

# **APPENDIX A**

## ***Notice of Preparation and Scoping***





**Community Development Department  
Planning Division**

14177 Frederick Street  
P. O. Box 88005  
Moreno Valley CA 92552-0805  
Telephone: 951.413-3206  
FAX: 951.413-3210

**NOTICE OF PREPARATION AND PUBLIC NOTICE FOR A PROGRAM  
ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING**

**To** State of California  
Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, California 95812

**From:** Julia Descoteaux  
City of Moreno Valley  
Planning Department  
14177 Frederick Street  
Moreno Valley, CA 92553

**Date:** November 26, 2018

**Subject: Notice of Preparation with revised information, of an Environmental Impact Report and Scoping Meeting for the Proposed Kaiser Permanente Moreno Valley Medical Center Master Plan Project**

The City of Moreno Valley (City) as the lead agency has determined that the proposed Kaiser Permanente Moreno Valley Medical Center Master Plan Project (project) will require the preparation of an environmental impact report (EIR) in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000 et seq.), and Title 14 of the California Code of Regulations (hereafter CEQA Guidelines, 14 CCR 15000 et seq.). The City has prepared this Notice of Preparation (NOP) in accordance with CEQA Guidelines Sections 15082(a) and 15375.

We need to know your views or the views of your agency or organization as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the project. If applicable, your agency will need to use the EIR prepared by our agency when considering your permit(s) or other approval(s) for the project. The project description, location, and the potential environmental effects are contained in the attached materials. Since the City has determined that an EIR is required for the project, pursuant to Section 15060(d) of the CEQA Guidelines (14 CCR 15000 et seq.), preparation of an Initial Study is not required and therefore one has not been prepared. Due to time limits mandated by state law, your response to this Notice of Preparation (NOP) must be submitted at the earliest possible date **but no later than 30 days** after receipt of this notice. Written comments on the NOP and on the contents of the forthcoming EIR should be submitted to the address above by December 31, 2018.

## Notice of Preparation

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Please address your response to Julia Descoteaux, Associate Planner, at the City of Moreno Valley Planning Department. We will need the name of a contact person in your agency. If you have any questions, please contact Julia Descoteaux at 951-413-3209 or via email at juliad@moval.org.

**Project Title:** Kaiser Permanente Moreno Valley Medical Center Master Plan Project

**Project Applicant:** Skyler Denniston, Kaiser Foundation Hospitals

### SCOPING MEETING

Pursuant to Section 21083.9(a)(2) of CEQA (California Public Resources Code, Section 21000 et seq.), scoping meetings are required for projects that may have statewide, regional, or area-wide environmental impacts. The City's environmental review staff has determined that this project meets this threshold. A public scoping meeting has been scheduled and will be held by the City of Moreno Valley's Planning Department on **Wednesday, December 12, 2018 from 6:00-7:00 p.m., at 14177 Frederick Street, in the City Hall Council Chambers**. Verbal and written comments regarding the scope and alternatives of the proposed EIR will be accepted at the meeting. Written comments can also be mailed to the abovementioned address, addressed to Julia Descoteaux, during the NOP public comment period.

### PROJECT SETTING

Regionally, the project site (existing Kaiser Foundation Hospital) is located east of Interstate 215 (I-215), south of State Route 60 (SR-60), and north of Lake Perris. More specifically, the project site is located on the north side of Iris Avenue, west of Oliver Street, and east of Nason Street at 27300 Iris Avenue, Moreno Valley California, 92555 (see Figure 1, Regional Map, Figure 2, Vicinity Map, and Figure 3, USGS Vicinity Map). The project site is comprised of 30 acres developed with a 130,000 square-foot 100-bed hospital, two medical office buildings totaling approximately 89,500 square feet, a central energy center, modular trailers/conference rooms, and surface parking. The project site has a land use designation of Commercial, is zoned Community Commercial, and is within the Medical Use Overlay.

The general vicinity surrounding the project site is developed with a mix of residential and rural residential uses. Single family residential development occurs to the south, east, and west of the hospital. Iris Avenue forms the southern site boundary, and an undeveloped disturbed lot surrounds the hospital on the northern, eastern, and western boundaries. Undeveloped open space occurs to the northwest.

### PROJECT DESCRIPTION

Kaiser Foundation Hospitals (also known as Kaiser Permanente) is proposing to expand the existing Kaiser Permanente Moreno Valley Medical Center campus. The proposed project would be a multi-phased, state-of-the-art medical center campus, which would include the following at ultimate

## Notice of Preparation

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project buildout: an approximately 460-bed hospital, hospital support buildings, outpatient medical office buildings, an energy center, and surface and structured parking (approximately 1,125,000 square feet).

