disposal and treatment of wastewater and expresses concerns about water supply contamination. See response to comment A4-15 regarding disposal and treatment of wastewater and response to comment A5-2 regarding groundwater contamination.
- I14-4 The comment states that the Draft EIR must address payment to CVFD for services rendered to this facility that CIM is not equipped to handle. Please see response to comment A1-3.
- I14-5 The comment states that the Draft EIR must address existing noise from the prison, including the loud speaker. CEQA requires that the Draft EIR evaluate the impacts of the proposed project compared to baseline “existing conditions.” Existing prison noise, which has existed since activation of the prison in 1941, is not subject to analysis under CEQA. Operational noise sources associated with the proposed project are evaluated under Impact 4.8-2 on page 4.8-10 of the Draft EIR. The Draft EIR analysis concludes that operation of the proposed project would not result in a substantial permanent noise increase above existing conditions. The proposed MHCF would not increase the number of announcements made over the loudspeaker.
- I14-6 The comment states that the Draft EIR must address property values. Impacts to residential property values are not within the scope of the EIR analysis for the reasons presented on Draft EIR pages 2-9 and 2-10 of Chapter 2, “Introduction.” Pursuant to State CEQA Guidelines Section 15131, economic impacts that are not caused by physical impacts to the environment are not within the scope of CEQA. Accordingly, courts have found that potential effects on property values need not be analyzed under CEQA (e.g., *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2007)). Further, with specific reference to College Park, see response to comment I3-1. Property values at College Park would already reflect its proximity to an existing prison.
- I14-7 The comment states that the Draft EIR must address glare from lights at the facility that will invade homes and yards of nearby residents. Light and glare are discussed on page 4.1-4 in Section 4.1, “Issues Found Not to Be Significant,” of the Draft EIR. All lighting for the MHCF would be less intensive than the existing lighting at CIM because the proposed project would use LED bulbs with directional shielding and glare screens. Additionally, the MHCF is located near the center of Facility D, and the nearest residences are located approximately 0.5 miles east of the MHCF, which minimizes the visibility of the proposed MHCF from offsite viewers.
- I14-8 The comment states that the Draft EIR must address traffic increase on city streets. Section 4.10, “Transportation and Circulation,” of the Draft EIR addresses traffic volumes and intersection operations under Impact 4.10-1. The analysis concludes that the proposed project would add an estimated 72 a.m. peak hour and 72 p.m. peak hour net external trips during operation, and that no study area intersections that operate at acceptable LOS D or better under the Existing condition would be degraded to an unacceptable LOS with the addition of project-generated traffic. Therefore, the impact would be less than significant. See also response to comment A4-12.
- I14-9 The comment states that the Draft EIR must address noise during construction. Section 4.8, “Noise and Vibration,” of the Draft EIR addresses construction noise under Impact 4.8-1. The analysis concludes that there would not be a substantial increase in ambient noise levels and the impact would be less than significant. Specifically, offsite noise-sensitive land uses (e.g., within College Park) are approximately 0.5 miles east of the proposed MHCF project area, behind a sound wall. Accounting for typical attenuation rates, the noise levels during construction could reach 51.4 dB L_{eq} at the nearest offsite single-family residence, which would not exceed the City’s noise standard of 55 dB.
- I14-10 The comment states the Draft EIR must include a site plan. See response to comment A4-3.

- I14-11 The comment states that the Draft EIR must provide an answer to how a ten-day stay is going to stabilize someone who is experiencing a major mental health breakdown. The medical process for stabilizing an inmate-patient would not result in any physical environmental effects and is therefore outside the scope of this EIR. No further response is required.

Alta Cunningham

Letter I15

From: Rita-Fairing <rita@fairing.com>
Sent: Monday, January 28, 2019 3:44 PM
To: CDCRChinoMHCF Public Comments; eulloa@cityofchino.org
Subject: Demand to relocate the MHCF facility

Dear Mr. Sleppy:

We live in the College Park area in the City of Chino. Our family joins the entire College Park community to voice our stern oppositions to build the MHCF in our neighborhood.

Our major concern of this proposed project is SAFETY. The planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park, newly build University Park and others. With over 50,000+ residents, many young families with small children, living in the vicinity, this project raises alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized these concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

By now you shall receive many letters from our community voice and opposition of the project. This email is to demand your cooperation in halting, or relocating, the above project and respect to the voice of the community!

Thank you.

Spenser Chen, Rita Chen

6417 Southwestern Street, Chino, CA 91710

--

Rita C. Chen

e-mail: rita@fairing.com

Please consider the environment before printing this email

I15-1

Letter I15	Rita C. Chen 1/28/2019
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- I15-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I16**

From: Yi Wang <kevin.wangyi@gmail.com>
Sent: Monday, January 28, 2019 5:02 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Crisis Facility project at CIM in Chino
Attachments: Scannable Document on Jan 28, 2019 at 4-57-19 PM.pdf

Date: January 23, 2019

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

Copy: Office of the Mayor, City of Chino
 Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

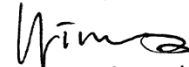
Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.

The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.

This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,



Name *Yi Wang*

Address *6520 Youngstown St., Chino, CA 91710*

Contact phone number *626 679 6843*

I16-1

Letter I16	Yi Wang 1/28/2019
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I16-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I17**

From: Yong Jin <YongJ@amphastar.com>
Sent: Monday, January 28, 2019 8:05 PM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.
 Our major concern with this proposed project is STILL safety. This planned MHCF is located about 2-4 miles from 3 schools, multiple large residential developments and neighborhoods such as The Preserve, Eastvale, College Park and others. With over 50000+ residents (many young families with small children) living in the vicinity, this raised alarming concerns with a variety of safety issues from prison breaks/unrest to emergencies.
 The Environmental Impact Report commissioned by the CDCR minimized\ the concerns raised by the residents and the city officials of Chino. We all firmly believe that Chino is the wrong place for the above project.
 This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.
 Thank you very much. Yours truly,

I17-1

Yong Jin
 6810 piedmont st
 Chino, ca 91710
 714-515-9103

Letter I17	Yong Jin 1/28/2019
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I17-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Date: January 23, 2019

**Letter
I18**

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

Copy: Office of the Mayor, City of Chino
Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

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This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,

Name *Lu Jia Xu*

Address *6573 Wheaton St. Chino, CA 91710*

Contact phone number *714-409-3645*

I18-1

**Letter
I18**

**Lu Jia Xu
1/28/2019**

I18-1

The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Date: January 23, 2019

Letter
I19

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

Copy: Office of the Mayor, City of Chino
Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

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This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,



Alex Wong & Vickie Sun

14431 Bethany Ave., Chino, CA 91710
714-930-5023

I19-1

Letter
I19

Alex Wong & Vickie Sun
1/28/2019

I19-1

The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

California Department of Corrections and Rehabilitation
Mental Health Crisis Facility Project at the California Institution for Men
Comment Sheet - Draft Environmental Impact Report

**Letter
120**

Written comments may be submitted at the Public Hearing or mailed to the following address no later than January 28, 2019:

California Department of Corrections
 Division of Facility Planning, Construction and Management
 Attn: Robert Sleppy
 P.O. Box 942833
 Sacramento, CA 94283-0001
 Email: CDCRChinoMHC@ascentenvironmental.com

Name: Annaliese Bille

Affiliation (if any): 0

Mailing Address: 14583 Manchester Ave
Chino, Ca. 91710

Comment: I live in a neighborhood next to the prison. When I purchased home 6 yrs ago I was told it was a minimum security prison. I moved from N.Y.S. I guess I should have researched it better. I have attended 2 meet and have been made aware of the disrepair of the prison. At first I thought it was a great idea inside prison walls. NOT now. Until the prison is brought up to all safety standards. Septic system, electrical etc. this is not safe or humane. If office workers can't plug in a heater w/o blowing lights how do you expect to put another facility inside, and expect it to keep prisoners inside and our neighborhoods safe. 3 escapes in the 6 years I have lived here. Also I was told the transport of prisoners from other facilities will be traveling on our streets w/o armed guards including convicted murderers. Sorry having a car following transport vehicle is NOT reassuring at all to me

I20-1

I20-2

I20-3

Please use reverse side of page or use additional sheets as needed

just to reiterate. A prison built in 1941 and is in such disrepair is NOT a safe place to put a mental health hospital. Look at what a Maximum Security Prison walls and fencing have. It sure isn't what CM Prison has. It was built ^{as} a minimum security prison.

I20-3
cont.

Thank you.

Annaliese Bille

Letter I20	Annaliese Bille 1/28/2019
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- I20-1 The comment states that the existing CIM facility is in a state of disrepair. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- I20-2 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- I20-3 The comment expresses safety concerns related to the proposed project, including prisoner transport and security levels. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Alta Cunningham**Letter
I21**

From: Adriana Titus <natureshealth10@yahoo.com>
Sent: Tuesday, January 29, 2019 8:42 AM
To: CDCRChinoMHCF Public Comments
Subject: Proposed Mental Health Facility in Chino
Attachments: chino letter.pdf

Please see attached letter concerning my opposition to the proposed Mental Health Facility in Chino.

Adriana Titus

Date: January 23, 2019

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

Copy: Office of the Mayer, City of Chino
Chino Champion Newspaper

Subject: Proposed Mental Health Crisis Facility (MHCF) project at the California Institution for Men (CIM) in Chino, California

Dear Mr. Sleppy:

We, a large group of concerned citizens from the College Park area in the City of Chino, would like to voice our stern oppositions to the above project again.

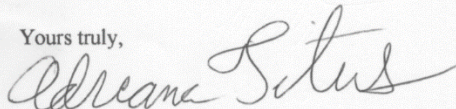
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This is AGAIN to demand your cooperation in halting (or relocating) the above project and listen to the voices of the community.

Thank you very much.

Yours truly,



Name

Adriana Titus

Address:

14422 Bethany Ave, Chino, CA 91710

Contact phone number

909 636-4714

I21-1

Letter I21	Adriana Titus 1/28/2019
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- I21-1 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Letter
PH

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PUBLIC MEETING - January 10, 2019

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PUBLIC MEETING - January 10, 2019

1 CHINO, CALIFORNIA, THURSDAY, JANUARY 10, 2019, 6:05 P.M.

2 --000--

3
4 MR. SLEPPY: Good evening. This is a very
5 important part of our planning process for this 50-bed
6 mental health crisis facility on the grounds of CIM.
7 This is going to be a go-through a draft Environmental
8 Impact Report required to prepare for a project this
9 big. This is the time that we show you what we think
10 the environmental effects are, which ones are
11 significant, which ones are not. We received a lot of
12 comments last time that aren't strictly environmental
13 review; so we want to sort of answer some of those.

14 Also to begin our presentation, we have --
15 Gary Jakobs and I have just a short presentation, and
16 then we'll turn it over to anybody who wants to get up.

17 A couple of housekeeping things to go through.
18 Turn down or turn off the cell phones. We have speaker
19 cards for our court reporter because we'd like to know
20 who was speaking. You don't have to if you don't want
21 to. We, of course, hope you signed in so we have
22 (inaudible), but you can fill this out and come up here
23 and speak for however -- some minutes.

24 We only have a couple of the full EIRs with us
25 tonight. Kind of hard to carry them. But if anybody

3

JAN BROWN & ASSOCIATES (415)981-3498 (800)522-7096

PUBLIC MEETING - January 10, 2019

1 wants one, we can get you one pretty quickly. You just
2 tell us before you leave (inaudible).

3 The public review hearing, which is a minimum
4 of 45 days -- we kind of extended it because of the
5 holidays. And so it ends on January 28th, a Monday; so
6 you've still got time over the weekend. We just need to
7 get that letter communication from you. There's an
8 address and public notice that you can send
9 electronically or in person.

10 Everything counts. If you have issues with
11 the environmental analysis, if you just want to speak
12 to a term of this project, something else that's
13 related, give it to us. It's fine.

14 The next step after this is we take all these
15 comments we receive at the end of that review period and
16 put together a final Environmental Impact Report which
17 addresses substantially all those comments. That goes
18 up to our leadership which is our secretary. So our
19 main boss makes the decision on this project, but we
20 haven't (inaudible) that for a year. We're still
21 collecting all the -- all the information from you to
22 complete the process.

23 We're -- I want to hit a few points here
24 before we get started. (Inaudible) project comes from.
25 How this thing gets to this point is the State Budget

4

JAN BROWN & ASSOCIATES (415)981-3498 (800)522-7096

PUBLIC MEETING - January 10, 2019

1 Act two years ago directs our department to prepare an
2 initial construction (inaudible) for a 50-bed mental
3 health crisis facility at this location for eventual
4 construction. We can't get to construction until we get
5 to the EIR process; so we're in this very important
6 initial step.

7 After this is done, there's a construction
8 finalization of the drawings and stuff and then
9 (inaudible) out, and so it's a good three years before
10 anything gets built and operational.

11 There's also -- if you look, there's a similar
12 project at our J. Don Correctional facility. We feel
13 statewide the southern part of the state just doesn't
14 have this type of facility; so Legislature prepared one
15 for here and one for RJD. RJ Don is not an alternative
16 for this project.

17 AUDIENCE MEMBER: (Inaudible.)

18 MR. SLEPPY: What's that?

19 AUDIENCE MEMBER: Your words are so low and
20 muddled.

21 MR. SLEPPY: Yeah. It's the acoustics in this
22 room.

23 AUDIENCE MEMBER: It's bad.

24 MR. SLEPPY: I'll speak slower.

25 AUDIENCE MEMBER: Can't you speak louder or

5

JAN BROWN & ASSOCIATES (415)981-3498 (800)522-7096

PUBLIC MEETING - January 10, 2019

1 something?

2 MR. SLEPPY: I'll just stand up and talk. We
3 had the same problem last time.

4 AUDIENCE MEMBER: They want to hear you in the
5 back; so let's move the microphone back a little bit
6 from you. I think that might help.

7 MR. SLEPPY: We'll try this. How's that? Any
8 better in the back? Hand up if it's better. Is that
9 better?

10 AUDIENCE MEMBER: You have to speak louder.

11 MR. SLEPPY: Yeah. Okay.

12 Why? Why would we try to build this thing?
13 What objectives are we trying to fulfill? The first
14 thing is we simply need -- we believe we need more
15 capacity to treat inmates in this classification of
16 crisis. This facility also will be flexible enough to
17 handle lower classifications of diagnoses, but that's
18 the -- that's the objective we're shooting for because,
19 once they get diagnosed, they need to go to a facility
20 for usually ten days before they move back out into the
21 general population that specializes in this type of
22 inmate treatment.

23 We want to have something that's built to
24 current codes, especially security but also energy --
25 typical building codes. What we have now is 34 beds

6

JAN BROWN & ASSOCIATES (415)981-3498 (800)522-7096

PUBLIC MEETING - January 10, 2019

1 over in a CIM hospital that then allowed by court order
2 to function for crisis beds. But they're not in a full
3 hospital planned -- therapeutic plan building code with
4 all our security standards; so we're interested in a
5 facility built from scratch.

6 There are two things all of our security
7 program standards. So that's why we'd like to have
8 this. It's very important that this is licensed by the
9 medical folks, the people at the new hospitals, and our
10 current situation by court order are not quite operating
11 at that standard although it's pretty good. It doesn't
12 fully meet all of the hospital regulations.

13 We want to have it near CIM hospital since
14 there's already staff working there in the same program;
15 so we thought this was a good place to put it. We also
16 like the fact that the site at CIM is fully developed.
17 We're taking (inaudible) brand new structures; so we're
18 not out there (inaudible) -- things like that.

19 You all asked some pretty interesting
20 questions last time in comments. I want to give a
21 couple of them back about -- that aren't really true. I
22 just want to talk about this for a few seconds. There
23 was concern about the condition of CIM and do we make
24 any investments in it. And I just want to point out
25 that we probably made, in the past three or four years,

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1 substantial investment in medical facilities. We have a
2 lot of court interest statewide in our medical
3 facilities; so we have new medical spaces. We have
4 pharmaceutical dispensaries which are very important to
5 us.

6 So we have over 30 million (inaudible) of work
7 at CIM, or it's underway. We always have a pot of money
8 for each prison for anything that's not too big, not
9 over a million dollars but it has to be fixed, you know,
10 special repairs. CIM has gotten about \$3 million a year
11 for the last ten years in special repair money which has
12 gone to fixing things that break and need fixing.

