

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 ~~strikethrough~~, 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:

Environmental Topic	Proposed Project	No Project Alternative	CIM Facility Alternative
Air Quality	LTSM	Less	Similar
Archaeological, 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
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 <u>interfere with the region's ability to comply with federal and State air quality standards</u>. 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>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>
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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.</u> This impact would be less than significant.</p>	<p>LTPS</p>	<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>	<p>LTS</p>
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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 <u>Table 4.2-65</u>, 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>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>
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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>4,7422,067</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>	<p>LTS</p>	<p>No mitigation is required.</p>	<p>LTS</p>
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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~~ 69,000 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	37 36.8	23 22.9	<1	76 3	43 9
2021: Onsite and offsite	35.4 34	22 21.8	22 21.5 ₁	<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	22 21.8	<1	21 9	21 6
Onsite Site Preparation	2.6 3	27 26.9	13 12.8	<1	6.1	43 9
Onsite Grading	2.4	26.4	16.1	<1	43 8	2
Onsite Building Construction	2.1	19.2	17 16.8	<1	1.1	1
Onsite Paving	1.7 2	13 12.9	15 14.7	<1	40 7	40 6
Onsite Architectural Coating	35.3 34	21.5	21.8	<1	<1	<1
SCAQMD Localized Significance Thresholds²	-	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
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 2018/2019					

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 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.

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	1	7	24	<1	6	3
2021: Onsite and offsite	35	7	22	<1	1	<1
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	0.5	2.0	23.3	<1	0.2	<1
Onsite Site Preparation	0.3	1.2	12.4	<1	4.7	2.6
Onsite Grading	0.4	1.6	17.8	<1	2.6	1.3
Onsite Building Construction	0.3	2.2	17.5	<1	<1	<1
Onsite Paving	0.7	1.2	17.3	<1	<1	<1
Onsite Architectural Coating	35.1	0.1	1.8	<1	<1	<1
SCAQMD Localized Significance Thresholds²	-	170	1,232	-	6	5

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>1514.6</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 1,7422,067 MTCO_{2e} per year which would not exceed SCAQMD's interim GHG significance threshold of 3,000 MTCO_{2e} for residential and commercial sources or the adjusted target of 2,696 MTCO_{2e} 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~~ 6469,000 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~~ 446608 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:

Source	MTCO _{2e} (MT/year)
Area	<1
Energy	64548 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 ~~2019~~2019

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~~ 2,06704 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~~ 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~~ 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:

Phase	Category	Energy Consumption
Construction	Off-road Vehicles	20,303 21,755 gallons of diesel
	On-road Vehicles	5,930,530 5,856,129 gallons of gasoline and 283,635 gallons of diesel
Operation	Electricity ¹	1,268,768 1,216,545 kWh/year
	Natural Gas	4,556,750 4,361,470 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~~2019

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:

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



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Exhibit 3-2

Proposed MHC Facility Site Plan – Preliminary Detail

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