The project would be developed in up to three phases, with the first phase to be evaluated in the EIR on a project level. Because not all facilities of the project are moving forward at this time and based on several factors that are presently unknown, including the future growth of Kaiser Permanente membership within the City and surrounding communities, the future regional demand for the project's services, the evolution of healthcare technology, the portability of the healthcare environment, legislative and regulatory changes required by healthcare reform, the business and healthcare needs of Kaiser Permanente and other factors, Phases II and III will be analyzed in the forthcoming EIR at a programmatic level. For Phases II and III, the EIR will provide a general assessment of potential impacts and provide a framework of how impacts and mitigation will be addressed in the future when those components of the project are submitted to the City for consideration.

### **Project Phasing**

The project would be constructed in up to three phases. The project's phased development would occur between 2018 and 2038. The following sections describe each of the project phases.

#### Project-Level Analysis

##### *Phase I – 2020 to 2023*

It is anticipated that construction of Phase I of the project would commence in 2020 and it is expected to be completed by 2023. Phase I would include an approximately 95,000-square-foot expansion of the existing hospital for a Diagnostic and Treatment building and the construction of a new approximately 22,000-square-foot Energy Center (Figure 4, Phase I Site Plan).

#### Program-Level Analysis

Based on the uncertainty of the future growth of Kaiser Permanente membership within the City and surrounding communities, future demand for health services, and other factors mentioned above, Phases II and III will be analyzed on a program level. The future phased development includes the following:

##### *Phase II – 2026 to 2032*

It is anticipated that construction of Phase II of the project would commence in 2026 and it is expected to be completed by 2032. Phase II would include the construction of a new hospital tower with approximately 220 beds and expansion of the Diagnostic and Treatment building that was constructed in Phase I (approximately 380,000 square feet), construction of one new outpatient

## Notice of Preparation

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medical office building (approximately 65,000 square feet), an 8,000 square foot expansion of the Energy Center, and the construction of two multi-level parking structures. One multi-level parking structure would accommodate approximately 400 parking spaces and the other would accommodate approximately 1,400 parking spaces (see Figure 5, Phase II Site Plan). For purposes of analysis under CEQA, Phase II impacts will be based on the maximum anticipated medical uses.

### *Phase III – 2032 to 2038*

It is anticipated that construction of Phase III of the project would commence in 2032 and it is expected to be completed by 2038. Phase III would include the demolition, replacement and expansion of the existing hospital tower to accommodate an additional approximately 240 beds (approximately 375,000 square feet), construction of an additional outpatient medical office building (95,000 square feet), and construction of a third multi-level parking structure (approximately 600 spaces). See Figure 6, Overall Site Plan. For purposes of analysis under CEQA, Phase III impacts will be based on the maximum anticipated medical uses.

### **Project Elements**

The following briefly describes the various project components.

#### *Hospital, Hospital Support, Emergency Department, and Diagnostics and Treatment*

The hospital buildings would be full-service general acute care facilities and would accommodate approximately 460 beds. In addition to the inpatient nursing functions, the hospital buildings would include ancillary services, such as medical imaging/radiology, clinical laboratory and blood bank, operating rooms and associated recovery spaces, inpatient pharmacies, and an emergency department, which would have associated treatment rooms. The hospital buildings would also include administrative offices and conference rooms, as well as general building support departments such as environmental and material services, cafeteria and inpatient food services, communication, linen, and biomedical engineering.

#### *Outpatient Medical Office Buildings*

The operations of the proposed outpatient medical office buildings would be consistent with other medical office buildings in the project vicinity. The medical offices would include exam rooms, physician offices, outpatient pharmacy, laboratories, imaging/radiology, administrative offices, and storage. Although there may be outpatient surgeries, the medical office buildings would not be hospital buildings, nor would it trigger Office of Statewide Health Planning Department (OSHPPD) permitting.

## Notice of Preparation

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### *Central Energy Center and Service Yard*

The Central Energy Center, emergency generator, bulk oxygen, and cooling tower would be included in Phase I and would serve the hospital, the diagnostic and treatment building, and the outpatient medical office buildings. The Central Energy Center would contain all of the major mechanical and electrical equipment for the project, which includes electric-centrifugal water cooler chillers, cooling towers, hot water boilers and steam boilers, and microturbines.

