

Robert Dalquest: City of Upland
Joshua Winter: City of Upland
Carl Winter: LSA

Council Chamber, Upland City Hall
460 N Euclid Ave, Upland, CA 91786

SCOPING MEETING COMMENTS

Introduction, Presentation by Carl Winter: 0-12:50

Darell Maxey: 12:50-16:19

Comments focus on adequacy of environmental assessment methods, weed abatement activities and its effect on the integrity of environmental analysis.

- Identifies as a retired civil engineer
- Residency @ 1310 S Upland Hill Drive? (300 ft north of proposed site)
- Basis of his opposition in 2020 was that the environmental assessment of the site was flawed
 - Site conditions are different if site visits occurred during dry vs wet conditions, with wet conditions there would be more fauna and flora species active vs dry conditions
 - If assessed correctly (Site), then there would be significant impacts to biological resources
- Detention basin should not be reduced in size
- 'Records' show that the detention basin was to be reserved for wildlife, vegetation, and flood detention
- Post April 2020, some time after the IS/MND approval, observed construction equipment on the western portion of the basin stripping vegetation (and potentially scaring or taking any wildlife)
 - These events would affect any future environmental assessments of the site and should be considered in the environmental analysis
 - Unless the Project Applicant and the City waited for conditions to improve, how can a fair evaluation of biological resources at the site be done
 - For evidence, observed the events, and took video of the site when it was flooded
 - Points out that Google Earth aerial comparisons of 8/1/2021 vs 8/15/2020 shows where stripped vegetation occurred.
 - Noted that he provided photos with his letter

Joe Hudson 16:40-24:43

Comments focus on purpose of the meeting, questions about the knuckle, questions about the wetland status of the site, and the EIR document.

- Residency @ 1335 E 15th St, 44 years
- Has observed the site in all conditions
- Questions about the purpose of the meeting
 - Confusion about the map-poster as it shows no modifications (same as original?)
- Questions about the knuckle

- Explanation by City staff on the purpose of the knuckle, the context of why that was included in the Project, including the trail system additions (April 2020 Planning Commission hearings, and civil lawsuit explanation)
- Question about whether the State identifies the site as a wetland/registered?
- Question about whether the EIR was going to be 'seasonal'/methodology of biological professionals for analysis purposes

Unidentified commenter: 24:43-28:35

Question about the EIR availability and the timing of the tech studies and analysis.

- Question about when the EIR would be available, and how does that coincide with the tech studies and site visits for biology
 - Explanation by Carl Winter that the EIR requires the appropriate tech studies and analysis before the EIR can be drafted, and that the timing of such reports vary, thus the absence of a definitive schedule. The methodology of (i.e. Bio) studies are specific to each analysis and the timing varies between resources areas.

Dennise Greenberg: 28:40-32:22

Comments focus on weed abatement activities.

- Residency and property owned: 1299 Armando St and 1246 Upland Hill Dr S (both on either side of the Project site)
- Concerns of weed abatement activities, the timing of the events, and negative influence on a fair environmental assessment
- "How she does weed abatement without taking wildlife/plants"
- "Weed abatement destroys the environment"
- Question/remark on disclosure of when weed abatement activities occur, and when would site visits for environmental assessments would occur

Joe Hudson: 32:22-34:48

Question about weed abatement activity.

- Question on why weed abatement does not occur on the entirety on the flood detention basin
 - Explanation by City staff that part of the property is privately owned, the City sends notices to property owners for weed abatement requirements; the City-owned part of the basin is under the purview of the Public Works Department, and any questions on why inactivity on that portion should be deferred to Public Works.

Natasha Walton: 34:50-42:04

Comments focus on weed abatement concerns, basin and associated permitting, requests for certain features in the EIR, and proposed alternative.

- Identifies as a 18 year Upland resident, wildlife biologist
- Disappointed that project is occurring on one of Upland's 'last biological treasures'
- Pleased that an EIR is proceeding instead of the flawed IS/MND
 - Anticipates that there would still be significant negative impacts to biological resources
- Expresses desire for full disclosure of biological impacts even before Planning Commission even considers the Project
- Sherry Watson's request
 - Emails dated 3/9/22 and 6/8/22
 - Consider State identified species prior to weed abatement activities that have occurred in May 2020 and May 2022 on the western side of the basin
 - Concerned of whether the Property owner submitted required bird surveys prior to each weed abatement activity, would like this to be addressed in the EIR
 - Prohibit any future weed abatement on-site until project determination
 - Address the loss of wetlands and special status species (Gnatcatcher, Virio, burrowing owls)
 - Conduct surveys at various times during the year at various times of the day/night since species have different active times (frogs/bats at night)
- Request a delineation of jurisdictional waters (JD) of the entire basin
 - Concern that a combination of RWQCB's 401K, USACOE 401, and/or CDFW 1602 permitting may be necessary
 - Anticipates the need for streambed alteration (last agreement with CDFW was in 1999? Vs 2022 today)
 - Included a screenshot from the National Wetlands Inventory that indicates wetlands in the basin
 - Request that all maps in the document include the eastern side of the basin (due to modifications impacting that area as well)
- Expresses desire for EIR to address CDFW's comments from 3/27/22 letter (NOP response)
 - Comments of concern include proper protocol, species of concern, and Lake/streambed alteration
- Proposes a project alternative
 - To preserve or enhance local quality of life
 - Donation of the basin to a NPO for preservation

Dan Russell: 42:20-44:20

Comments focus on water shortage.