13 We have done a lot of -- we're big on
14 sidewalks and path of travel because we have a lot of
15 older inmates now that have a hard time getting around.
16 So we have done a lot of sidewalk work -- things like
17 that. We've got dental clinics now that we didn't have
18 before. So surprisingly -- may not be very obvious, but
19 we've done a lot of work at the prison.

20 Utility capacity. We used to be completely
21 overcrowded; so the water system was stretched and so
22 (inaudible) was having a lot of -- we're down now to
23 about 3,400 inmates. So we're really back to much
24 easier to address water and sewer -- things like that.
25 So we're much better off than -- four years ago we

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1 looked at this for a Level 2 facility and didn't pursue
2 it.

3 Accreditation. I know there was something
4 about it in 2008 on the general report. This prison in
5 2016 was given an American Correctional Association pass
6 grade. In fact, they gave it a very high grade for
7 meeting all the nationwide correctional standards. So
8 this facility got a really good score on this very
9 extensive test (inaudible) certification. So it's -- by
10 that measure we're in pretty good shape.

11 CIM. We've got a lot of prisons. Why this
12 one? Because we have a lot of inmates. We're still at
13 130,000 inmates. We have 34 prisons now. 2 are
14 hospitals. We have a lease facility at our de facto
15 35th, but we're still very close to overcrowding by
16 court order standards. We need them all right now.

17 We're not going to start closing facilities
18 and put something else up. So that's a very important
19 point for us. We always -- don't want to go back
20 over -- overcrowding anymore. We're doing a lot with
21 reinjury and education and getting people in some of the
22 new laws, how to (inaudible), but we still have a lot of
23 folks.

24 Correctional facilities in urban settings.
25 I've got old pictures here. Just because the houses get

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1 close to the property boundary doesn't mean we have
2 (inaudible). We've got lots of prisons in lots of
3 settings. We've got some way out in the desert with no
4 neighbors, and we've got some who have pretty close
5 neighbors. I just want to go through a few pictures to
6 support that.

7 First off -- lost track of my own slideshow.
8 This is --

9 MR. JAKOBS: Next slide.

10 MR. SLEPPY: There we go. There we go.

11 Boundaries. It's all the way from here all
12 the way to there, used to go all the way across there.
13 That got sold off. This is not part of the adult
14 institution. That's a closed youth authority facility,
15 and we don't typically reuse juvenile facilities for
16 adult inmates. We have leased off a big warehouse
17 complex for Walmart; so it allows us to curb that
18 economic -- (inaudible) to occur. And then we still
19 have a lot of farmland that goes through both green
20 water percolation and just open space.

21 We are trying to put this -- in looking at the
22 unit up in this yard, the D yard, which is right behind
23 our (inaudible) office, you can see how things have
24 grown a little bit. This is '94. The houses aren't
25 built up here yet. We don't have the warehouses yet,

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1 but now it's closed in a little bit. But that's the
2 current status. We don't have any legislation into
3 similar property or considered planning for some
4 different use.

5 We do have prisons in very urban settings.
6 This is Folsom in Sacramento state prisons -- in
7 Sacramento. We have lots of houses real close. Think
8 they get along pretty well. We have a very similar
9 circumstance at Solano and California Medical Facility
10 in Vacaville where we are in an urban landscape. So
11 we're not out in the middle of nowhere, and somehow
12 neighbors seem to do all right.

13 And we can skip this one. So with this
14 project, the project is 50 beds -- 50 beds. No more, no
15 less -- 61,000 square foot building -- gross square
16 feet; so outside. Could be one story. Could be two
17 stories depending on how it works out. Everything is
18 inclusive in that building that we need to operate to
19 treat the inmates and provide security. Takes a couple
20 of years to build once we get past all this process and
21 enter a final design and vetting.

22 A big addition to this scope has been an extra
23 fence. We're planning to put a 12-foot fence with retro
24 iron around just this facility. Though it's inside the
25 yards, it will be -- it will be its own little box, and

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1 that's important because, once again, we want to
2 maintain a real high level of security in this facility,
3 and this gives us the additional separation of a fence
4 around the building that's highly secured.

5 We have a couple of parking lots proposed.
6 Those are all existing and have distributaries. You
7 don't really increase runoff very much because
8 everything is pretty high coverage in this area already.

9 This is very important. This little red box
10 is the whole project, the whole project. Everything
11 with this 50-bed facility goes inside that box, and that
12 red boundary is just about where the second fence would
13 go.

14 So the second fence would fully encircle this
15 facility. And when transport comes in, they'll have a
16 gate. It'll open. Close the gate behind them before
17 anybody gets out of the van. We move in our own
18 transport system. We usually typically use smaller,
19 newer vans which do have a cage in them, and it is
20 highly secured, specifically aren't driven by armed
21 people because you don't want weapons near the inmate.

22 If it's a Level 1 or Level 2 inmate being
23 transported to a mental health facility, it's just one
24 vehicle on its own. It's there. It's watched. If it's
25 a Level 3 or a Level 4, there's a chase vehicle that is

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1 on -- that follows this vehicle everywhere it goes
2 except into the prison. So it's a high level of
3 security moving this inmate.

4 I think that's it for now (inaudible). Gary
5 Jakobs here is going to talk about what's in the EIR and
6 what the findings are, and then we're going to open it
7 up for public commentary.

8 MR. JAKOBS: Good evening. Can you hear my
9 voice clearly? I'm Gary Jakobs. I'm with Ascent
10 Environmental, and I am the principal in charge of
11 preparing the Environmental Impact Report. That's this
12 document. It's available online at CDCR, and we have
13 some extra hard copies with us tonight. Right? Couple
14 more? Okay.

15 On the way in you probably met Heather Blair
16 and Alta Cunningham. Heather is project manager for the
17 Environmental Impact Report, and Alta is our primary
18 environmental planner for that; so these are the people
19 you will come across.

20 So what is the purpose of an Environmental
21 Impact Report? It is to evaluate the environmental
22 impact of a project, physical environmental changes from
23 the current conditions, that our project would result
24 in. That's what our job is to do under the California
25 Environmental Quality Act is to look at those

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1 differences from what's out there today, put the 50-bed
2 facility on top of that, what are the physical changes
3 in the environment that this 50-bed facility would have.

4 We're required to look at what's called the
5 substantial environmental impacts. So if it's a small
6 change that does not result in meaningful changes to the
7 environment, that's called less than significant effect.
8 If it's a large change and it's adverse, big and bad as
9 we call it, that's called a significant impact on the
10 environment. That's the focus of our Environmental
11 Impact Report.

12 We're also required to identify mitigation
13 measures. These are measures that are intended to solve
14 the environmental impacts, make them go away if
15 possible. If we can't, then we identify those impacts
16 as significant and unavoidable.

17 We're not here to sell anything. We're just
18 here to report information. That's the job of an
19 Environmental Impact Report. We're required to be
20 objective. EIRs are also required to look at
21 alternatives to a project that would reduce or avoid the
22 significant environmental effects.

23 What do we look at in this Environmental
24 Impact Report? We look at everything. The slide here
25 is a list of the issues: Air quality; biological

14

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1 resources; cultural, historic, tribal cultural
2 resources; greenhouse gas emissions -- I'm not going to
3 read it all -- public services; noise; traffic;
4 utilities; energy -- we looked at all these issues.

5 We also look at a lesser level of detail
6 because they clearly were not significant effects.
7 Esthetics. You just can't see it from any surrounding
8 roads because it's basically behind other prison
9 facilities. Agriculture and other issues that we deemed
10 were not significant environmental effects.

11 Also you will notice that, as Bob said, there
12 were a lot of issues that were raised at our scoping
13 meeting that we held several months ago about concerns
14 like property values, crime -- things like that. Like
15 it or not, the purpose of an Environmental Impact
16 Report -- the requirements under the California
17 Environmental Quality Act is to focus on the significant
18 physical environmental effects, not on the social
19 effects, not on economic effects. So those are the
20 requirements under the law; so that's what we're focused
21 on when we prepare the Environmental Impact Report.

22 As far as the conclusions of the EIR, we did
23 not identify any impacts that were significant and
24 unavoidable. All of the impacts we identified we could
25 reduce to a less than significant level, and the two

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1 impacts that we identified that were potentially
2 significant were biological resources -- there's a few
3 bird species that are of concern -- and cultural
4 resources. Nothing that we know about but there's a
5 potential that cultural resources could be found when
6 there is excavation at the project site; so we identify
7 measures to resolve those.

8 As far as where we are in the process, this
9 process was initiated in July of 2018. We held a
10 scoping meeting. That's the meeting that Bob referred
11 to in August, I believe it was, and we released the
12 draft EIR at the beginning of December.

13 So here we are today at the beginning of
14 January. Happy new year to everybody. The public
15 review period for the EIR will end at the end of
16 January, January 28th, and then after that we will be
17 evaluating all of the comments that are received on the
18 Environmental Impact Report on the content, and we will
19 respond to those comments with particular focus on those
20 comments that raise environmental issues. Again, that's
21 a requirement of CEQA is that we focus on the
22 environmental issues, not on social and economic issues.

23 Following that, the Environmental Impact
24 Report will be placed in front of the director -- the
25 secretary of the Department of Corrections and

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1 Rehabilitation, and he'll consider whether the
2 Environmental Impact Report is adequate, whether we've
3 done a good job of objectively evaluating the impacts of
4 the project and will determine whether or not that
5 document can be certified.

6 Following certification, then the project will
7 be considered for approval and recommendation to the
8 State Public Works Board for further action.

9 As far as providing comments tonight, we're
10 here to listen. There's a microphone up here. You can
11 provide verbal comments. You can provide written
12 comments. You can provide them tonight, and you can
13 provide them any time until January 28th at which point
14 we'll review them all. The address is up there.

15 MR. SLEPPY: Thank you, Gary.

16 Two really important things: We're glad
17 you're here. Honest we do. This person has to write
18 everything down so we don't have a (inaudible) taking it
19 down. We hope you decide to speak. Just get up, give
20 us your thoughts. We hope to stick to a reasonable
21 length of time. The written word is just as good as the
22 spoken word. You can give us letters, but this is a
23 good chance to publicly speak to the project.

24 So with that, we're here. We'd like to take a
25 break in about 40 minutes so our court reporter can take

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1 a little break, and then we'll go again. We're willing
2 to stick around for quite a while. But it's so
3 important that she catches everything, and it's
4 challenging.

5 So we invite you. Whoever wants to go first,
6 come on up. Thank you for letting us give our
7 presentation.

8 MS. COMSTOCK: Good evening, ladies and
9 gentlemen. My name is Karen Comstock. I'm your chief
10 of police for the City of Chino. And I want to first
11 state that this is a public safety concern for the City
12 of Chino, this mental health crisis facility, the
13 construction of it. I don't think it's at all difficult
14 for anybody to agree or disagree --

15 MR. SLEPPY: Keep it up there.

16 MS. COMSTOCK: -- that would be easy -- it's
17 easy to construct and build new facilities. We don't
18 need to construct new facilities (inaudible) to do. And
19 we've never questioned here in the City of Chino to the
20 State of California about their ability to construct a
21 very secure mental health facility here in the City of
22 Chino.

23 What we do know, though, is that the
24 maintenance of buildings and facilities such as the
25 facility as old as CIM is much more challenging. And

PH-1

18

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1 what we have continued to state in this entire process
2 with the State of California is that the City of Chino
3 states that -- to the State of California that the
4 California Institute for Men presently is and has been
5 in a state of deterioration for many, many years, which
6 is a current public safety threat to the City of Chino
7 because of a lack of proper, what we would call --
8 makes -- what the State would probably like to call
9 deferred maintenance over an ongoing period of many,
10 many years.

11 In fact, from just what you just said today,
12 they probably, yeah, invested a lot of money into make
13 (inaudible), but what isn't even properly stated there
14 is most of those improvements are going to inmate care
15 for medical issues or different things. But the fact of
16 the matter, maintenance going to the safety of the
17 perimeter is security. The purpose of perimeter
18 security and repairing the facility have fallen woefully
19 short of those requirements for many, many years now.
20 And I can confidently state that because I've worked
21 here for several years.

22 My family moved to the City of Chino in the
23 70's. I (inaudible) for the time. I was in eighth
24 grade when Kevin Cooper escaped from the facility. I'm
25 the police chief today.

PH-1
cont.

19

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1 The fact of the matter is, ladies and
2 gentlemen, that in their own report the State of
3 California explains that CIM would need on average per
4 year \$26 million just to maintain its current poor
5 condition. And I was just looking at the proposed
6 budget today from Governor Newsom, and if I'm correct, I
7 want to state the State of California has proposed an
8 18 million-dollar budget for all repairs to State
9 institutions for the entire year. So what that means is
10 every institution in the state of California will
11 continue to have deferred maintenance.

12 It's this simple. When you bought your house
13 new, it was easy to maintain it. I know that. My house
14 was built in 1947, and maintaining it now is much more
15 difficult, which is the state that the California
16 Institute for Men is in today. We know that the State
17 can come and build this very, very secure facility
18 inside the institution and do a good job. But what we
19 have continued to state to the State of California is
20 that we don't believe this is the correct site. Great
21 project. Wrong location.

22 Because the issue here is inmate
23 transportation in and out, and moving inmates is very,
24 very risky business. And when you're moving these
25 high-level inmates into this facility, they have to go

PH-1
cont.

PH-2

20

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1 through Chino to get to this facility. And the fact of
2 the matter is the state of this facility is, should one
3 of these inmates escape during transportation -- they'll
4 tell me nobody has ever escaped from one of these
5 institutions. This is probably one of the most
6 difficult yards to secure because of age, its historic
7 nature, and because of the current state of degradation
8 to the facility over a series of years of improper
9 maintenance to the facility so -- to keep it secure.

PH-2
cont.

10 We've been accused of NIMBY here in the City
11 of Chino, and that's not fair. We're doing our part.
12 We have California Institution for Women and have one of
13 these hospitals existing in California Institution for
14 Women. We have California Institute for Men.

15 We have told the State of California politely,
16 "Hey, this isn't NIMBY. We're doing our part as a
17 facility." I want you to know that me and my staff, my
18 coworkers, and everyone at the City, we are
19 compassionate, and we care. We understand that inmates
20 need this mental health treatment. We want them to have
21 it. I just don't agree with the fact that it's proper
22 for it to be here.

PH-3

23 See this picture on the front of this page?
24 This is a picture of the California Institute for Men.
25 I like this picture. This picture is probably circa

21

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1 1980. There's grass there, green trees. This is the
2 institution at a much greater state -- better state.
3 You cannot -- you wouldn't take a picture of the
4 institution today. At the same time -- this is a work
5 entrance right here because there's no grass growing.
6 There's no green trees there anymore.

PH-3
cont.

7 And what I will tell you is that this report
8 falls woefully short of really explaining the state of
9 the California Institute for Men. We understand that
10 they've built a secure facility. What we're explaining
11 is we don't think this is the right location because of
12 the current state of the institution.

13 And the fact of the matter is I will continue
14 to state in a meeting with the city manager that I
15 believe that this institution was selected from the very
16 beginning even though we've been told this was going to
17 be a fair and impartial process. During a meeting with
18 other state officials, we were told at one point, "Hey,
19 that institution, that facility is coming here. It's
20 coming to the CIM." Even though we're told no, this is
21 part of a process -- a selection process of different
22 areas, we're told no during a meeting with the former
23 secretary of corrections. "Hey, the facility is
24 coming."

PH-4

25 So I have lots of comments in the State's

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1 decision making process when they say that they were
2 going to look at other locations for it as well. And
3 although the city manager is here tonight, he was
4 present during that meeting as well.

PH-4
cont.

5 So thank you for your comments tonight. Thank
6 you for the review.

7 And the last thing I will state is, you know,
8 the State of California, and rightly so, would hold any
9 institution or any entity accountable for (inaudible)
10 whether at Vernon -- I don't know -- a gas leak at
11 Porter Ranch, but the ongoing state by which California
12 Institute for Men is allowed to dispose of human waste
13 and different things on the institution grounds is an
14 environmental issue. But apparently, you know, that's
15 not part of this review either.