### *Parking Facilities*

The project would have a total of approximately 2,550 parking spaces. The project would include three new parking structures. Two multi-level parking structures would be constructed; one would accommodate approximately 400 spaces and the other would accommodate approximately 1,400 spaces (total of 1,800 parking spaces), and the other multi-level parking structure would accommodate approximately 600 spaces. There would be approximately 150 surface spaces remaining at buildout.

### *Access*

The project would continue to have access from Iris Avenue at the location of the existing entry driveway (west of the existing hospital). There are two existing secondary access points that abut the east and west property lines that serve as employee and service vehicle access.

### *Sustainable Design Elements*

The project would incorporate Kaiser Permanente's leading sustainable building standards and green initiatives. Kaiser Permanente will pursue Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent for the hospital and medical office buildings. The project would be developed to embrace technology and the environment, as well as to incorporate reduced energy demand systems (solar, thermal insulation), utilization of rainwater, recycling of waste, utilization of systems with energy recovery options, prefabrication elements across the project to minimize waste, and consideration of local materials for both landscape and construction.

## **ISSUES OF CONCERN**

Issues of concern for the project include potential impacts to aesthetics, agriculture, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use and planning, noise, population/housing, public services, transportation/traffic, tribal cultural resources, utilities/service systems, energy conservation, cumulative impacts, and growth-inducing impacts. These issues will be addressed in the forthcoming Draft PEIR.

## Notice of Preparation

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Signature: \_\_\_\_\_

Title: Associate Planner

***Attachments:***

- Figure 1, Regional Map
- Figure 2, Vicinity Map
- Figure 3, USGS Vicinity Map
- Figure 4, Phase I Site Plan
- Figure 5, Phase II Site Plan
- Figure 6, Overall Site Plan Including Phase III





EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX  
DIRECTOR

Notice of Preparation

**RECEIVED**

DEC - 3 2018

CITY OF MORENO VALLEY  
Planning Division

November 27, 2018

To: Reviewing Agencies  
Re: Kaiser Permanente Moreno Valley Medical Center Project  
SCH# 2018111051

Attached for your review and comment is the Notice of Preparation (NOP) for the Kaiser Permanente Moreno Valley Medical Center Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Julia Descoteaux  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92552-0805**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2018111051  
**Project Title** Kaiser Permanente Moreno Valley Medical Center Project  
**Lead Agency** Moreno Valley, City of

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**Type** NOP Notice of Preparation

**Description** Note: Review Per Lead

The proposed project would expand the existing Kaiser Permanente Moreno Valley Medical Center campus by replacing facilities and adding new buildings. The proposed project would proceed under a Master Plan/Development Plan Permit and would be developed in up to three phases, with the first phase to be evaluated in the EIR on a project level. Because not all facilities of the project are moving forward at this time and based on several factors that are presently unknown, future Phase II and Phase III will be evaluated at a programmatic level. Ultimately, the project would redevelop and expand the medical center campus to include approximately 460-bed hospital, hospital support buildings, outpatient medical office buildings, an energy center, and surface and structured parking (approximately 1,125,000 sf).

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**Lead Agency Contact**

**Name** Julia Descoteaux  
**Agency** City of Moreno Valley  
**Phone** (951) 413-3209  
**email**  
**Address** 14177 Frederick Street  
**City** Moreno Valley  
**Fax**  
**State** CA **Zip** 92552-0805

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**Project Location**

**County** Riverside  
**City** Moreno Valley  
**Region**  
**Cross Streets** Iris Ave/Oliver St  
**Lat / Long** 33° 53' 49.7" N / 117° 11' 12.3" W  
**Parcel No.** 486-310-033, -034  
**Township** 3S **Range** 3W **Section** 22 **Base** Sunnyme

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**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways** Perris Reservoir  
**Schools** Vista del Lago HS, Land  
**Land Use** GP-Office, Comm; Z-OC, CC, O, NC, MUO

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**Project Issues**

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**Reviewing Agencies** Resources Agency; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 6; Office of Emergency Services, California; Native American Heritage Commission; Caltrans, District 8; Regional Water Quality Control Board, Region 7; Statewide Health Planning; State Water Resources Control Board, Division of Drinking Water; Department of Conservation; California Energy Commission; Department of Toxic Substances Control

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**Date Received** 11/27/2018 **Start of Review** 11/27/2018 **End of Review** 12/31/2018

