

1 INTRODUCTION

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

1.1 PROPOSED PROJECT OVERVIEW

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

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

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

1.1.1 Summary of Key Conclusions of the Draft EIR

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

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

1.1.2 Summary of Key Revisions Presented in the Final EIR

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

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

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

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

1.2 PURPOSE OF THE RESPONSES TO COMMENTS DOCUMENT

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

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

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

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

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

1.2.1 Comments That Require Responses

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

1.3 ENVIRONMENTAL REVIEW PROCESS

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

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

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

1.4 DOCUMENT ORGANIZATION

This Final EIR is organized as follows:

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

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

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

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

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

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