- Residency @ 1498 (Not clear) Way? (by College Center)
- Alluded to Cambria, CA as an example of no water for construction
 - Explanation by City staff of the context behind Cambria's moratorium/no water meters/different geographical region
 - Additional explanation of the 5yr Urban Water Management Plan done by the City's Water Department, the plan would cover water shortage concerns related to the City

Unidentified commenter: 44:42-46:05

Comments focus on the basin modification and scope of the impact analysis for biology.

- Question about whether the deepening of the basin will affect the slope
- Question about whether the scope of the biological impact analysis will cover the eastern part of the basin
- Question about who the contractor might be for doing the grading

Joe Hudson: 46:11-48:35

Comments focus on private property matters and water concerns.

- Express disdain that while there is a water shortage, Project is adding more people
- Disagreement of whether the Project is worth replacing the basin which has also contributed to groundwater recharge
- Comment on Upland being a small-town, should not be like Los Angeles
- Question on whether the City can purchase the property from the Applicant

Denise Greenberg: 48:48-50:00

Comments focus on processing proposed projects.

- Pondered why the City doesn't reject the Project/bad deal remarks
- Raised ethical concerns of the City processing the Project
- "EPA/or whoever says that the site shouldn't be developed"
- Raised question of why the Project Applicant doesn't pursue land by the railroad tracks and build condominiums

Closing of Meeting by Robert Dalquest: 50:00-51:14

Unidentified Commenter: 51:15-51:48

Comments focus on legality of resources presented for the scoping meeting.

- Question of whether resources provided in the meeting (the posterboard visual) is legally required
 - Explanation by City staff that it is a practice, not legally required

Darell Maxey: 51:52-56:45

Comments focus on response to comments.

- Question of whether comments collected this around will be dismissed with the same reasonings as the prior iteration (the approval prior to the lawsuit), such as 'not pertinent'
 - Explanation by Carl Winter that responses to comments cannot be speculated on, and that response to comments then is only applicable to the information available at that time the IS/MND was prepared; response to comments today for the EIR will be only

applicable to the information available at current conditions, not from the IS/MND conditions.

- Question of air quality impacts then vs now
 - Explanation by Carl Winter that given no change in intensity of project, it can be reasoned that air quality impact discussion prior would be like the discussion done in the IS/MND. Additionally, with SCAQMD's new upcoming model, the authors of the EIR and those conducting technical reports can only adjust the parameters and not the script of the model itself. They can only check to see if the data being inserted into the model is accurate.

Joe Beans/Joe Bolin: 56:55-1:00:20

Comments focus on biological and aesthetic impacts, and procedural related matters.

- Identifies as founder of Friends of 15th St
- Sent emails and pictures to Joshua Winter
- Loss of wildlife noises, reminiscing on early years prior to current conditions as development sprung around Upland
- Mentioned a CDFW call about weed abatement activities?
- Pictures of dead ducks after a weed abatement activity (pictures with Joe Hudson?)
- Remark on prior civil lawsuit victory
- Aesthetic concern of current dead-end environment on 15th St, comment about a nearby school, and concern of adding 65 units to the area
- Question of whether the police force can handle the addition of 65 more homes
- Concern of more development despite water shortage and conservation
- 15th St basin is one of the few left in the region that isn't concerted (mentioned Chino and Fontana?), losing a rechargeable basin
- Question of whether a traffic study was conducted
- Comment on letting the basin grow back before further action is done
- Comment on pictures of basin prior to drought
- Comment on consideration of impacts affecting the eastern part of the basin

Actual Closing of Meeting by Carl Winter: 1:00:20-1:03:52

COMMENTS VIA EMAIL

Mary Ann Macias: June 6, 2022, 7:41:10 AM

Comments focus on built environment, water shortage concerns, and traffic safety.

- Assumption that the purpose of the scoping meeting is to explain the details of the project the City had already approved
- More homes in a city that is already full of dense housing
- Streets need repair, mentions Foothill, Arrow Hwy, Campus
- Comment on water conservation yet more development
- Comment on development being built near an intersection Baseline(16th) and Campus, notorious for auto accidents

Dan Russell: Date/Time unknown

Comments focus on various post-implementation methodologies, responsible parties involved in certain activities of the project, and disclosure related concerns.

- No meeting notices have been posted on the three billboard signs on 15th St for this meeting
- Question on origins of water used for construction
- Question on who is financially liable for city water used in construction including dust abatement and accessing fire hydrants
- Question on who will monitor for potential illegal usage of fire hydrants
- If the project is to be implemented, will future home buyers be provided notice about the closed Upland dump and the methane gas associated with that site; and will they be notified about the fact that the Project is located within a flood control plain
- Question on the existence of cancer studies in the area from potential environmental health issues related to toxic gases, residual waste in the floodplain area and related wildlife habitat conditions
- Question of who will be financially liable for potential destruction to homes related to potential water runoff/flood conditions and methane gas related events
- Question of the details of the road access plan of the site; would 16th St through the SCE easement south of the power station and via the current traffic signal at the golf course be possible to reduce automobile pollution and improve road safety; this routing could present a faster route to Campus Hills shopping and access to the I-210
- Concerns of traffic rates on Grove Ave and 14th St due to utilization of WAZE to detour around Foothill
- Concern of 15th St traffic utilization, who will be financially liable for reconditioning existing access north/south streets that aren't in best conditions
- Question of the hours of construction, who is responsible for monitoring noise and dust conditions; will appropriate emergency government contact information be posted in the construction area (including wildlife protection agencies?)
- Comment on observation of probable illegal bulldozer operation last year with no dust control and no notification to proper authorities of what was being accomplished