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

2018111051  
 SCH #

**Project Title:** Kaiser Permanente Moreno Valley Medical Center ProjectLead Agency: City of Moreno ValleyContact Person: Julia DescoteauxMailing Address: 14177 Frederick StreetPhone: 951-413-3209City: Moreno ValleyZip: 92553County: Riverside**Project Location:** County: RiversideCity/Nearest Community: Moreno ValleyCross Streets: Iris Avenue/Oliver StreetZip Code: 92555Longitude/Latitude (degrees, minutes and seconds): 33 ° 53 ' 49.7 " N / 117 ° 11 ' 12.3 " W Total Acres: 30Assessor's Parcel No.: 486-310-033 and -034Section: 22 Twp.: 3 South Range: 3 West Base: SunnymeadWithin 2 Miles: State Hwy #: noneWaterways: Perris ReservoirAirports: noneRailways: noneSchools: Vista del Lago HS, Laney**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other: \_\_\_\_\_☐ Mit Neg Dec

Other: \_\_\_\_\_

☐ FONSI

Governor's Office of Planning &amp; Research

**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☒ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Change☐ Coastal Permit☐ Community Plan☒ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: \_\_\_\_\_**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_☐ Educational: \_\_\_\_\_☐ Recreational: \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_

Employees \_\_\_\_\_

Employees \_\_\_\_\_

Employees \_\_\_\_\_

\_\_\_\_\_

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MGD \_\_\_\_\_

☐ Transportation: Type \_\_\_\_\_☐ Mining: Mineral \_\_\_\_\_☐ Power: Type \_\_\_\_\_☐ Waste Treatment: Type \_\_\_\_\_☐ Hazardous Waste: Type \_\_\_\_\_☒ Other: Medical Campus - 30 acres**Project Issues Discussed in Document:**☐ Aesthetic/Visual☐ Fiscal☐ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☐ Water Quality☐ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☐ Archeological/Historical☐ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☐ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☐ Noise☐ Solid Waste☐ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☐ Public Services/Facilities☐ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

GP-Office, Comm; Zoning-OC (Office Comm), CC (Community Comm), O (Office), NC (Neigh Comm), MUO (Medical Use Overlay)

**Project Description:** (please use a separate page if necessary)

The proposed project would expand the existing Kaiser Permanente Moreno Valley Medical Center campus by replacing facilities and adding new buildings. The proposed project would proceed under a Master Plan/Development Plan Permit and would be developed in up to three phases, with the first phase to be evaluated in the EIR on a project level. Because not all facilities of the project are moving forward at this time and based on several factors that are presently unknown, future Phase II and Phase III will be evaluated at a programmatic level. Ultimately, the project would redevelop and expand the medical center campus to include approximately 460-bed hospital, hospital support buildings, outpatient medical office buildings, an energy center, and surface and structured parking (approximately 1,125,000 square feet).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

# NOP Distribution List

V.F.

County: Riverside

SCH#

2018111051

## Resources Agency

☒ Resources Agency  
Nadell Gayou

☐ Dept. of Boating & Waterways  
Denise Peterson

☐ California Coastal Commission  
Allyson Hitt

☐ Colorado River Board  
Elsa Contreras

☒ Dept. of Conservation  
Crina Chan

☒ Cal Fire  
Dan Foster

☐ Central Valley Flood Protection Board  
James Herola

☐ Office of Historic Preservation  
Ron Parsons

☒ Dept of Parks & Recreation  
Environmental Stewardship Section

☐ S.F. Bay Conservation & Dev't. Comm.  
Steve Goldbeck

☒ Dept. of Water Resources  
Resources Agency  
Nadell Gayou

## Fish and Game

☐ Depart. of Fish & Wildlife  
Scott Flint  
Environmental Services Division

☐ Fish & Wildlife Region 1  
Curt Babcock

☐ Fish & Wildlife Region 1E  
Laurie Hamsberger

☐ Fish & Wildlife Region 2  
Jeff Drongesen

☐ Fish & Wildlife Region 3  
Craig Weightman

☐ Fish & Wildlife Region 4  
Julie Vance

☐ Fish & Wildlife Region 5  
Leslie Newton-Reed  
Habitat Conservation Program

☒ Fish & Wildlife Region 6  
Tiffany Ellis  
Habitat Conservation Program

☐ Fish & Wildlife Region 6 I/M  
Heidi Calvert  
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M  
William Paznokas  
Marine Region