PH-5

16 So that being said, I think I've said enough
17 about it. You can see how passionate about it -- my
18 opposition to it. I wish the State would see it the
19 same way. I wish they would consider another location.
20 There's additional (inaudible) that can be made by staff
21 about other locations that are more suitable.

PH-6

22 Thank you for your time.

23 MR. MENSEN: Good evening. I'm Kevin Mensen
24 with the Chino Police Department. As a City of Chino
25 law enforcement agency, our priority is the safety of

PH-7

23

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1 our community. Our strong opposition to this project is
2 because we feel this proposed facility potentially
3 jeopardizes the safety of our residents and the current
4 state of CIM.

5 We understand the new facility will be state
6 of the art and built to standards to hold an inmate up
7 to a Level 4 status. However, most facilities can be
8 built inside CIM that is in an unacceptable state of
9 repair due to years of neglect.

10 In reviewing the Environmental Impact Report,
11 which I'll refer to as EIR, it indicates that CIM has
12 improved their security measures associated with the
13 Facility D perimeter. This is a facility where the
14 inmate escaped in January of last year and where the
15 proposed medical health crisis facility is going to be
16 built.

17 When the police department was there and
18 conducted a tour of the facility shortly after the
19 escape last year, we were informed the security measures
20 for the perimeter fence -- there was a hole, and the
21 escape took place. Our question for the EIR is did
22 these improvements just fixing previously in our
23 security measures.

24 The EIR addresses the concerns of the police
25 department, and the City is briefed as to the

PH-7
cont.

PH-8

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1 infrastructure at CIM indicating they have made a
2 35 million-dollar investment in the past five years to
3 improve the infrastructure. However, the report
4 indicates these improvements consisted of renovating
5 medical clinics, pharmacies, dental clinics, and related
6 infrastructure including utility systems, roads, and
7 walkways. Although we understand these improvements are
8 important and need to be addressed, nowhere does it
9 indicate that 35 million-dollar investment was used to
10 improve the security measures.

PH-8
cont.

11 I can't help but going back to the 2008 Office
12 Inspector General audit that (inaudible) spoke about in
13 the meeting in July. The audit indicated \$28 million
14 would be needed annually to maintain CIM in its present
15 poor condition since 2008. The report indicated that if
16 funding was not dramatically increased, CIMs condition
17 would reach a level of degradation by 2014, that
18 independent facilities management experts throughout the
19 industry recommend demolishing and replacing the entire
20 institution.

21 The other concern we have is the
22 transportation of inmates to and from the proposed
23 mental health crisis facility. Currently CIM is capable
24 of housing inmates up to Level 2 status. However, the
25 proposed facility is going to be constructed to house

PH-9

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1 inmates up to a Level 4 status. These are inmates that
2 are incarcerated for the most serious charges. The
3 correction staff is going to be transporting these
4 prisoners throughout the city streets either going to or
5 from the proposed facility. That's multiple times a day
6 throughout the day and night.

PH-9
cont.

7 We believe this does pose an additional
8 security concern to our community. We understand the
9 State is obligated to build this facility and provide
10 this much-needed medical service to their inmates. We
11 understand the importance of mental health crisis and
12 make sure the State is able to provide proper care.
13 However, we believe CIM is not the proper location for
14 this proposed facility for the reasons we've spoken
15 about.

PH-10

16 We have been told that our concerns are not
17 part of the EIR study. However, we believe the
18 community needs to know why we strongly oppose this
19 facility.

20 Thank you for your time.

21 MR. GEORGE: Good evening. I'm Gary George,
22 San Bernardino County Fourth District liaison for
23 prisons and higher education and chairman of the
24 California Institute for Men Oversight Committee. I'm
25 here tonight representing the chairman -- the new

PH-11

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1 chairman of the San Bernardino County Board of
2 supervisors, Curt Hagman.

3 Supervisor Hagman was unable to attend this
4 evening but wanted me to express his opposition to the
5 proposed health care facility at CIM. He also wants it
6 known that he supports the cities of Chino and Chino
7 Hills, the Chino Police Department, and the San
8 Bernardino County Sheriff's office in their opposition
9 to this State-proposed project. He believes the
10 56 million-dollar budget for this proposed mental health
11 facility could be better utilized for much-needed
12 infrastructure repairs.

13 On a side note, talking with Supervisor
14 Hagman, he is currently setting up a meeting with the
15 new California governor and -- Governor Newsom and is
16 prepared to meet with him to talk about what the Chief
17 just talked about and Kevin just talked about, about
18 this -- you know, mental health facilities are needed
19 but not at this location. He also wanted me to express
20 his continuing support for the great job being done by
21 Warden Borders and his team. Thank you.

22 MR. LIGUORI: I'm Nicholas Liguori, Director
23 of Development Services for the City of Chino. The City
24 will be submitting a detailed letter that will list all
25 of our comments on the draft EIR for the project, but

PH-11
cont.

PH-12

27

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1 I'd like to take this opportunity to highlight a couple
2 of our major concerns with the document.

3 First, the project description in the EIR is
4 inadequate. All that is shown in the EIR is general
5 location of the crisis mental health facility. There's
6 no site plan for a plan of elevations which makes it
7 impossible to test or verify the statements made about
8 the size and impacts of the facility throughout the EIR
9 or to verify the conclusions about the impacts.

PH-12
cont.

10 The statement of project objectives
11 concentrates expressly on provisions of the 2017-18
12 Budget Act for preparation of preliminary construction
13 plans for this facility specifically at CIM. As a
14 result, the foundational decision to place this facility
15 at CIM has not really had any CEQA review. The adoption
16 of the Budget Act as a financing mechanism was not
17 subject to the provisions of CEQA.

PH-13

18 Budget and provision then serves as a basis
19 for rejecting or not even analyzing possible alternative
20 locations for the facility which could be housed at
21 other prisons. The result is that there's no real
22 consideration and analysis of alternative locations for
23 the facility, and so the project alternatives and
24 analysis is fundamentally flawed.

PH-14

25 Existing conditions at CIM overall call into

PH-15

28

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1 question whether this is an appropriate place for the
2 facility. The inspector generals found the condition
3 and operation at CIM are deficient and the budget for
4 continued maintenance and repair is inadequate as the
5 City brought up during the scoping meeting in July. Why
6 add another facility to CIM that will be affected by the
7 same issues in the future?

8 In addition, just in the last few days, the
9 Office of Inspector General issued a new report on
10 medical services at CIM. The inspection results Cycle 5
11 report concludes the overall rating of general medical
12 service provided to inmates at CIM as inadequate. Even
13 more disheartening, this is the worst rating on the
14 Cycle 4 report which found services to be adequate.

15 Matters are getting worse rather than better
16 at the institution. In light of the need for CIM to
17 address problems with the provision medical services in
18 general, CIM Chino is not a viable location for an
19 additional health facility, particularly one involving
20 critical mental health care services.

21 These are only a few of the larger issues that
22 the City will detail in its comment letter including the
23 lack of analysis of traffic and roadway impacts, water
24 supply, storm water, and utilities and infrastructure.
25 However, our focus remains unchanged. Existing

PH15
cont.

PH-16

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1 facilities at CIM must be improved before new facilities
2 are added.

PH-16
cont.

3 MR. COLLINS: Good evening. My name is Kyle
4 Collins. I'm the deputy chief with Chino Valley Fire
5 District. I'm here representing our board of directors
6 and Fire Chief Tim Shackelford who couldn't be here
7 tonight. I do have a statement; so please bear with me.

8 MR. ELIE: Can you read slowly for the court
9 reporter so she gets every word.

10 MR. COLLINS: Got it.

11 In the Notice of Preparation Environmental
12 Impact Report, Proposed Mental Health Crisis Facility
13 document under the bullet point labeled "Public Service
14 to Schools" -- I believe the fire department and public
15 service -- "Because the proposed project would be
16 located within the secure boundaries of an existing
17 State correctional facility, public safety and fire
18 protection would continue to be provided by CDCR
19 personnel. Existing emergency meeting notification
20 procedures would be maintained and continue to be
21 coordinated with local public safety agencies. The
22 proposed project is also not expected to increase demand
23 for local school facilities. Based on existing
24 information, CDCR does not expect to discuss these
25 issues in detail in the draft EIR."

PH-17

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1 CIM does have an on-site fire department who
2 utilizes a combination of career personnel and inmate
3 fire fighters. This stacking configuration limits their
4 capabilities which results in the CVFD routinely being
5 called upon to assist them at the institution for fire
6 calls.

7 Additionally, CIM Fire Department personnel
8 does not provide emergency medical care, or it's limited
9 emergency medical care they provide at their
10 institution. Although CIM has a staff of highly trained
11 medical personnel that does provide routine care to the
12 inmate population, the CVFD is consistently called upon
13 to provide emergency medical services.

14 In 2018 the CVFD responded to 159 incidents at
15 CIM. When CVFD personnel respond to those incidents at
16 CIM, they are unavailable to serve the population of
17 Chino and Chino Hills. That population funds the
18 services of CVFD. The addition of a 50-bed mental
19 health crisis facility will increase the service demand
20 placed upon the CVFD as these additional inmates will
21 likely have other mental issues unrelated to their
22 mental health crisis that will necessitate care.
23 Furthermore, providing emergency medical care to an
24 inmate experiencing a mental health crisis will likely
25 be very challenging and dangerous for our personnel as

PH-17
cont.

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1 these patients are often violent, unpredictable, and a
2 risk to themselves and others.

PH-17
cont.

3 The CVFD respectfully requests that, prior to
4 giving consideration to the 50-bed mental health crisis
5 facility, the CDCR addresses and identifies the 2008
6 audit by the Office of the Inspector General.
7 Additionally, the CVFD requests that information be
8 provided regarding the impact on local first responders
9 at similar mental health crisis facilities that are at
10 other institutions in the state that exist.

11 The CVFD does not receive any funding or
12 revenue from CIM and from the State and believes that
13 local taxpayers are unduly burdened by the numerous
14 emergency responses to the institution. The addition of
15 a 50-bed mental health crisis facility will increase
16 this burden and further jeopardize the safety of the
17 community. Until CDCR can adequately address the
18 medical needs of the inmate population without impacting
19 local emergency services, it is imprudent in moving
20 forward with this project.

PH-18

21 Thank you.

22 MS. MARCHESI: Can you tell me when this
23 prison was built? When was this prison built?

24 MR. SLEPPY: 1940s.

25 MS. MARCHESI: 1940s.

PH-19

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1 My name is Donna Marchesi. I was raised on a
2 farm on Chino Avenue -- can you hear me?

3 AUDIENCE MEMBER: Now we can.

4 MS. MARCHESI: You'll be sorry now.

5 My name is Donna Marchesi. I was raised on a
6 farm on Chino Avenue and Roswell where my great-
7 grandparents moved in 1921. I remember my grandma would
8 sucker me into help doing spring cleaning and tell me
9 stories of the past. One of the things I remember is
10 how she said, as the new whistle went off at the prison,
11 "We were told this was a minimum security prison when it
12 came in. They sold us a bill of goods." I'm a little
13 kid thinking "That's odd."

14 I remember -- I call it a chain gang at Chino
15 Avenue and Roswell and cops out there with guns. I had
16 to stay in the house. And I remember all my life
17 escapees. I remember being in a Girl Scout meeting off
18 of County Road and Mills when -- this is the late 50s,
19 maybe '60 -- when the Girl Scout leaders said, "Girls,
20 come in the house. I've just been notified there's been
21 an escape at the prison, and they're coming up the
22 wash," which ran right behind the house.

23 So figure about 60. For 60 years this prison
24 has not been able to keep people inside the prison, and
25 now you want to bring people with problems -- more

PH-19
cont.

PH-20

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1 severe problems? And I'm concerned that they're going
2 to be able to keep them contained. The prison has a lot
3 of problems, and I think security and safety for the
4 community needs to be addressed as well as all the water
5 issues, electricity, and whatever else. So that's my
6 spin.

PH-20
cont.

PH-21

7 Thank you.

8 MR. YANG: Good evening. My name is Yan-Bo
9 Yang. I'm a resident of College Park that's next to the
10 prison, and I agree with all the comments earlier. And
11 as resident of College Park, I feel the prison -- I
12 mean, certainly I represent myself and this point feel
13 strongly -- I mean, object to the project proposed.

14 One of the things I have not heard people
15 bring up is that -- George who talked earlier, he kindly
16 a visit of some resident here to the prison, and the
17 officers here were kindly posted us the tour inside
18 there. One of the things we realize that they do not
19 realize -- and I was standing in this (inaudible) with
20 all the noisy is that the noise from the prison, not
21 from the lawnmowers, not the traffic, whatever but the
22 gunshot and the (inaudible).

PH-22

23 And we brought this up to them. They said,
24 "Oh, we didn't know you guys can hear." Yeah, we often
25 heard some regular noise (inaudible) and also, I guess,

34

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1 sometimes voices. And even when we were back there, we
2 were in that building where the -- they said it is going
3 to be built. And we were there, and they already -- the
4 mens in there, they already have some mental prisoners
5 there. So we were just visiting and (inaudible) and
6 turns off.

PH-22
cont.

7 And now the -- what do we call it? The prison
8 out there -- the prisoner and they were just running
9 around and just stop there and -- but the -- our line
10 was very long. So as the ingress of mental prisoners,
11 I'm sure the noise and the occurrence frequency of
12 occurrence of the (inaudible) will increase. And I
13 understand the medications from those. All that can be
14 managed. So that's one point I want to add to it,
15 secure and safety concerns. We have a lot of seniors,
16 children, babies in the next neighborhood.

PH-23

17 So thank you very much.

18 MR. HARGROVE: So my name is Mark Hargrove.
19 I'm a 54-year lifelong resident of Chino. I also have
20 the unique experience that I've been working for the
21 California Department of Corrections for 30 years,
22 retired last year. And I spent 20 years of that 30
23 years at CIM as a lieutenant, more specifically as the
24 administrative assistant to the warden and public
25 information officer. I also did a ten-year stint down

PH-24

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1 there as the chief investigator of investigative
2 services unit. So to say that I don't know CIM would
3 not be accurate. I know it very well.

4 Thank you first to Chief Comstock for her
5 comments. They are spot on. Thank you to Captain
6 Mensen. Those comments are spot on. Thank you to Nick
7 Liguori. Those comments are spot on. I don't want to
8 repeat those. If you'd like to, I have a Facebook page
9 you can go to and read. I have a five-page version
10 which I have in front of me, but there's no reason to
11 read here those points because they've already been made
12 to the greatest extent by those city officials.

13 By the way, I was recently elected to the City
14 Council; so I am the councilman for District 2 in the
15 City of Chino. So I guess with all that being said, I
16 have now a greater responsibility and concern to speak
17 out not only on my behalf as a resident but those
18 constituents that are in the City of Chino.

19 Most people in Chino are not concerned with
20 the prison quite honestly as long as things go as
21 they're supposed to go. It's when things happen like
22 January last year when an inmate escapes, and subsequent
23 to that another inmate comes up missing for a while, and
24 they finally find him on the grounds.

25 So I understand the concerns having worked

PH-24
cont.

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1 inside of a prison. It's a different perspective for us
2 in there. Right? I will honestly say, as I've said
3 before, I have the utmost respect and belief that the
4 staff, whether that's custody or ancillary staff, at CIM
5 are wholeheartedly dedicated to their No. 1 mission with
6 CDCR or CIM: To keep the community safe. That's it.

PH-24
cont.

7 All this about services and providing roads,
8 those are all important things, but the purpose and
9 reason of the Department of Corrections of Prisons is to
10 keep incarcerated inmates inside the gates until they
11 serve their time and then release them. So when you say
12 that you're going to -- I'm going to be able to
13 (inaudible) -- when you say we're going to build a
14 secure Level 4 facility inside, quite honestly, a
15 minimum support facility that's now designated as a
16 secure Level 1, nothing changed. They just changed the
17 designation.

PH-25

18 So when you call out it's going to be a secure
19 Level 4 or a security Level 4, I'm not sure what they
20 mean by that. I mean, it's in the report. Does that
21 mean it's going to be built out of stone? I know
22 there's criteria for a Level 4. I would love for him to
23 explain some more. There's not a Level 4 facility that
24 I know in CDCR that doesn't have a lethal electrified
25 fence around it and inside internal gun coverage.

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1 They're not going to put internal gun coverage inside of
2 a mental health facility. So what does that mean? So
3 hopefully they'll explain that a little bit more.

PH-25
cont.

4 I was honest to the point, from my
5 understanding, when I said the last time I spoke and
6 last time I did a posting, this is all about one thing.
7 This is about getting out of a lawsuit. It's about
8 getting out of the Coleman lawsuit against the State
9 that's been going on for nearly 30 years.

10 They promised the courts that they're going to
11 build these facilities. They're mandated to fulfill
12 that requirement quite honestly. When it comes down to
13 it, they can't recruit anywhere psychiatrists,
14 psychologists, social workers, mental health
15 professionals unless they're at a location that -- they
16 said in their own EIR -- they said, "Locate treatment
17 services in a geographically central area of the greater
18 Southern California region to facilitate recruitment and
19 retention of skilled medical and mental health
20 professionals."

PH-26

21 So I want to make this point. They also
22 said -- and I quote -- this is to address the court's
23 concerns about staffing inadequacies. CDCR plans to
24 locate new mental health correctional facilities in
25 areas with the highest potential for recruitment and

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1 retaining skilled medical professionals. CDCR has
2 historically had difficulty filling medical professional
3 staff needs at its most remote facilities, and staffing
4 positions often go vacant for long periods. The
5 applicant pool in these locations is small relative to
6 the staffing needs. Urban areas have a larger number of
7 such professionals due to their overall size, and thus
8 facilities in these areas are easier to staff.

9 The reason I point this out is that they want
10 to build it in Southern California. Quite honestly,
11 we're the only institution in Southern California.
12 They're not going to build it at RJD out at Otay Mesa.
13 Doctors aren't going to be working there. They're not
14 going to build it in Blythe, Imperial Valley, or
15 Lancaster. Chino is right here by Pacific Palisades,
16 Newport Beach. This is how we can recruit
17 psychiatrists, psychologists, nurses. They can't even
18 get staffing there as it stands now.

19 And the reason I mention that is because --
20 understand this: that Mr. Sleppy and the environmental
21 people that are doing the report, I think they're doing
22 a fantastic job, and they're fulfilling the requirement
23 of what they're doing. There are some issues that are
24 being pointed out, and I think those can be addressed,
25 but the underlying motivation here is that you're going

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PH-26
cont.

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1 to get this whether you like it or not. That's quite
2 honestly.

3 So we have to be on the mark because this is
4 David vs. Goliath. This is the State of California
5 coming to the middle of Chino saying, "You're getting
6 this mental health facility." Now, they don't address
7 in the EIR -- and hopefully we'll have an opportunity in
8 the near future as their timeline to address all those
9 other concerns that they don't address in the EIR. And
10 those are quite honestly the second (inaudible) pointed
11 out.

PH-26
cont.

12 Transportation of inmates through the city.
13 Listen, you have, as they pointed out, unarmed officers
14 transporting Level 1 and 2 inmates in vehicles. Level 3
15 and 4, these are high-security inmates. These are the
16 worst of the worst going through with a chase vehicle
17 coming through Chino. For a facility this size, you're
18 talking about upwards of 4,000 transports a year just
19 for this little 50-bed facility. That's not even
20 accounting for the 3,600 other inmates that are at CIM
21 right now. 4,000 transports in through the city with
22 mental health crisis inmates.

PH-27

23 Okay. So the last few points that I'll make
24 is this: Hopefully they'll be able to tell us -- I
25 already mentioned this -- Level 4, I would love to know

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1 what that's going to entail. They talk about a fence, a
2 cyclone fence. Again, even without a single cyclone
3 fence, Level 4 institutions -- I know how to double
4 cyclone fences minimally. So there are some more points
5 that we'll have to figure out down the road.

PH-27
cont.

6 I think it comes down to this for me honestly.
7 One is let's start first with the State and CDCR
8 providing adequate funding to CIM. Let's start there.
9 If the State can prove that they're willing to do that
10 and adequately fund the prison, then we can move into
11 the next step which is now start fixing the things that
12 are already wrong there.

13 I can't even begin to tell you, after my 20
14 years there, that staff there now during the -- thank
15 God for Southern California weather -- you can't plug
16 two heaters. Well, they don't have heat in the
17 buildings. So you can't plug two heaters into the same
18 circuitry because it blows the circuit, but they plan on
19 putting this new facility. And what they say is, "Well,
20 we'll add some new transformers, and we can really fix
21 that up," but they don't intend to fix what's already
22 broken.

PH-28

23 So my last point is then we'll start talking
24 about a mental health facility, whether CIM is
25 appropriate for it. I agree. There's probably a whole

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1 lot of other institutions that are just as good and
2 better for this facility. Last, I'm just going to --
3 they've already pointed out in the EIR \$35 million
4 spent. Absolutely true. Those were all new medical
5 buildings, pharmacy, clinics. They didn't fix anything
6 that was old. Mr. Sleppy was, I think, the one that
7 pointed out they spent \$3 million a year on repairs. I
8 think the Chief pointed out it takes \$26 million, not
9 \$3 million. So it's nice when you say \$3 million being
10 spent there.

11 In my last five years or so there at CIM,
12 there was never a time that money was available to fix
13 anything but on an emergency basis. So they waited for
14 it to break. It becomes a crisis. Then it's funded
15 through emergency funding. That's how they operate year
16 in and year out. There's no money waiting there for
17 them to go buy a new transformer that just blew that
18 costs \$50,000. You've got to solicit to the State
19 headquarters and say, "Please give us the money. We
20 need it." And then they find out is it necessary?
21 Okay. We'll go ahead and (unintelligible). Not to say
22 it's their fault. Facility management, they're in the
23 same condition we are. We're waiting for State funding.
24 This comes from the budget. This comes from the
25 governor, from the Senate.

PH-28
cont.

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1 The other thing that I want to mention just
2 off the top of my head is ACA accreditation that he
3 mentioned. I was there when they received
4 accreditation. It's absolutely true they passed. It's
5 absolutely true they passed with flying colors. But in
6 most instances, because of the age of the facility, most
7 of those criteria were waived. So they don't have a
8 showerhead. We'll waive it because you're an old
9 facility. You don't have a large enough space for
10 inmate living conditions. Well, we'll waive it because
11 you can't build a new cell. Right?

12 So it's kind of a misunderstanding when you
13 throw that out there and say that it passed with flying
14 colors. And by the way, the Department went through the
15 entire ACA accreditation. They paid millions and
16 millions of dollars for the people up and down the
17 state, and then they ended that program. So it's not
18 that we value the ACA accreditation as much as he makes
19 you believe because we don't even utilize them anymore.
20 So --

21 MR. SLEPPY: (Inaudible.)

22 MR. HARGROVE: Yeah. Is the time up?

23 MR. SLEPPY: Yes.

24 MR. HARGROVE: So I'll finish up. Mr. Sleppy
25 doesn't want me to expose them more.

PH-29

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1 MR. SLEPPY: We're going to give her a break.
2 All right?

3 MR. LUCIO: What's that?

4 MR. SLEPPY: You can speak, but then we're
5 going to give her a break after you.

6 MR. LUCIO: Sure.

7 I just recently got appointed to the City
8 Council. I'm a District 3 representative which is here
9 in the Chino prison. I'm also an L.A. County retired
10 with the Sheriff's Department, and we, unfortunately,
11 provide probably the largest percentage of inmates to
12 the California Department of Corrections. Also on a
13 regular basis I do work in the Inmate Reception Center
14 as a watch commander. And the Reception Center is the
15 (inaudible) that takes all the inmates into custody for
16 the L.A. County.

17 I can tell you that, because of Prop 47 and
18 57, we do not take any inmates into the L.A. County Jail
19 system that are not violent. So although we will say
20 that these people are Level 1s, Level 2s and the State
21 has now (inaudible) the number system to lower their
22 numbers to make these people appear to be less of a
23 security risk, the reality is we don't have anybody in
24 custody unless they're violent.

25 I can tell you that, being a lieutenant there,

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1 I have many people -- because we do have a mental staff
2 that are in the Reception Center that any time an inmate
3 requires medical attention, we send people with weapons
4 and follow inside an ambulance or inside the ambulance
5 as well as in the follow vehicle. And these are people
6 that are not (inaudible) in crimes at this point.

7 Two, to transport people throughout this city
8 that are convicted criminals at Level 1 and 2 -- which,
9 again, we're not holding anybody that is not a violent
10 criminal -- and moving them throughout the city is
11 ridiculous. I was not aware that that's all (inaudible)
12 that they have. I can't understand why the county jail
13 system, which is dealing with people that are not yet
14 convicted, ensure that people are being transported and
15 that there are weapons available in case people try to
16 break out.

17 We take -- it appears that we take it a little
18 bit more seriously than the California Department of
19 Corrections, and we take a little bit more measures for
20 the safety of the residents.

21 But I will say I live just outside of College
22 Park. My house was the last before College Park. I
23 could see Chino east because there was no other
24 residence between my house and Chino east. So I've
25 always been aware of the prison, about the state and the

PH-30
cont.

PH-31

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1 condition that it's in currently.

2 The security measures that are in place right
3 now is inadequate. As a deputy sheriff working with the
4 jail system, I (inaudible) violent criminals. And I can
5 tell you that these people that are -- you have two
6 different people. You have people that are criminally
7 insane that you're not going -- you don't know what
8 they're going to do from one point to another. They can
9 be completely fine one minute and then turn around and
10 just completely be a different person. These are
11 violent people, and to transport these people throughout
12 our city is something that shouldn't be taken lightly.

13 I can also tell you there's a number of
14 inmates that we deal with on a regular basis that
15 completely lie about the state of mental health they
16 have with an attempt to maybe go to a location with less
17 measures and be able to escape. So I just wanted to
18 address this.

19 My family lives here. I have young kids. I
20 also represent this district; so it's important to me to
21 express my concerns of the safety measures they're
22 currently in and the way they're being transported.

23 Thank you.

24 MR. SLEPPY: Is it okay if we take, like, a
25 ten-minute break?

PH-31
cont.

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1 MS. POWELL: Can I just say one thing before
2 'cause I'm short?

3 MR. SLEPPY: Okay. You can say two things.

4 MS. POWELL: I can say two things? Thank you.

5 My name is Denise Powell, and I really don't
6 speak up. But I've also been living in Chino for almost
7 40 years now, and I did work at institution along with
8 Mark for 30 years. I went up the ranks. I started as
9 an officer, went into the business services side,
10 retired as a procurement officer.

11 And just to support what Mark was telling you,
12 CIM only did band-aid -- bandages. We never fixed
13 anything. As a procurement officer, I worked with
14 contracts. We had emergency contracts all the time, I
15 mean, 'cause nothing ever -- that was the joke with the
16 tradesmen in the maintenance department. We're just
17 planning to do a band-aid and take -- and just keep on
18 going.

19 So, yes, like Mark said, they're going to put
20 the mental health. It's there no matter what we say.
21 But CDCR needs to give them money. I started as an
22 officer in dorms. I went to canteen. I went to
23 warehousing. I mean, warehousing is terrible at CIM.
24 Our food storage is terrible at CIM. You know, we need
25 the money to fix -- now, I retired in 2008 so -- but I

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1 don't think they've done much with money since 2008.

2 I hear -- you know, you always hear Facebook
3 what's going on, you know. Give them the money. Do
4 your mental health and make -- we've got so much land at
5 CIM. Put a new hospital and the mental health somewhere
6 else instead of inside -- we used to call it minimum
7 yard. What yard is it now? A yard -- E yard. You
8 know, the staff there deserves better accommodations for
9 going there every day.

10 So that's all I got to say.

11 MR. SLEPPY: Now we're going to take a
12 ten-minute break. Thank you.

13 (A recess was taken.)

14 MR. SLEPPY: Everybody signed in today? So
15 hopefully you did. And we also have the e-mail address
16 on our website.

17 Okay. Next speaker.

18 MR. SEKHON: Hello. Everybody can hear me?

19 AUDIENCE MEMBER: Louder.

20 MR. SEKHON: Louder?

21 AUDIENCE MEMBER: Talk into the microphone.

22 MR. SEKHON: I'm not a public speaker. My
23 name is Dr. Sekhon. I work with the Department of
24 Behavioral Health in San Bernardino County for the last
25 30 years. After being in residency from L.A., I moved

PH-32
cont.

PH-33

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1 to Chino Hill, '87.

2 Since I'm working with them, I think this is a
3 need. A hospital is a need. The hospital needed there.
4 Who are they? Nobody advocate for them. Who are they
5 behind it who live behind closed wall is a different
6 story. I think our leaders should push the pressure on
7 the top. Give the funding, fix it, and make it. That's
8 mine.

9 Nobody talks about them who is behind because
10 they took a couple of things three times from the hotel
11 or the store. (Inaudible) they are there for ten year,
12 whatever they come. And then when they come out, nobody
13 give them the job. Nobody even tell "You can stay with
14 me." They are out on the street. I think we should
15 collectively say that we need that hospital.

16 And they don't put responsible people from
17 outside inside. They are from there, people who are
18 (inaudible) about it. But the people, no, they come
19 outside. Where do they come from? Solano? Wasco?
20 Look at their facilities over there. They don't even
21 have a medical center around there. From Bakersfield
22 they send to the downtown. We have the hospital if the
23 patient comes from here, goes to the Arrowhead. A
24 policeman -- officer takes over there. They sit four,
25 five hour. Then they're readmitted. Then they have to

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PH-33
cont.

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1 stay by them because we don't have the coverage to cover
2 them. Every eight hours they change; right? After we
3 release it, they come back. If they're (inaudible) for
4 ten days, they will be okay.

5 That's my thing is we should support it. I
6 know we talk about what happen, who and all this.
7 Things have changed not a lot. State wants it, or they
8 can (inaudible) space for it. Then they can make it.
9 And they have the stuff do it. Nobody goes to the
10 Corcoran jail, you know, or Delano jail.

11 So please support it. They are our people.
12 They are our brothers and sisters, brothers. They are
13 there. And 25 -- if you want to see a big hospital, go
14 to a jail and find 25 percent people having a mental
15 illness. And they're not the people -- bad people, I
16 can tell you. All this (inaudible) and everything I
17 don't want details. They are not have a mental problem.
18 They don't do it. They don't even go out. That's my
19 impression of this. We are okay for them. They can get
20 out.

21 Thank you.

22 MR. ELIE: Good evening. My name is Steve
23 Elie, spelled E-l-i-e for the reporter. I'm a 20-year
24 resident of Chino Hills. I'm also an elected director
25 of the Inland Empire Utilities Agency representing both

PH-33
cont.

PH-34

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1 Chino and Chino Hills. Certainly my constituents have a
2 significant interest in this. And by way of profession,
3 I am an environmental lawyer and happen to work on CEQA
4 matters.

5 So I was very troubled -- and thank you, Chief
6 Comstock, for the comments about pushing this through.
7 I was very troubled by a number of things that some of
8 us have seen tonight. One of them was the rapid
9 schedule for approval that you're anticipating.

10 So, you know, in the CEQA process there's a
11 whole bunch of steps. One of the most significant ones
12 is after the EIR is coming out of draft like this is the
13 time to review it. So one of the earlier comments said,
14 "Well, we gave the extra time because of the holidays."
15 It's eight whole days. We know that the two cities are
16 shut down between, oh, December 24th and January 2nd.
17 So how many days is that? Eight. So we didn't get any
18 extra time really.

19 And perhaps more disturbing to me, as a CEQA
20 lawyer, was to read this tonight. Social issues are not
21 addressed in the EIR, and those include "conditions of
22 existing infrastructure at CIM." That's a quote from
23 one of the slides from the CEQA expert. That's shocking
24 in reading this EIR.

25 This draft EIR, among other things, includes

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PH-34
cont.

PH-35

PH-36

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1 baseline being used, for example, for sewers, for water
2 treatment. And what does it say? We're going to use
3 the existing facilities. There is no (inaudible) this
4 draft EIR of the state of the existing facilities. It
5 is directly relevant. The conditions at CIM may not be
6 electrical in certain buildings, but the conditions at
7 CIM, as they exist today, compliant to State law as to
8 sewage -- oh, yeah. By the way, they're on a septic.
9 You all are on sewer pretty much unless you live in
10 unincorporated Chino. Yeah, this is on septic. They
11 use percolation ponds.