## Other Departments

☐ California Department of Education  
Lesley Taylor

☒ OES (Office of Emergency Services)  
Monique Wilber

☐ Food & Agriculture  
Sandra Schubert  
Dept. of Food and Agriculture

☐ Dept. of General Services  
Cathy Buck  
Environmental Services Section

☐ Housing & Comm. Dev.  
CEQA Coordinator  
Housing Policy Division

## Independent

### Commissions, Boards

☐ Delta Protection Commission  
Erik Vink

☐ Delta Stewardship Council  
Anthony Navasero

☒ California Energy Commission  
Eric Knight

☒ Native American Heritage Comm.  
Debbie Treadway

☐ Public Utilities Commission  
Supervisor

☐ Santa Monica Bay Restoration  
Guangyu Wang

☐ State Lands Commission  
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)  
Cherry Jacques

## Cal State Transportation Agency CalSTA

☐ Caltrans - Division of Aeronautics  
Philip Crimmins

☐ Caltrans - Planning HQ LD-IGR  
Christian Bushong

☐ California Highway Patrol  
Suzann Ikeuchi  
Office of Special Projects

## Dept. of Transportation

☐ Caltrans, District 1  
Rex Jackman

☐ Caltrans, District 2  
Marcelino Gonzalez

☐ Caltrans, District 3  
Susan Zanchi

☐ Caltrans, District 4  
Patricia Maurice

☐ Caltrans, District 5  
Larry Newland

☐ Caltrans, District 6  
Michael Navarro

☐ Caltrans, District 7  
Dianna Watson

☒ Caltrans, District 8  
Mark Roberts

☐ Caltrans, District 9  
Gayle Rosander

☐ Caltrans, District 10  
Tom Dumas

☐ Caltrans, District 11  
Jacob Armstrong

☐ Caltrans, District 12  
Maureen El Harake

## Cal EPA

☐ Air Resources Board

☐ Airport & Freight  
Jack Wursten

☐ Transportation Projects  
Nesamant Kalandiyur

☐ Industrial/Energy Projects  
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery  
Kevin Taylor/Jeff Esquivel

☐ State Water Resources Control Board  
Regional Programs Unit  
Division of Financial Assistance

☒ State Water Resources Control Board  
Cindy Forbes - Asst Deputy  
Division of Drinking Water

☐ State Water Resources Control Board  
Div. Drinking Water # \_\_\_\_\_

☐ State Water Resources Control Board  
Student Intern, 401 Water Quality Certification Unit  
Division of Water Quality

☐ State Water Resources Control Board  
Phil Crader  
Division of Water Rights

☒ Dept. of Toxic Substances Control Reg. # \_\_\_\_\_  
CEQA Tracking Center

☐ Department of Pesticide Regulation  
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1  
Cathleen Hudson  
North Coast Region (1)

☐ RWQCB 2  
Environmental Document Coordinator  
San Francisco Bay Region (2)

☐ RWQCB 3  
Central Coast Region (3)

☐ RWQCB 4  
Teresa Rodgers  
Los Angeles Region (4)

☐ RWQCB 5S  
Central Valley Region (5)

☐ RWQCB 5F  
Central Valley Region (5)  
Fresno Branch Office

☐ RWQCB 5R  
Central Valley Region (5)  
Redding Branch Office

☐ RWQCB 6  
Lahontan Region (6)

☐ RWQCB 6V  
Lahontan Region (6)  
Victorville Branch Office

☒ RWQCB 7  
Colorado River Basin Region (7)

☐ RWQCB 8  
Santa Ana Region (8)

☐ RWQCB 9  
San Diego Region (9)

☒ Other Statewide Health

☐ Conservancy



# South Coast Air Quality Management District

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

SENT VIA USPS AND E-MAIL:

December 7, 2018

[juliad@moval.org](mailto:juliad@moval.org)

Julia Descoteaux, Associate Planner  
City of Moreno Valley, Planning Department  
14177 Frederick Street  
P.O. Box 88005  
Moreno Valley, CA 92552-0805

## **Notice of Preparation of a Program Environmental Impact Report for the Proposed Kaiser Permanente Moreno Valley Medical Center Master Plan**

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Program Environmental Impact Report (EIR). Please send SCAQMD a copy of the Program EIR upon its completion. Note that copies of the Program EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the Program EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the Program EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files<sup>1</sup>. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

### **Air Quality Analysis**

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to

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<sup>1</sup> Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the proposed project and all air pollutant sources related to the proposed project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Guidance<sup>2</sup> on strategies to reduce air pollution exposure near high-volume roadways can be found at: [https://www.arb.ca.gov/ch/rd\\_technical\\_advisory\\_final.PDF](https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF).