PH-36
cont.

12 Some of you have been around for a long time.
13 You may remember Higgins Brick in Chino Hills. I used
14 to drive by there all the time, and I'd say, "How does
15 the regional board let that happen?" Well, my question
16 is how does the regional board let it happen here at CIM
17 now today? Why don't they go to IEUA? Oh, wait. IEUA
18 has approached CIM how many times and said get us -- get
19 on the system. Treat it with every other waste from the
20 42 square miles of our system. But CIM doesn't do that.
21 Again, this document has many, many environmental
22 inadequacies, environmental inadequacies.

PH-37

23 Let's talk about the baseline. I already
24 talked about the baseline. Project description
25 alternatives. So when you read a normal EIR, it has

PH-38

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1 factual alternatives. So in this instance they probably
2 could have done a two-story versus a one-story
3 alternative and compared them to the no-project
4 alternative. By the way, the only reason why they
5 included the no-project alternative is because they have
6 to to bank up their minimum.

PH-38
cont.

7 But I've never seen an EIR where the project
8 isn't described as to how -- you don't have to add
9 fills, but there's no structure to it. Say, well, we'll
10 decide later whether it will be one or two. Well, that
11 can add all kinds of impacts. For example, a two-story
12 building could have visual impacts that are different
13 than a one-story building. Those differences are not
14 analyzed. They're kicking that can down the road. The
15 environmental analysis requires you do it up front, not
16 later.

PH-39

17 The schedule. I sort of drifted off this
18 earlier. But the schedule is really accelerated, and
19 they don't even know what kind of comments they're going
20 to get, but they already know we're going to send it to
21 the director in the spring. So the comments are due
22 January 28th. Spring could be March. Could be March
23 they're going to have a final EIR in response to
24 comments. So it's a pretty accelerated schedule.

PH-40

25 We talked about sewer, waste water, recycled

PH-41

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1 water. You know, in the Chino basin, which I'm very
2 familiar with because I also sit on the Watermaster
3 (inaudible) our Chino Desalter Authority that my agency
4 participates in with the cities of Chino, Ontario, and
5 others, we are treating the historical salt in our
6 basin. CIM is not part of that.

7 CIM -- Lord knows what goes in those ponds and
8 seeps into our basin that is our groundwater.

9 70 percent of the drinking water used in my service area
10 comes from the Chino basin. 30 percent is imported.

11 And obviously we're trying to change that and use more
12 recycled water, et cetera. But the water supply is not
13 analyzed that I can see. The (inaudible) and come from.

14 Where is the sewer services going to go? Are
15 you going to put that on the city sewer? The way it
16 works is that the City -- the cities and the water
17 district have local sewers, and then it goes through a
18 big pipe, and then it goes to one of our treatment
19 plants. Two or -- three of ours are in Chino. So we
20 have three treatment plants, but CIM don't use them.

21 So with that, I think that's all I have. I'll
22 have to submit some written comments to make sure they
23 get addressed, but there are -- I'll repeat because it
24 bears repeating. Conditions of existing infrastructure
25 at CIM are CEQA issues if you're going to build upon

PH-41
cont.

PH-42

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1 them and use them, and any final EIR that's worth its
2 salt will actually address that. Or maybe, better yet,
3 do it right and recirculate an EIR that actually
4 considers alternatives, that actually considers the
5 infrastructure and state of the location that you're
6 using and building upon as your baseline.

PH-42
cont.

7 Thank you.

8 MS. BAKER: Good evening. My name is Deb
9 Baker. I'm a -- two hats that I wear in my professional
10 life. One is I am a professor that prepares students
11 for mental health jobs and professions, and I'm teaching
12 on the road not too far. My other half is I am a mental
13 health professional at a location that's about .2 miles
14 from here. For the past ten years or so, I've worked
15 there on a pretty active basis. So my job is -- I am in
16 that mental health profession where I see the people
17 that (inaudible).

PH-43

18 I know this whole issue is about building
19 something within Chino prison. I myself, my family, you
20 know, moved about the same time as Comstock's family did
21 to Chino, early 70s; so I grew up here. Prison was part
22 of our life. It was just there. It was just what it
23 was and how it is, both men's and women's and then the
24 youth authority that was around the corner. So that was
25 a scary thing. Yes, you had some escapees. We had some

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1 challenging things there.

2 So there is a need for this population to get
3 help. So I think we all probably recognize that in that
4 sense, and it's the classic situation that we think we
5 need -- we need this but not in our backyard. And so
6 that's, I think, the battle that we have. And as a
7 mental health professional and as a professional that
8 prepares people to go into this profession -- I do have
9 to say that Chief Comstock came up and shared what she
10 did. That carries a lot of weight; so I appreciate
11 that. And as a mental health professional knowing or
12 not knowing what's going on in there in that facility, I
13 think we have to make sure that our community will be
14 safe.

PH-43
cont.

15 And so I appreciate that and your time.

16 MR. VENERABLE: Hello, everybody. My name is
17 Darian Venerable. I am a Chino resident, not as long as
18 most. We moved here about 2000, my family and I. I
19 also made a church in The Preserve. And so as a father,
20 as a husband, as a community leader listening to
21 everything that has been said, my main concern is
22 that -- the thing that comes to my mind is putting
23 lipstick on a pig. Why don't we add something to a
24 facility that desperately needs retrofitting, care, and
25 we're going to add something that also is going to need,

PH-44

PH-45

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1 in time, repair and care. And here we are trying to add
2 something new to that in addition to what is
3 already -- what's already needed.

PH-45
cont.

4 So I have a huge concern again as a dad. And
5 the transportation issues really kind of frighten me
6 listening to this and thinking about the possibilities.
7 And I'm not speaking for everyone, but I can say that
8 the folks in The Preserve that come to our church have a
9 huge concern with what could happen and what we're
10 looking at into the future.

PH-46

11 So thank you. Appreciate your time.

12 MS. SCHAFFER: Hello. My name is Pat
13 Schaffer. I worked in the institution behind CIM, and
14 it was a maximum security youth authority. That means
15 that it has single cells, 1,200 single cells. There are
16 three buildings, and that institution -- because it was
17 juvenile, we got funds for all kinds of upgrades. They
18 took our windows out and put slits in. We had man-
19 powered metal doors. They put electric ones in. They
20 put complete computer systems in on all of the units.
21 Everything was controlled by one center location. There
22 are -- each one of our control centers had 100 rooms.

PH-47

23 Now, that facility is sitting right behind
24 CIM, and I do not see why they're going to let that
25 facility go to waste when it was already a maximum

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1 security system. It just needs the upgrades that -- the
2 security for it the CDC adult prison requires: A double
3 fence, maybe a couple more towers.

4 But that institution is fully -- could be
5 fully operative and made whole with just a few
6 improvements, very few improvements. I just wanted to
7 let the people know that Youth Authority was a maximum
8 security institution.

9 MS. RODRIGUEZ: My name is Maria Rodriguez.
10 I'm a resident of Chino. My family moved here in 1968.
11 My parents were drawn to the agricultural life here, and
12 the prison wasn't something that they ever commented on.
13 I went on to college, moved away, ended up coming back.
14 So, anyways, I'm here as a concerned resident. Mostly I
15 don't like to speak up.

16 Mr. Sleppy, I don't know where you live, but I
17 wonder if you would have any such concerns if something
18 like this was going to be built near you or in the city
19 where you live.

20 Already knowing -- I've come to this meeting
21 where I also came in July and in August. I learned more
22 as to what the conditions and concerns are, and most
23 definitely my concern is also the same thing also. How
24 can you add such a facility that requires high,
25 high -- intensive services on a -- on a flawed

PH-47
cont.

PH-48

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1 infrastructure? How can that stand?

PH-48
cont.

2 My question is -- one of my questions is if
3 it's a ten-day crisis facility, what's to guarantee that
4 they're going to stabilize within ten days? What
5 happens outside of the ten days? Will it be extended
6 another ten days? How many times will it be extended?
7 Also upon release, where will they be released? So
8 these are questions that also need to be addressed in
9 addition to the bottom line, though, of the flawed
10 infrastructure that you're planning to build this on.
11 So that most definitely has to be looked at.

PH-49

12 And as the concern has been brought up that if
13 the maintenance has not been conducted at CIM, then
14 what's to keep that from happening at this new facility
15 down the years as well?

PH-50

16 MR. SLEPPY: Thank you.

17 I know we have one last speaker. Is there
18 anyone else that wants to get up before that last
19 speaker?

20 MS. ULLOA: My name is Eunice Ulloa, and I'm
21 the mayor of Chino. I asked specifically to be last
22 because I didn't want to necessarily repeat everything
23 that had been said.

PH-51

24 This is not an inmate issue. Chino has had
25 our fair share of the burden of incarcerated people for

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1 years: CIM, CIW, the Youth Authority, and just across
2 the road Boys Republic which -- they're not
3 incarcerated, but they're troubled youth. We've never
4 been a NIMBY community. We have always not only handled
5 our fair share but a lot more than our fair share; so it
6 isn't that issue at all.

7 But common sense tells you if the Inspector
8 General Office said back in 2008 that it's going to take
9 \$24, \$26 million a year to bring this facility up to
10 standards and only \$3 million a year approximately has
11 been spent for five years, where does that put CIM
12 currently? If his report said the facility should be
13 leveled by 2014 if the appropriate funding wasn't put
14 into it -- we're four years past that.

15 This facility is in deplorable conditions.
16 Nobody can argue with that. \$3 million a year is a drop
17 in the bucket of what this facility needs. You heard it
18 stated from someone who -- two people who have actually
19 worked there. Band-aids are put on this facility. It
20 has never been taken care of properly. And if any of
21 you have taken a tour of the facility, it's a shame.
22 It's really a shocking experience.

23 I'm glad to hear that Supervisor Hagman
24 intends to meet with the governor. I think that's
25 critical. If the current budget has \$18 million in it

PH-51
cont.

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1 to address all the facilities in the State of
2 California, he obviously -- or the Legislature obviously
3 has no intentions of bringing this facility up to code.

4 Are there patients that need mental care?
5 Absolutely. We know that. We've seen statistics. Our
6 police department have faced those kind of issues many,
7 many, many times, and the problem seems to be growing.
8 There needs to be a facility, but it needs to be located
9 at a location where it should be located, not in a very
10 poor facility.

11 If someone were to apply to the City of Chino
12 for a room addition but their house was in disrepair --
13 the pipes had lead contamination. They're on a septic
14 tank. The roof is leaking. The electrical is
15 inadequate. Paint is peeling. The yard's in shambles.
16 There's all kinds of code enforcements -- the City of
17 Chino wouldn't say, "Sure. Go ahead and build this
18 nice, new addition." Why is the State of California in
19 a vacuum saying "We're going to build this facility
20 here"?

21 And, in fact, our staff heard that statement.
22 It's a done deal. This mental health facility will be
23 located here. You heard various reasons why when it
24 comes to staffing and that sort of thing. Why would the
25 State of California put a facility in a place that's

PH-51
cont.

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1 inadequate? Yes, we have room. There's tons of acres.
2 In fact, security losses prisoners periodically.
3 Sometimes they find them. Sometimes they don't because
4 even the sheriff -- what was it? The Shaker fence was
5 down for two years. Two years a security fence didn't
6 work properly, and the prison system knew it but didn't
7 fix it? Didn't fix it until, in fact, another prisoner
8 got out.

PH-51
cont.

9 It's -- the whole thing is just absolutely
10 ridiculous. I think what needs to happen is -- yes, we
11 have been able to make comments to the EIR. And, Steve,
12 thank you for making the comments that you did in that
13 short conversation before we spoke. I too am very
14 heavily involved in water. We sit on Watermaster and
15 are part of the CEA and all of that. We already know
16 about groundwater contamination and how we are spending
17 millions of dollars as partners of the CEA to bring up
18 polluted groundwater and treat it so that the
19 contamination doesn't grow.

PH-52

20 And, yes, CIM is on their own sewer treatment
21 facility and percolation ponds, and, yes, IEUA has been
22 in communication with them over the last several years
23 about hooking up to the sewer, but they won't do it.
24 Why? Why isn't (inaudible) and Santa Ana Regional
25 Quality Control on that issue? Just a lot of questions

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1 out there.

2 I think we, as a community, need to interact.
3 I think Chino, Chino Hills, Ontario IEUA, fire
4 department all need to unite and protest to the State of
5 California. You fix this facility. We're not a NIMBY
6 community. And the conversation tonight would probably
7 be much different if CIM were up to code and was truly a
8 secure facility.

9 Mark, thank you for your comments about --
10 both Marks -- about the transportation of prisoners.
11 You use or have available weapons, as our police
12 department does, when you transport potential felons;
13 right? But they're going to transport prisoners that
14 are in mental crisis in a vehicle with no weapons
15 followed by a vehicle that possibly has weapons. But
16 what happens in our state of transportation nowadays
17 with traffic congestion if those two vehicles get
18 separated and something happens? That's not addressed.

19 This EIR -- and I don't mean to shoot the
20 messengers, but this EIR was prepared in a vacuum, a
21 complete vacuum with, I believe, orders that said, "Make
22 this happen." It's being jammed down our throat, and
23 that's not right. It's not right for our citizens. And
24 I think we need to band together to do whatever is
25 necessary to stop this from happening until that

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PH-52
cont.

PH-53

PH-54

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1 facility is brought up to code.

I PH-54
cont.

2 Thank you.

3 MR. SLEPPY: Okay. Thank you. We appreciate
4 it.

5 (The proceedings concluded at 7:48 P.M.)

6

7 --000--

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REPORTER'S CERTIFICATE

The undersigned Certified Shorthand Reporter does hereby declare under penalty of perjury:

THAT the foregoing was taken before me at the time and place therein set forth and was recorded stenographically by me and was thereafter transcribed, said transcript being a true copy of my shorthand notes thereof.

IN WITNESS WHEREOF, I have hereunto subscribed my hand this 17th day of January, 2019.



VERONICA L. IGLESIAS

Certified Shorthand Reporter

Certificate No. 9441, RPR, RMR, CRR

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Karen Comstock, Chief, Chino Police Department

- PH-1 The comment expresses the opinion that CDCR can build a secure MHCF, but also expresses concerns related to the existing conditions at the CIM facility and public safety. Please see Master Response 1 and Master Response 2, respectively. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-2 The comment expresses concern related to the transportation of inmates and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-3 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-4 The comment correctly states that CIM was proposed as the site for the MHCF. It is noted that leadership at CDCR, including the Secretary, has changed since the reported meeting in Chino took place. In compliance with CEQA, the Secretary will review the EIR, including comments and responses, before deciding whether to approve the project.
- PH-5 The comment incorrectly states that CIM disposes human waste on institution grounds. See response to comments A4-15 and A5-2 regarding wastewater treatment.
- PH-6 The comment provides a general closing statement. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Kevin Mensen, Chino Police Department

- PH-7 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-8 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-9 The comment expresses concern related to the transportation of inmates and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-10 The comment provides a general closing summary of the concerns identified in comments PH-7, PH-8, and PH-9. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Gary George, San Bernardino County

- PH-11 The comment expresses opposition to the proposed project. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Nicholas Liguori, City of Chino

- PH-12 The comment states that the EIR project description is inadequate because no site plan is provided. See response to comment A4-3.
- PH-13 The comment states that because CIM is identified as the proposed MHCF location in the State Budget Act, the decision to place the MHCF at CIM has not been reviewed under CEQA. This EIR provides the CEQA review for CDCR's proposal to construct and operate a MHCF at CIM. All projects subject to CEQA begin with a proposal to place a project at a specific

location, and this project is no different. It cannot be evaluated without a proposed location. However, that does not mean the project has been approved. It is undergoing this CEQA review and will be subject to the deliberation and decision as to whether it should be approved when the EIR is brought before and reviewed by the Secretary of CDCR. Alternatives to the location at CIM are addressed in Chapter 7, “Alternatives,” of the Draft EIR. See also response to comment A4-5.

- PH-14 The comment states that the EIR does not provide an analysis of alternative locations for the proposed project. Funding for preliminary design and CEQA documentation by the Legislature does not commit CDCR to approve the project and does not preclude the ability to select an alternative. Nothing in state law or policy directs CDCR to approve projects that receive this type of preliminary funding. See response to comment A3-3.
- PH-15 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment also raises issues regarding future maintenance of the MHCF, if it is constructed. Maintenance funding is allocated throughout CDCR’s prison system and placing the MHCF at a different location would not alter future funding to maintain it. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.
- PH-16 The comment provides a general closing statement of the above concerns and identifies concerns about the following topics without providing specific comments: traffic and roadway impacts, water supply, storm water, and utilities. No further response is necessary.

Kyle Collins, Deputy Chief, Chino Valley Fire District

- PH-17 The comment states that CIM’s fire department personnel does not provide emergency medical care and that the addition of a 50-bed mental health crisis facility will increase the service demand placed upon the CVFD. See response to comment A1-3.
- PH-18 The comment requests that CDCR address the issues identified in the 2008 audit by the Office of the Inspector General and requests information related to first responders at similar mental health crisis facilities. See response to comment A1-4.

Donna Marchesi

- PH-19 The comment provides introductory language to the overall concerns expressed in comments PH-20 and PH-21, below. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.
- PH-20 The comment expresses concern related to the safety of the community. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.
- PH-21 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.

Yan-Bo Yang

- PH-22 The comment expresses concern related to existing prison noise and the potential increase of noise. Please see response to comment I14-5.
- PH-23 The comment expresses concern related to safety and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR’s analysis, and no further response is necessary.

Mark Hargrove, Chino City Council

- PH-24 The comment provides introductory language to the overall concerns expressed in comments PH-25 through PH-29, below. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-25 The comment expresses concern related to the security levels at CIM. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary. A lethal electrified fence is not necessary for security at Level IV facilities and not all CDCR Level IV facilities are surrounded by these fences. A lethal electrified perimeter fence around either the separate MHCF or the entire D Yard is not part of the scope of the proposed project as authorized by the State Budget Act.
- PH-26 The comment states that the location for the proposed MHCF was selected for Southern California, specifically CIM, from the beginning, and discusses the difficulty in recruiting for professional staffing positions in more remote areas. Please see response to comment A3-3 for a discussion of the need for a MHCF in Southern California.
- PH-27 The comment expresses concern related to the transportation of inmates and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-28 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-29 The comment discusses American Correctional Association (ACA) accreditation. ACA accreditation is not discussed in the Draft EIR and is not related to the proposed project. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Marc Lucio, Chino City Council

- PH-30 The comment expresses concern related to the transportation of inmates and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-31 The comment expresses concern related to community safety and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Denise Powell

- PH-32 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Dr. Sekhon

- PH-33 The comment expresses support for the proposed MHCF. No response is necessary.

Steve Elie, Director, Inland Empire Utilities Agency

- PH-34 The comment presents introductory language and briefly discusses the CEQA process. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary. The comment suggests that insufficient time was provided to review the Draft EIR. State CEQA Guidelines Section 15105 requires that Draft EIRs are circulated for a minimum of 45 days. This Draft EIR was circulated for 53 days.

- PH-35 The comment correctly states that social issues are not discussed in the EIR. CEQA is required to address environmental impacts, which are defined as direct or indirect effects on the physical environment (e.g., land, air, water, biological resources, noise) (State CEQA Guidelines Sections 15358 and 15360). Social and economic effects of a project, however, “...shall not be treated as significant effects on the environment,” although an EIR may trace a “chain of cause and effect” from an economic or social effect to an effect on the physical environment (State CEQA Guidelines Section 15131). Please see Master Response 1 for a discussion of the existing conditions at the CIM facility.
- PH-36 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. Regarding the condition of infrastructure that would be used by the project, please see Section 4.11, “Utilities and Service Systems,” of the Draft EIR, which discusses the onsite WWTP and water treatment plant. Also see response to comment I11-5.
- PH-37 The comment incorrectly states that CIM is on a septic system and should connect into the IEUA system. CIM has an onsite WWTP that treats effluent to a secondary level. See response to comments A4-15 and A5-2 as well as response to comment I11-5. Because CDCR treats its own wastewater and does so to levels that meet the RWQCB requirements, there is no need to connect to and use the capacity of the IEUA system.
- PH-38 The comment expresses the belief that the alternatives analysis is inadequate and suggest that CDCR has discretion about whether to analyze a no project alternative. State CEQA Guidelines Section 15126.6(e)(1) requires that a “no project” alternative be evaluated to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.
- The comment also states that a two-story MHCF could have been considered in the EIR as an alternative to a one-story building. A two-story MHCF alternative would not reduce any significant impacts of a one-story MHCF or vice versa because there are no significant effects. The possible maximum height of the proposed building is appropriately identified in the Draft EIR project description. See response to comment A4-3 regarding the level of detail necessary in the project description.
- PH-39 The comment incorrectly states that environmental impacts of a two-story building versus a one-story building have not been analyzed. See response to comment A4-3 regarding the level of detail necessary in the project description.
- PH-40 The comment expresses the belief that the schedule of responding to comments is accelerated. CEQA does not mandate a period of time that must pass between the close of a comment period and the release of a Final EIR. Pursuant to State CEQA Guidelines 15105(a) the public review period of a Draft EIR shall not be less than 45 days. On December 6, 2018, CDCR released the Draft EIR for a 53-day public review and comment period. Pursuant to State CEQA Guidelines 15088(b), the responses to comments in this current document will be provided to commenting agencies 10 days before certification of an EIR. CDCR will adhere to applicable procedural timing requirements of CEQA.
- PH-41 The comment expresses concern related the potential adverse effects on groundwater related to the discharge of treated secondary effluent onto CIM property. See response to comment A5-2. Water supply and capacity of the CIM wastewater treatment system are analyzed in Draft EIR Section 4.11, “Utilities and Service Systems.”
- PH-42 The comment provides summary statements related to alternatives and existing conditions. None of the comments received on the Draft EIR have resulted in a new or substantial increase in the severity of an environmental impact; therefore, recirculation is not necessary.

Deb Baker

- PH-43 The comment provides introductory language and does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-44 The comment expresses concern related to community safety. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Darian Venerable

- PH-45 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-46 The comment expresses concern related to community safety and security. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Pat Schaffer

- PH-47 The comment states that the deactivated youth authority facility adjacent to CIM was once a maximum-security facility and could be fully operative with improvements. The MHCF is a unique facility, specifically designed to address the needs of inmates in mental health crisis. The existing youth facility could not simply be modified and repurposed to accommodate the treatment needs of these inmates. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

Maria Rodriguez

- PH-48 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-49 The comment questions how a ten-day stay is going to stabilize someone who is experiencing a major mental health crisis and what happens if it does not work. See response to comment I14-11. The analysis in the EIR assumes certain parameters, including a typical 10-day treatment period, for the impact analysis. However, if an inmate requires longer treatment, it would be provided. The capacity of the facility including the number of inmates and staffing would not change if this were to occur, and no additional environmental effects would result.
- PH-50 The comment questions whether the proposed MHCF will be maintained in the future. Provision of mental health crisis treatment in a secure environment is consistent with the agency mission of CDCR. CDCR endeavors to keep its facilities in good working order and would do so with the MHCF, if constructed.

Eunice Ulloa, Mayor, City of Chino

- PH-51 The comment expresses concern related to the existing conditions at the CIM facility. Please see Master Response 1. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-52 The comment correctly states that polluted groundwater in the Chino Basin is subject to treatment. Water treatment is performed by the Chino Desalter Authority, as discussed on page 4.7-7 of the Draft EIR. The comment also correctly states that CIM operates a WWTP and discharges treated secondary effluent to percolation ponds. See response to comment

- A5-2 regarding connecting to the IEUA system. See response to comment I11-5 regarding the effectiveness of the onsite WWTP.
- PH-53 The comment expresses concern related to the transportation of inmates and security of CIM. Please see Master Response 2. The comment does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.
- PH-54 The comment is a summary statement that does not address the adequacy of the Draft EIR's analysis, and no further response is necessary.

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4 REVISIONS TO THE DRAFT EIR

This chapter presents revisions to the text of the Draft EIR since its release and public review. The revisions are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~striketrough~~, and text additions are shown in underline.

The revisions presented in this chapter clarify and expand on, or provide minor corrections to information in the Draft EIR and do not constitute “significant new information” requiring recirculation. Pursuant to State CEQA Guidelines Section 15088.5, recirculation is required where “[a] substantial increase in the severity of an environmental impact would result unless mitigation measure are adopted that reduce the impact to a level of insignificance.” (Guidelines, § 15088.5(a)(2).) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.

Nearly all changes are minor and do not involve changes in project impacts. One change, as a result of a modification to the proposed project square footage, concerns a localized air quality impact from construction dust particles. That impact, which affects inmates located within 25 meters of construction, was less than significant in the Draft EIR, but the threshold of significance would be slightly exceeded as a result of project modifications. This impact is clearly mitigated by following the recommendations of the South Coast Air Quality Management District, and CDCR will adopt the relevant mitigation. Here, CDCR will implement the suggested mitigation measure, and the measure will clearly reduce the potential PM₁₀ impact to less than significant. As a result, no increase in the severity of an impact would result and recirculation of the EIR is not required.

Revisions to Chapter 1, Executive Summary

To reflect minor updates to proposed project design, the first sentence under Section 1.2.3, “Characteristics of the Project,” on page 1-2 of the Draft EIR is revised as follows:

The new MHCF building would be configured as a two-story building with up to approximately ~~61,000~~ 69,000-gross square feet (sf) of overall building footprint.

To reflect minor updates to proposed project design, Table 1-2 under Section 1.6.1, “Environmentally Superior Alternative,” on page 1-4 of the Draft EIR is revised as follows:

Table 1-2 Comparison of Environmental Effects of the Alternatives to the Proposed Project			
Environmental Topic	Proposed Project	No Project Alternative	CIM Facility Alternative
Air Quality	LTS <u>M</u>	Less	Similar
Archaeological, Historical, and Tribal Cultural Resources	LTS <u>M</u>	Less	Similar
Biological Resources	LTS <u>M</u>	Less	Similar
Greenhouse Gas Emissions and Energy	LTS	Less	Similar
Hazards and Hazardous Materials	LTS	Less	Similar
Hydrology and Water Quality	LTS	Less	Similar
Noise and Vibration	LTS	Less	Similar
Public Services	LTS	Less	Similar
Transportation and Circulation	LTS	Less	Similar

Table 1-2 Comparison of Environmental Effects of the Alternatives to the Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	CIM Facility Alternative
Utilities and Service Systems	LTS	Less	Similar
Notes: LTSM = less than significant with mitigation; LTS = less than significant			

To reflect minor updates to proposed project design, Impact 4.2-1 on page 1-5 of the Draft EIR is revised as follows:

<p>Impact 4.2-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan</p> <p>SCAQMD provides two key indicators for consistency with the AQMP: whether the proposed project would result in an increase in the frequency or severity of existing air quality violations delay timely attainment of air quality standards and; whether the proposed project would exceed the assumptions in the AQMP. City of Chino policies also encourage compliance with regional planning efforts, encourage land use patterns that reduce trip lengths, and incorporate emissions reduction in construction projects. As discussed in Impacts 4.2-2 and 4.2-3 below, although the proposed project would exceed SCAQMD's LST for PM₁₀, these impacts are clearly mitigable to less-than-significant and project-generated construction and operational emissions would be below SCAQMD's regional thresholds of significance and thus would not violate any air quality standard or contribute substantially to an existing or projected air quality violation interfere with the region's ability to comply with federal and State air quality standards. The proposed project also includes a land use pattern that encourages lower vehicular use, and it includes emissions reduction measures during construction.</p> <p>Regional air quality emissions projections used in the AQMP are based on the growth projections included in Southern California Association of Government's Regional Transportation Plan/Sustainable Communities Strategy, which assumes a marginal growth in institutional uses at CIM. The proposed project would increase the existing CIM inmate population by up to 50 additional inmate-patients and would require an estimated 165 additional staff (distributed over three work shifts) to commute to the site daily. Up to 70 construction workers per day would be employed for approximately two years. This would be a marginal increase over the August 31, 2018 inmate population of approximately 3,800 and current staffing of approximately 1,300. Thus, the proposed project would not exceed assumptions in the AQMP and would not conflict with or obstruct implementation of any air quality planning efforts. This impact would be less than significant.</p>	LTS	No mitigation is required.	LTS
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To reflect minor updates to proposed project design and address the request of a commenting agency, Impact 4.2-2 on page 1-5 of the Draft EIR is revised as follows:

<p>Impact 4.2-2: Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation During Construction</p> <p>Construction activities would result in temporary and intermittent generation of criteria air pollutants and precursors from demolition, operation of heavy mechanical equipment, haul truck trips, and construction worker commute. Project construction-related emissions would not exceed SCAQMD's regional air quality significance thresholds which also is consistent with the City of Chino policies to reduce construction emissions. <u>However, the proposed project would exceed LSTs for PM₁₀ during the site preparation phase. Thus, although construction emissions would not contribute substantially to an existing or projected regional air quality violation, it could result in a localized violation of air quality standards. Accordingly, construction emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be less than significant.</u></p>	LTPS	<p>No mitigation is required. Mitigation Measure 4.2-1: Apply Tier-4 Emission Standards and Level 3 Diesel Particulate Filters to all Diesel-Powered Off-Road Equipment</p> <p><u>For off-road construction equipment rated at 50 horsepower or greater, CDCR shall require that the construction contractor only use equipment that meets or exceed the CARB and EPA Tier 4 off-road emissions standards. Such equipment will be outfitted with Best Available Control Technology devices including CARB certified Level 3 Diesel Particulate Filters.</u></p> <p><u>Implementation of this measure shall be required in the contract that CDCR establishes with its construction contractors. Contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, CDCR shall require periodic reporting and provision of written construction documents by construction contractor(s) and conduct regular inspections to the maximum extent feasible to ensure compliance.</u></p>	LTS
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To reflect minor updates to proposed project design, Impact 4.2-3 on page 1-6 of the Draft EIR is revised as follows:

<p>Impact 4.2-3: Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation During Operation</p> <p>The proposed project would generate operational emissions from the long-term operation of the MHCF, which would result in vehicle trips from employees and visitors to the proposed project site, natural gas combustion for space and water heating, and operation of stationary equipment (i.e., emergency generator, mini-boiler). Stationary equipment would be subject to SCAQMD Rule 203, which would ensure that equipment would operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code. As shown in Table 4.2-65, project operational emissions would not exceed SCAQMD's air quality significance thresholds. Thus, operational emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be less than significant.</p>	LTS	No mitigation is required.	LTS
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To reflect minor updates to proposed project design, Impact 4.5-1 on page 1-11 of the Draft EIR is revised as follows:

<p>Impact 4.5-1: Generation of GHG Emissions</p> <p>Greenhouse gas (GHG) emissions associated with the proposed project would be generated during project construction and operation. The project's combined construction and operational emissions would be <u>4,742,067</u> metric tons of CO₂ equivalents (MTCO₂e) per year, which would not exceed SCAQMD's interim GHG significance threshold of 3,000 MTCO₂e for residential and commercial sources or the adjusted target of 2,696 MTCO₂e for first operational year 2022. Both construction and operation of the MHCF would include GHG efficiency measures consistent with State policies and regulations for reducing GHG emissions and enabling achievement of the statewide reduction targets of Assembly Bill (AB) 32 and Senate Bill (SB) 32. Thus, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. This impact would be less than significant.</p>	LTS	No mitigation is required.	LTS
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Revisions to Chapter 2, Introduction

To reflect minor updates to proposed project design, the second sentence of the fourth paragraph on page 2-1 of the Draft EIR is revised as follows:

The proposed MHCF would provide additional mental health treatment capacity within the CDCR correctional system for inmates determined by qualified medical/psychiatric staff to be in a mental health crisis state. The proposed two-story MHCF building would comprise up to approximately 69,000 gross square feet (gsf) of space for housing, mental health treatment, recreation, custody, support, and administrative services.

To provide correction, the third bullet on page 2-8 of the Draft EIR is revised as follows:

- ▲ ~~Southern California~~ South Coast Air Quality Management District.