### **Mitigation Measures**

In the event that the proposed project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are

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<sup>2</sup> In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

available to assist the Lead Agency with identifying potential mitigation measures for the proposed project, including:

- Chapter 11 “Mitigating the Impact of a Project” of SCAQMD’S *CEQA Air Quality Handbook*. SCAQMD’s CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD’s Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD’s Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

### **Alternatives**

In the event that the proposed project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a “no project” alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

### **Permits and SCAQMD Rules**

In the event that the proposed project requires a permit from SCAQMD, SCAQMD should be identified as a Responsible Agency for the proposed project in the Program EIR. The assumptions in the air quality analysis in the Program EIR will be the basis for permit conditions and limits. For more information on permits, please visit SCAQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD’s Engineering and Permitting staff at (909) 396-3385.

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD’s Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD’s webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality and health risk impacts are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) or (909) 396-3308.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

## Nicole Cobleigh

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**From:** Joe Forgiarini <jforgiarini@riversidetransit.com>  
**Sent:** Friday, December 7, 2018 3:02 PM  
**To:** Julia Descoteaux  
**Cc:** Rohan Kuruppu  
**Subject:** Proposed Kaiser Permanente Moreno Valley Medical Center Master Plan Project

Hi Julia,

I am writing in response to the Notice of Preparation and Public Notice for a program environmental Impact Report and scoping meeting for the Proposed Kaiser Permanente Moreno Valley Medical Center Master Plan Project.

While it may be early in the process for this level of detail, RTA notes that the plans show the hospital main entrance moving further north to the rear of their property as a part of Phase II of the plan. RTA riders already have a problem with the eastbound Iris Avenue bus stop being located quite a distance west of the main hospital driveway intersection, and the relocation of the main hospital entrance will exacerbate that problem.

As part of the 20 year plan, RTA requests that the hospital include in their project scope the movement of the eastbound bus stop to the far side of the main hospital entry intersection. RTA would also welcome the hospital including upgrade shelters and other amenities at both the eastbound and westbound bus stops on Iris Avenue that serve the hospital. Lastly, RTA requests the hospital allocate convenient pick up/set down zones for our Dial a Ride and other shuttle vans as well as a holding area for these vans to wait for patients.

Thank you for the opportunity to comment and please let us know if you need further information on the above items. We look forward to working with the City and Kaiser Permanente staff as the master plan is developed.

Thanks

Joe Forgiarini

**Joe Forgiarini**

Planning and Scheduling Manager  
Riverside Transit Agency  
p: 951.565.5166 | e: jforgiarini@riversidetransit.com  
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)  
1825 Third Street, Riverside, CA 92507





**HIGHLAND FAIRVIEW**

14225 Corporate Way  
Moreno Valley, CA 92553  
Tel: 951.867.5300

November 28, 2018

Julia Descoteaux  
Planning Department  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92553

SUBJECT: Notice of Preparation for the Kaiser Permanente MV Medical Center Expansion

Dear Ms. Descoteaux,

Highland Fairview, through its affiliated companies, is the owner of a number of properties throughout the City of Moreno Valley and we take great interest in the growth and progress of the City. Many of the projects that are reviewed by the city have direct and indirect impacts to our holdings and can affect the future of the city.

Our residential project (the Aquabella community) is directly adjacent to this project and we are concerned with the potential impacts to our community.

The purpose of this letter is to formally request that Highland Fairview receive all public notifications regarding the above-referenced project so that can have an opportunity to review current project information and make comments as necessary. Please forward all notifications to the following mailing address and/or e-mail address:

Mailing address:

Patrick Revere  
Director of Land Development  
14225 Corporate Way  
Moreno Valley, CA 92553  
[prevere@highlandfairview.com](mailto:prevere@highlandfairview.com)

Thank you for your assistance.

Sincerely,

Patrick Revere, P.E.  
Director of Land Development

## NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710  
Email: [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
Website: <http://www.nahc.ca.gov>  
Twitter: @CA\_NAHC



December 3, 2018

Julia Descoteaux  
City of Moreno Valley  
14177 Frederick Street  
Moreno Valley, CA 92552-0805

RE: SCH# 2018111051 Kaiser Permanente Moreno Valley Medical Center Project, Riverside County

Dear Ms. Descoteaux

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

## AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
  - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
  - a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
  - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

## NAHC Recommendations for Cultural Resources Assessments


To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: [Katy.Sanchez@nahc.ca.gov](mailto:Katy.Sanchez@nahc.ca.gov).

Sincerely,



for  
Katy Sanchez  
Associate Environmental Planner

cc: State Clearinghouse