Revisions to Chapter 3, Project Description

To reflect minor updates to proposed project design, the first sentence under Section 3.4, "Description of the Proposed Project," on page 3-3 of the Draft EIR is revised as follows:

The new MHCF building would be a two-story building with up to an approximately 69,000 gsf of overall building footprint.

To reflect minor updates to proposed project design, the last sentence under Section 3.4, "Description of the Proposed Project," on page 3-3 of the Draft EIR is revised as follows:

Other proposed project components include a new cyclone fence that would separately encircle the MHCF within Facility D, and an access road for the MHCF. These components would also occur within the proposed MHCF project site shown in Exhibit 3-1. Additionally, the proposed project includes improvements to the existing pedestrian pathway between the administration building and the MHCF site to comply with Americans with Disabilities Act (ADA) requirements, resurfacing and

restriping portions of the existing administration building parking lot to comply with ADA requirements, and installation of a new 360-space parking lot, at one of two optional locations, adjacent to Facility D. Exhibit 3-1 shows the proposed site plan. Exhibit 3-2 provides additional detail on the site plan for the proposed MHCF.

To reflect minor updates to proposed project design, Exhibit 3-2 is added on page 3-5 of the Draft EIR (and is provided at the end of this chapter).

To provide clarification, the following picture of a standard inmate patient transport van is added to page 3-6 of the Draft EIR (Section 3.4.3, "Security").



To provide correction, the third bullet on page 3-9 of the Draft EIR (Section 3.8.2, "Trustee and Responsible Agencies") is revised as follows:

- ▲ ~~Southern California~~ South Coast Air Quality Management District.

To provide correction, the third bullet on page 3-9 of the Draft EIR (Section 3.8.3, "Approvals and Permits") is revised as follows:

- ▲ ~~Southern California~~ South Coast Air Quality Management District.

Revisions to Section 4.1, Impacts Found Not to Be Significant

To reflect minor updates to proposed project design, the first sentence of the third full paragraph on page 4.1-2 of the Draft EIR is revised as follows:

The new MHCF building would be ~~one-story or~~ two stories and encompass up to ~~61,000~~ 69,000 gross square feet of space.

To provide clarification, the first paragraph under Section 4.2.1, “Agriculture and Forestry Resources” on pages 4.1-4 and 4.1-5 of the Draft EIR is revised as follows:

Farmlands are mapped by the State of California Department of Conservation (DOC) under the Farmland Mapping and Monitoring Program (FMMP). The FMMP was created by the State of California to provide data on farmland quality for use by decision makers in considering possible conversion of agricultural lands. Under the FMMP, land is delineated into the following eight categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban or Built-Up Land, Other Land, and Water. Mapping is conducted on a county-wide scale, with minimum mapping units of 10 acres unless otherwise specified. CIM is located on land classified by the FMMP as Urban and Built-Up Land, Prime Farmland, Locally Important Farmland, Unique Farmland, Grazing Land, and “Other Land” (not farmland). The proposed project area is classified as Urban and Built-Up Land (DOC 2017). The City of Chino General Plan designates the proposed project area as Urban Reserve.

Revisions to Section 4.2, Air Quality

To expand on information, the first two paragraphs under Section 4.2.3, “Impacts and Mitigation Measures,” on page 4.2-8 of the Draft EIR is revised as follows:

Regional and local criteria air pollutant emissions and associated impacts, as well as impacts from TACs, CO concentrations, and odors were assessed in accordance with SCAQMD-recommended methodologies. The proposed project’s estimated emissions are compared to SCAQMD-adopted thresholds, which were developed in part based on Section 182 (e) of the CAA (SCAQMD 2015). SCAQMD has established significance thresholds for both construction and operational emissions to assess a project’s regional air quality impacts. Notably, CEQA-related air quality thresholds of significance are tied to achieving or maintaining attainment designation with the NAAQS and CAAQS, which are scientifically substantiated, numerical concentrations of criteria air pollutants considered to be protective of human health (SCAQMD 1993). SCAQMD does not have a threshold for lead because the air basin is in attainment of federal and State air quality standards and because there is no specified level for which lead emissions would bring the SCAB out of attainment and result in increased health impacts.

SCAQMD has also developed localized significance thresholds for local air quality impacts, which represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard, which are protective of human health. Localized significance thresholds (LSTs) are developed using dispersion modeling and are based on the ambient concentrations of that pollutant for each source receptor area~~are not expected to cause or contribute to an exceedance of ambient air quality standards.~~ The air district provides mass rate look-up tables based on source receptor area, maximum disturbed acreage, and distance to the nearest sensitive receptor. The proposed project is within the Southwest San Bernardino Valley source receptor area. The maximum daily disturbed acreage is calculated to be 2 acres during grading (see Appendix C “Air Quality and Greenhouse Gas Emissions”). Thus, as recommended by SCAQMD, the 2-acre localized significance thresholds (LSTs) were used for this project (SCAQMD n.d.). LSTs consider ambient concentrations of pollutants for each source receptor area and distances to the nearest receptor. The nearest receptors to the proposed project area would be inmate housing within 25 meters of the MHCF site. SCAQMD’s LST Methodology guidance states that projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters (SCAQMD 2008:3-3). As described in SCAQMD’s LST Methodology, only onsite emissions, which include fugitive dust and off-road construction equipment, were included in the LST analysis (SCAQMD 2008:1-4).

To provide clarification, the paragraph under the heading “Significance Criteria” on page 4.2-9 of the Draft EIR is revised as follows:

The following thresholds of significance are used to determine if project-generated emissions would produce a significant localized and/or regional air quality impact such that human health would be adversely affected. The proposed project would result in a significant impact on air quality if it would:

To provide clarification, the first paragraph in the Impact 4.2-1 summary box on page 4.2-10 of the Draft EIR is revised as follows:

SCAQMD provides two key indicators for consistency with the AQMP: whether the proposed project would ~~result in an increase in the frequency or severity of existing air quality violations delay timely attainment of air quality standards~~ and; whether the proposed project would exceed the assumptions in the AQMP. City of Chino policies also encourage compliance with regional planning efforts, encourage land use patterns that reduce trip lengths, and incorporate emissions reduction in construction projects. As discussed in Impacts 4.2-2 and 4.2-3 below, although the proposed project would exceed SCAQMD’s LST for PM₁₀, these impacts are clearly mitigable to less-than-significant and project-generated construction and operational emissions would be below SCAQMD’s regional thresholds of significance and thus would not violate any air quality standard or contribute substantially to an existing or projected air quality violation interfere with the region’s ability to comply with federal and State air quality standards. The proposed project also includes a land use pattern that encourages lower vehicular use, and it includes emissions reduction measures during construction.

To expand on information, the text under the Impact 4.2-1 summary box beginning on page 4.2-10 of the Draft EIR is revised as follows:

SCAQMD’s 2016 AQMP is the applicable regional air quality plan for the proposed project. SCAQMD’s guidance states that new or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP (SCAQMD 1993). There are two key indicators of consistency:

1. Whether the proposed project would result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards.
2. Whether the proposed project would exceed the assumptions in the AQMP.

The purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans and; therefore, if it would interfere with the region’s ability to comply with federal and state air quality standards (SCAQMD 1993). As discussed in Impacts 4.2-2 and 4.2-3 below, SCAQMD’s regional thresholds represent maximum levels of emissions that individual projects would need to be below to avoid conflicts with air quality planning efforts. As shown in Tables 4.2-4 and 4.2-5, although the proposed project would exceed SCAQMD’s LST for PM₁₀, the proposed project’s project-generated construction and operational emissions would be well below those SCAQMD’s levels-regional significance thresholds. Further, CDCR will adopt mitigation that has been recommended by the SCAQMD, that would clearly reduce the impact resulting from exceeding the LST for PM₁₀ to a less-than-significant level. Thus, the proposed project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay timely attainment of air quality standards.

To reflect minor updates to proposed project design, the paragraph in the Impact 4.2-2 summary box on page 4.2-11 of the Draft EIR is revised as follows:

Construction activities would result in temporary and intermittent generation of criteria air pollutants and precursors from demolition, operation of heavy mechanical equipment, haul truck trips, and construction worker commute. Project construction-related emissions would not exceed SCAQMD's regional air quality significance thresholds which also is consistent with the City of Chino policies to reduce construction emissions. However, the proposed project would exceed LSTs for PM₁₀ during the site preparation phase. The LST threshold for this pollutant is 6 lb/day and the project would generate 6.1 lb/day during the site preparation phase. Thus, although construction emissions would not contribute substantially to an existing or projected regional air quality violation, it could result in a localized violation of air quality standards. Accordingly, construction emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be ~~less than significant~~.

To reflect minor updates to proposed project design, the first sentence under the Impact 4.2-2 summary box on page 4.2-11 of the Draft EIR is revised as follows:

Construction of the proposed project would include building up to an approximately 61,000 gross square foot MHCF, one of two parking lot options, pedestrian improvements, access road, onsite utility interconnections, as well as removing trees and demolishing the existing chapel and swimming pool.

To reflect minor updates to proposed project design, Table 4.2-4 on page 4.2-12 of the Draft EIR is revised as follows; note that, as it relates to "regional" and "localized" emissions, the primary difference in the calculations is the inclusion of offsite mobile source emissions in regional emissions. Only those emissions that would occur on the project site are considered in the localized emissions calculation.

Table 4.2-4 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Construction (Unmitigated)

Maximum Daily Emissions by Construction Year and Phase	Emissions (lb/day)					
	VOC ¹	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
REGIONAL SIGNIFICANCE THRESHOLD EVALUATION (onsite and offsite emissions)						
2020: Onsite and offsite	3.5	3736.8	2322.9	<1	76.3	43.9
2021: Onsite and offsite	35.434	2221.8	2221.51	<1	2.4	1.3
SCAQMD Regional Significance Thresholds	75	100	550	150	150	55
Exceed Regional Significance Thresholds?	No	No	No	No	No	No
LOCALIZED SIGNIFICANCE THRESHOLD EVALUATION (onsite emissions only)						
Onsite Demolition	3.3	33.2	2221.8	<1	21.9	21.6
Onsite Site Preparation	2.63	2726.9	1312.8	<1	6.1	43.9
Onsite Grading	2.4	26.4	16.1	<1	43.8	2
Onsite Building Construction	2.1	19.2	1716.8	<1	1.1	1
Onsite Paving	1.72	1312.9	1514.7	<1	40.7	40.6
Onsite Architectural Coating	35.334	21.5	21.8	<1	<1	<1
SCAQMD Localized Significance Thresholds ²	-	170	1,232	-	6	5
Exceed Localized Significance Thresholds?	-	No	No	-	Yes No	No

Notes: CO = carbon monoxide; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM₁₀ = respirable particulate matter with an aerodynamic diameter of 10 micrometers or less; VOC = volatile organic compounds; SO_x = oxides of sulfur; lb/day = pounds per day

¹ CalEEMod calculates emissions of "reactive organic gases," which is a term that is used interchangeably with "volatile organic compounds" in this analysis.

Table 4.2-4 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Construction (Unmitigated)

Maximum Daily Emissions by Construction Year and Phase	Emissions (lb/day)					
	VOC ¹	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
² SCAQMD does not have localized significance thresholds for volatile organic compounds or oxides of sulfur. Refer to Appendix C for detailed assumptions and modeling output files. Source: Data modeled by Ascent Environmental in 20182019						

To expand on information, the first sentence under Table 4.2-4 on page 4.2-12 of the Draft EIR is revised as follows:

As shown in Table 4.2-4, project construction-related emissions would not exceed SCAQMD's regional air quality significance thresholds. However, the proposed project would slightly exceed or LSTs for Southwest San Bernardino Valley at 25 meters from sensitive receptors for PM₁₀ during the site preparation phase by generating 6.1 lb/day of PM₁₀. Inmate housing is located within 25 meters of construction and these are the sensitive receptors that could be exposed. No sensitive receptors located outside CIM Facility D (and off the prison site) would be exposed to PM₁₀ emissions that exceed the LST thresholds. Exceedance of the LST indicates that localized violations of air quality standards could occur, and thus localized health impacts to inmates at Facility D could occur. Analysis of potential exceedance of this LST is voluntary, and SCAQMD is the only air district in California that considers LSTs. Alternative locations in other air districts would not consider LSTs. As summarized in Table 4.2-2, "Sources and Health Effects of Criteria Air Pollutants," human exposure to PM₁₀ may cause breathing and respiratory symptoms, aggravation of existing respiratory and cardiovascular diseases, premature death, alterations to the immune system, and carcinogenesis. However, it would be misleading to correlate the level of PM₁₀ associated with the project to specific health outcomes to the affected population. While the list of effects noted above could manifest in the recipient population, actual effects on individuals depend on individual factors, such as life stage (e.g., older adults are more sensitive), preexisting cardiovascular or respiratory diseases, and genetics (DNA). Even armed with this type of highly specific medical information (which is confidential to the individual), there are wide ranges of potential outcomes from exposure to particulates, from no effect to the effects described above. Further, even if individual medical histories were known and effects of exposure were more predictable, inmates frequently move due to changes in their security level, health needs, and release from prison. Therefore, other than determining the types of health effects that could occur, it would be speculative to more specifically correlate exposure to PM₁₀ from this project to specific health outcomes to inmates.

By evaluating emissions of PM₁₀ against SCAQMD's LSTs, it is foreseeable that the health complications associated with PM₁₀ exposure could be exacerbated to inmates in Facility D by project-generated construction emissions. Mitigation is included below that would clearly reduce PM₁₀ emissions to below the LST threshold established by SCAQMD. After mitigation, PM₁₀ emissions would be reduced to 4.7 lb/day during site preparation (the phase with the highest PM₁₀ generation), which is below the 6 lb/day threshold. As previously stated, SCAQMD CEQA-related air quality thresholds of significance are tied to achieving or maintaining attainment designation with the NAAQS and CAAQS, which are scientifically substantiated, numerical concentrations of criteria air pollutants considered to be protective of human health (SCAQMD 1993). Because the impact associated with exposure to PM₁₀ emissions would be mitigated below the level needed to protect human health, no adverse health effects would be expected after mitigation.

Thus, although construction emissions would not violate any air quality standard or contribute substantially to an existing or projected regional air quality violation, they could result in a localized

violation of air quality standards and an increase in the potential for adverse health impacts to occur from PM₁₀ exposure. This impact would be **less than significant**.

To reflect minor updates to proposed project design and address the request of a commenting agency, the text under the heading “Mitigation Measures” on page 4.2-12 of the Draft EIR is revised as follows:

Mitigation Measure 4.2-1: Apply Tier-4 Emission Standards and Level 3 Diesel Particulate Filters to all Diesel-Powered Off-Road Equipment

For off-road construction equipment rated at 50 horsepower or greater, CDCR shall require that the construction contractor only use equipment that meets or exceeds the CARB and EPA Tier 4 off-road emissions standards. Such equipment will be outfitted with Best Available Control Technology devices including CARB certified Level 3 Diesel Particulate Filters.

Implementation of this measure shall be required in the contract that CDCR establishes with its construction contractors. Contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, CDCR shall require periodic reporting and provision of written construction documents by construction contractor(s) and conduct regular inspections to the maximum extent feasible to ensure compliance.

No mitigation is required.

Significance after Mitigation

Implementation of Mitigation Measure 4.2-1 would reduce PM₁₀ emissions through use of cleaner construction equipment. Table 4.2-5 shows the effectiveness of Mitigation Measure 4.2-1 in reducing the proposed project's estimated construction emissions. Note that, as it relates to “regional” and “localized” emissions in Table 4.2-5, the primary difference in the calculations is the inclusion of offsite mobile source emissions in regional emissions. Only those emissions that would occur on the project site are considered in the localized emissions calculation.

Table 4.2-5 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Construction (Mitigated)

Maximum Daily Emissions by Construction Year and Phase	Emissions (lb/day)					
	VOC ¹	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
REGIONAL SIGNIFICANCE THRESHOLD EVALUATION (onsite and offsite emissions)						
2020: Onsite and offsite	<u>1</u>	<u>7</u>	<u>24</u>	<u><1</u>	<u>6</u>	<u>3</u>
2021: Onsite and offsite	<u>35</u>	<u>7</u>	<u>22</u>	<u><1</u>	<u>1</u>	<u><1</u>
SCAQMD Regional Significance Thresholds	<u>75</u>	<u>100</u>	<u>550</u>	<u>150</u>	<u>150</u>	<u>55</u>
Exceed Regional Significance Thresholds?	No	No	No	No	No	No
LOCALIZED SIGNIFICANCE THRESHOLD EVALUATION (onsite emissions only)						
Onsite Demolition	<u>0.5</u>	<u>2.0</u>	<u>23.3</u>	<u><1</u>	<u>0.2</u>	<u><1</u>
Onsite Site Preparation	<u>0.3</u>	<u>1.2</u>	<u>12.4</u>	<u><1</u>	<u>4.7</u>	<u>2.6</u>
Onsite Grading	<u>0.4</u>	<u>1.6</u>	<u>17.8</u>	<u><1</u>	<u>2.6</u>	<u>1.3</u>
Onsite Building Construction	<u>0.3</u>	<u>2.2</u>	<u>17.5</u>	<u><1</u>	<u><1</u>	<u><1</u>
Onsite Paving	<u>0.7</u>	<u>1.2</u>	<u>17.3</u>	<u><1</u>	<u><1</u>	<u><1</u>
Onsite Architectural Coating	<u>35.1</u>	<u>0.1</u>	<u>1.8</u>	<u><1</u>	<u><1</u>	<u><1</u>
SCAQMD Localized Significance Thresholds²	-	<u>170</u>	<u>1,232</u>	-	<u>6</u>	<u>5</u>

Table 4.2-5 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Construction (Mitigated)

Maximum Daily Emissions by Construction Year and Phase	Emissions (lb/day)					
	VOC ¹	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Exceed Localized Significance Thresholds?	-	No	No	-	No	No

Notes: CO = carbon monoxide; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM₁₀ = respirable particulate matter with an aerodynamic diameter of 10 micrometers or less; VOC = volatile organic compounds; SO_x = oxides of sulfur; lb/day = pounds per day

¹ CalEEMod calculates emissions of "reactive organic gases", which is a term that is used interchangeably with "volatile organic compounds" in this analysis.

² SCAQMD does not have localized significance thresholds for volatile organic compounds or oxides of sulfur.

Refer to Appendix C for detailed assumptions and modeling output files.

Source: Data modeled by Ascent Environmental in 2019

As shown in Table 4.2-5, implementation of Mitigation Measure 4.2-1 would reduce PM₁₀ emissions associated with project construction to less than SCAQMD's LST of 6 lb/day; the mitigated total would be 4.7 lb/day during site preparation, the phase with the highest potential for particulate matter generation. Note that construction phases would not overlap; therefore, while onsite site preparation and onsite grading, if added together, could exceed the threshold, these activities would be sequential and would not be added together. As such, mitigated PM₁₀ emissions would not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard nor result in deleterious health impacts to inmates in CIM Facility D associated with human exposure to PM₁₀. Therefore, implementation of Mitigation Measure 4.2-1 would reduce construction impacts to a **less-than-significant level**.

To provide clarification, the third sentence in the Impact 4.2-3 summary box on page 4.2-12 of the Draft EIR is revised as follows:

The proposed project would generate operational emissions from the long-term operation of the MHCf, which would result in vehicle trips from employees and visitors to the proposed project site, natural gas combustion for space and water heating, and operation of stationary equipment (i.e., emergency generator, mini-boiler). Stationary equipment would be subject to SCAQMD Rule 203, which would ensure that equipment would operate without emitting air contaminants in violation of provisions of Division 26 of the State Health and Safety Code. As shown in Table 4.2-65, project operational emissions would not exceed SCAQMD's air quality significance thresholds. Thus, operational emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be **less than significant**.

To provide clarification, the last sentence of the second paragraph on page 4.2-13 of the Draft EIR is revised as follows:

The modeled emissions are summarized in Table 4.2-65. Refer to Appendix C for specific input parameters and modeling results.

To provide clarification, Table 4.2-5 on page 4.2-13 of the Draft EIR is revised as follows:

Table 4.2-65 Summary of Modeled Daily Emissions of Criteria Air Pollutants and Precursors from Operation (Unmitigated)

Category	Emissions (lb/day) ¹					
	VOC ²	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	<u>21.6</u>	<1	<1	0	<1	<1
Energy	<1	<u>1.2</u>	1	<1	<1	<1
Mobile	<u>40.9</u>	6	<u>13.5</u>	<1	<u>4.2</u>	<u>1.2</u>
Stationary	0	0	0	0	0	0
Total Operational Emissions	<u>32.7</u>	<u>7.3</u>	<u>14.6</u>	<1	<u>4.3</u>	<u>1.2</u>
SCAQMD Regional Significance Thresholds	55	55	550	150	150	55
Exceed Regional Significance Thresholds?	No	No	No	No	No	No
Total Onsite Operational Emissions (excluding Mobile)	<u>21.8</u>	<u>1.2</u>	<u>1.1</u>	<1	<1	<1
SCAQMD Localized Significance Thresholds	-	170	1,232	-	2	2
Exceed Localized Significance Thresholds?	-	No	No	-	No	No

Notes: CO = carbon monoxide; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; PM₁₀ = respirable particulate matter with an aerodynamic diameter of 10 micrometers or less; VOC = volatile organic compounds; SO_x = oxides of sulfur; lb/day = pounds per day

¹ Totals may not add up due to rounding

² CalEEMod calculates emissions of "reactive organic gases," which is a term that is used interchangeably with "volatile organic compounds" in this analysis.

Refer to Appendix C for detailed assumptions and modeling output files.

Source: Data modeled by Ascent Environmental in 2018

To expand on information, the last paragraph beginning on page 4.2-15 of the Draft EIR is revised as follows:

As shown in Table 4.2-56, project operational emissions would not exceed SCAQMD's air quality significance thresholds or LSTs for Southwest San Bernardino Valley at 25 meters from sensitive receptors. Thus, operational emissions would not violate any air quality standard or contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentrations such that adverse health impacts would occur. As discussed in the "Analysis Methodology" section, SCAQMD developed these thresholds in consideration of achieving attainment for the NAAQS and CAAQS, which represent concentration limits of criteria air pollutants needed to adequately protect human health. Therefore, the project's contribution to operational criteria pollutants and precursors would not contribute to the exceedance of the NAAQS or CAAQS in the SCAB nor result in greater acute or chronic health impacts compared to existing conditions. This impact would be **less than significant**.

Revisions to Section 4.5, Greenhouse Gas Emissions and Energy

To reflect minor updates to proposed project design, the second sentence in the Impact 4.5-1 summary box on page 4.5-9 of the Draft EIR is revised as follows:

GHG emissions associated with the proposed project would be generated during proposed project construction and operation. The proposed project's combined construction (amortized over thirty years) and operational emissions would be 1,742,067 MTCO₂e per year which would not exceed SCAQMD's interim GHG significance threshold of 3,000 MTCO₂e for residential and commercial sources or the adjusted target of 2,696 MTCO₂e for first operational year 2022.

To reflect minor updates to proposed project design, the first sentence under the heading “Construction-Generated Greenhouse Gas Emissions” on page 4.5-10 of the Draft EIR is revised as follows:

Implementation of the proposed project would include construction of a ~~one-~~ two-story MHCF that will be approximately ~~6169~~,000 gross square feet, a 360-space parking lot option, pedestrian improvements, access road, onsite utility interconnections, tree removal, and demolition of the existing chapel and swimming pool. During construction, GHG emissions would be emitted by mechanical equipment used for demolition, site preparation, grading, paving, and building construction; as well as vehicles used for worker commute, equipment delivery, and haul truck trips.

Proposed project construction is estimated to generate a total of ~~440608~~ MTCO_{2e} over the duration of construction activities (2020–2022) (refer to Appendix C “Air Quality and Greenhouse Gas Emissions” for modeling assumptions).

To reflect minor updates to proposed project design, Table 4.5-1 on page 4.5-10 of the Draft EIR is revised as follows:

Table 4.5-1 Operational Greenhouse Gas Emissions	
Source	MTCO_{2e} (MT/year)
Area	<1
Energy	64548
Mobile	857
Stationary	110
Waste	38064 ¹
Water	544
Total Operational GHG Emissions	2,04604
Notes: Totals may not add due to rounding. CO _{2e} = carbon dioxide equivalent; MT = metric tons	
1. CDCR would achieve an overall 75 percent waste diversion rate and CIM, including the proposed MHCF, implements waste diversion practices to contribute to achieving this rate. However, it is uncertain what percentage of waste diversion would be achieved by each individual building (e.g., the proposed MHCF) within each institution. Thus, the modeling uses a conservative approach and assumes no waste diversion.	
Source: Modeled by Ascent Environmental in 20182019	

To reflect minor updates to proposed project design, the last two paragraphs on page 4.5-10 of the Draft EIR is revised as follows:

GHG emissions associated with the proposed project once occupied are estimated to be ~~2,04604~~ MTCO_{2e}/year. This estimate includes emissions reductions associated with exceedance of Title 24, Part 6 requirements by 15 percent, which is a proposed project feature that is described in more detail under “Consistency with Applicable Plans, Policies, and Regulations,” below.

The proposed project’s combined construction (amortized over 30 years) and operational emissions would be ~~2,06704~~ MTCO_{2e}, per year which would be below SCAQMD’s interim GHG significance threshold of 3,000 MTCO_{2e} for residential and commercial sources and the adjusted GHG emissions reduction target for operational year 2022 of 2,696 MTCO_{2e}.

To reflect minor updates to proposed project design, the first sentence under the heading “Summary” on page 4.5-12 of the Draft EIR is revised as follows:

The proposed project’s annual combined construction and operational emissions is estimated to be ~~2,0674,742~~ MTCO_{2e}.

To reflect minor updates to proposed project design, Table 4.5-2 on page 4.5-13 of the Draft EIR is revised as follows:

Table 4.5-2 Project Construction and Operation Energy Consumption		
Phase	Category	Energy Consumption
Construction	Off-road Vehicles	20,303 <u>21,755</u> gallons of diesel
	On-road Vehicles	5,930,530 <u>5,856,129</u> gallons of gasoline and 283,635 gallons of diesel
Operation	Electricity ¹	1,268,768 <u>1,216,545</u> kWh/year
	Natural Gas	4,556,750 <u>4,361,470</u> kBTU/year
	On-road Vehicles	83,019 gallons of gasoline and 31,232 gallons of diesel
Notes: ¹ Includes indirect electricity related to water provisioning and treatment		
kWH = kilowatt hours; kBTU = kilo British Thermal Units		
Source: Modeled by Ascent Environmental in 2018 <u>2019</u>		

To reflect minor updates to proposed project design, the first sentence of the second paragraph under the heading “Construction” on page 4.5-13 of the Draft EIR is revised as follows:

An estimated ~~5,930,530~~5,856,129 gallons of gasoline and ~~305,390~~303,938 gallons of diesel would be consumed to enable proposed project construction, accounting for both onsite equipment use and offsite vehicle travel.

To reflect minor updates to proposed project design, the first paragraph under the heading “Operation” on page 4.5-13 of the Draft EIR is revised as follows:

Operation of the proposed project would be similar to hospital uses requiring electricity and natural gas for lighting, space and water heating, and appliances. However, it is anticipated that the level of energy consumption associated with medical equipment at a hospital would be higher than what would occur at the MHCF, making the energy consumption estimate conservative. The proposed project would require ~~1,268,768~~1,216,545 kilowatt hours of electricity per year (including indirect electricity related to water consumption) and ~~4,556,750~~4,361,470 kilo British Thermal Units of natural gas per year. The proposed project would increase electricity and natural gas consumption in the region relative to existing conditions and would construct new onsite utility interconnections to existing electrical and natural gas facilities. The estimated energy consumption accounts for exceedance of the 2016 Title 24 standards by 15 percent.

Revisions to Chapter 7, Alternatives

To provide clarification, the last bullet (ninth) on page 7-2 of the Draft EIR is revised as follows:

- The proposed project would not result in any significant and unavoidable impacts. Potentially significant impacts that can be reduced to less than significant with implementation of mitigation would result for air quality (result in a localized violation of an air quality standard), biological resources (impacts to Swainson’s hawk and burrowing owl) and cultural and tribal cultural resources (impacts to inadvertent discoveries). Refer to Table 1-1 in Chapter 1, “Executive Summary,” for a summary of the impacts of the proposed project.

To provide clarification, the first three full paragraphs on page 7-2 of the Draft EIR are revised as follows:

For the proposed MHCF project, the consideration of alternatives that fulfill CEQA requirements is complicated by a simple factor: the proposed project would not result in any significant and unavoidable impacts. The significant impacts of the proposed project are highly limited and can be clearly mitigated. Significant impacts have been identified for special-status bird species and potentially unknown (buried) cultural and tribal cultural resources as well as localized air quality. The special-status bird species potentially impacted by proposed project construction activities are adapted to ruderal areas. Thus, the impacts of the proposed project to biological resources would occur nearly anywhere in the greater southern California region where there are mature trees within 0.5 miles of the proposed project to support Swainson's hawk and marginal open space for burrowing owls.

Proposed project impacts to cultural resources and tribal cultural resources are similarly ubiquitous. Currently unknown cultural resources that could be inadvertently discovered is a potentially significant impact in nearly all areas of ground disturbance in California, and mitigation of this impact is virtually prescribed by the State CEQA Guidelines. Additionally, tribal ancestral territories and associated tribal cultural resources extend throughout California.

The proposed project would emit (unmitigated) 6.1 pounds per day (lb/day) of PM₁₀ during the construction site preparation phase, which would slightly exceed the South Coast Air Quality Management District's (SCAQMD) Localized Significance Threshold (LST) of 6 lb/day for Southwest San Bernardino Valley at 25 meters from sensitive receptors. (This would be mitigated to 4.7 lb/day.) Within 25 meters, occupants of inmate housing would be exposed, but no sensitive receptors outside of CIM Facility D would be exposed to PM₁₀ exceeding the LST. Analysis of potential exceedance of this LST is voluntary, and SCAQMD is the only air district in California that considers LSTs. Alternative locations in other air districts would not consider LSTs.

To provide clarification, the paragraph under the heading "Air Quality" on page 7-5 of the Draft EIR is revised as follows:

Regarding short-term emissions related to construction activities, this alternative would not require the equipment that is necessary under the proposed project to fill the hole created by removal of the swimming pool or, if needed, to demolish existing structures. However, if undeveloped land would be cleared, grading equipment may be needed for a longer duration in comparison to the proposed project. Thus, construction emissions would be similar under this alternative in comparison to the proposed project. It is also anticipated that construction within the existing CIM facilities would occur farther than 25 meters from any perimeter fence line, thereby preventing the exposure of any offsite receptors to PM₁₀ in exceedance of SCAQMD's LST. Operational vehicular traffic and stationary sources (i.e., HVAC and generators) would be the same under this alternative as the proposed project. [Similar]

To reflect minor updates to proposed project design, Table 7-1 starting on page 7-7 of the Draft EIR is revised as follows:

Table 7-1 Comparison of Environmental Effects of the Alternatives to the Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	CIM Facility Alternative
Air Quality	LTSM	Less	Similar
Archeological, Historical, and Tribal Cultural Resources	LTSM	Less	Similar
Biological Resources	LTSM	Less	Similar
Greenhouse Gas Emissions and Energy	LTS	Less	Similar
Hazards and Hazardous Materials	LTS	Less	Similar

Table 7-1 Comparison of Environmental Effects of the Alternatives to the Proposed Project

Environmental Topic	Proposed Project	No Project Alternative	CIM Facility Alternative
Hydrology and Water Quality	LTS	Less	Similar
Noise and Vibration	LTS	Less	Similar
Public Services	LTS	Less	Similar
Transportation and Circulation	LTS	Less	Similar
Utilities and Service Systems	LTS	Less	Similar

Notes: LTSM = less than significant with mitigation; LTS = less than significant

**Exhibit 3-2****Proposed MHCF Site Plan – Preliminary Detail**

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5 REFERENCES

- California Integrated Water Quality System Project. 2019. Facility At-A-Glance Report. Available: <https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/CiwqsReportServlet?reportID=7869975&sortSec=4&sortCol=6>. Accessed March 5, 2019.
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