

JASON E. UHLEY
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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

238063

May 6, 2021

City of Riverside
Planning Department
3900 Main Street
Riverside, CA 92522

Attention: Matthew Taylor

Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received April 6, 2021. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely _____, _____. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted ____ Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.

City of Riverside
Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

- 2 -

May 6, 2021

238063

- This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, _____. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments are still valid.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

SLJ:blm



August 3, 2021

City of Riverside
Planning Department
3900 Main Street
Riverside, CA 92522

Attention: Matthew Taylor

Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received July 20, 2021. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

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- The District's previous comments are still valid (see attached letter dated 05/06/21).

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Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

Attachment

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

Comments to Riverside Planning Commissioners
Special Meeting: Housing Plan Workshop, Agenda Item #2, August 13, 2021

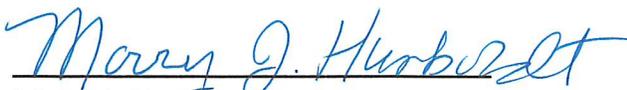
Riverside's current level of water consumption is about 84,000 ac ft/yr with a 20% reserve emergency capacity. The addition of 25,000 dwelling units will exhaust the existing capacity to serve and require additional capital investment in new water to maintain the reserve. A 30,000 ac-ft/yr increase to serve the new units will consume all our available drinking water at a time when drought severity is increasing. To accomplish this build-out we will have to import water. Primary sources of imported water from northern California and the Colorado River are overdrawn and very expensive.

Currently development fees for water don't cover the full cost of new water service infrastructure or new water sources. Current water customers pay debt service on \$600 million for projects serving future development already planned. If global warming conditions continue to reduce rain and snowfall in the western states, regional shortages can only become worse.

Riverside has long been blessed with plentiful local water supplies, which are now critical to protect our living environment. We need to plant more trees to improve air quality, foster agriculture, and build more parks and green spaces to cool and shade us.

Protecting lower-cost water and power resources for current residents and businesses, while improving air quality, reinforcing stable neighborhoods and attracting better local jobs must be our priority. Riverside residents, who are not public employees, have a median family income of \$34,000 (Press-Enterprise), and are already paying much higher water and electric rates.

Riverside residents need environmental justice. This huge arbitrary number of housing units is imposed on us by unaccountable State and regional bureaucrats. This threatens to overtax our limited resources and hurt Riverside's future.



Mary J. Humboldt

7407 Dufferin Ave., Riverside, CA 92504

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August 13, 2021

MEMORANDUM

TO: HONORABLE PLANNING COMMISSION

RE: WORKSHOP ON DRAFT ENVIRONMENTAL IMPACT REPORT

Thank you for holding a workshop today. Our apologies for the late input; however, we were unaware that an EIR for the Housing Element was circulating. CURE's comments this morning will address some "big picture" issues, and we will supplement those comments once we have the benefit of the presentation.

1. Notice

If the City can send emails to notify residents when trash deliver is late, then they surely can give an e-mail blast out concerning the most critical decision that will affect resident's quality of life. Not everyone mines the website nor uses facebook. In that regard, when special workshops are posted, perhaps the clerk can somehow highlight that on the home page of the COUNCIL/MEETINGS homepage.

2. Timing

The EIR apparently was issued on July 16, 2021, with comments due on September 2, 2021, and final adoption of the housing element in mid-October. This presupposes that there will be NO comments requiring recirculation of the EIR, nor will it give staff or the public a true opportunity to digest and respond to comments. Further, many people (including our City Manager) was on vacation in August or kids are getting back to school. This is the second time the city has adopted consequential "plans" in the past six months ostensibly because of state deadlines that can and should be extended to accommodate meaningful discussion.

3. Engagement

A "workshop" with three minute comments is not "interaction". Nor are powerpoints a true reflecting of what these housing element decisions will mean. First, the public deserves input from experts both who support the City's approach or other possible approaches. Staff instead presents their findings and data, and a public largely ill-equipped to respond to lengthy technical documents is expected to respond. The California Public Utilities Commission has an administrative process that truly allows for engagement with both an office of Ratepayer Advocate defending the public and compensation for qualified intervenors and experts.

Further, the City should provide a 3D model that actually reveals what Riverside will look like if this plan is implemented with the resulting increase in traffic, smog and noise affecting neighborhoods. The EIR is a drab, unimaginative documents designed to avoid legal challenges and is not a replacement for the kind of analysis the public needs to make choice. Further, the



model should specify what the cost of infrastructure will be to support those new units and how, with a structural deficit, the City intends to pay for them.

4. New Information

2020 census information is trickling in now. The City should step back and analyze how this data informs future decisions and how it matches up with assumptions adopted during the last General Plan discussion.

5. Environmental Justice

Putting hundred if not thousands of units within 2500 feet of freeways and railroad tracks is the antithesis of environmental justice and defies all the scientific evidence demonstrating how the lung and brain development of children will be stunted leading to long-term health consequences, learning disabilities and early death. CURE will submit several studies highlighting these problems; however, City Staff and Council already are well aware of the serious air quality, climate and temperature factors that will worsen with growth. There is no mitigation that truly protects units that close to increasing diesel emission. Moreover, poorer people purchase/lease these units, and they are least able to afford high electricity bills to run air conditioning units.

6. Water Availability

If every drop of Riverside's water goes to housing, then perhaps we have enough; however, the urban water management plan and council have acknowledged that Riverside must assess the baseline benefits from trees and green spaces and evaluate how much additional tree planting/water is needed to combat and adapt to climate. This EIR does not realistically evaluate the limitations of our resources in this area.

The State has countervailing policies to its housing demands. How a court reconciles them remains to be seen. Riverside must maintain its green spaces and tree coverage to protect the public's health and safety. The legislature cannot undermine the City's police powers to do so because it arbitrarily sets housing requirements. Other options to address homelessness and lack of affordable should be considered before worsening the environment in our City.



Citizens United for Resources and the Environment

TO: HONORABLE PLANNING COMMISSION

RE: ENVIRONMENTAL JUSTICE ISSUES IN PROPOSED HOUSING ELEMENT

Thank you again for providing input.

This letter summarizes some key issues to address environmental justice issues in our community that are worsened by the proposed housing element.

1. No units should be sited cited within 2500 feet of freeways or railroads. Who moves there: the poor!!!! The American Lung Association has long established the impacts particularly on children. Eliminating all units in this area will still allow the City to reach the 18000 goal.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4486117/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4486117/>

<https://www.latimes.com/local/lanow/la-me-ln-freeway-pollution-advisory-20171227-story.html>

<https://gustancho.com/buying-home-near-railroad-tracks>

2. Notice how the rich up the hill aren't impacted?

In 2012, the City adopted an EIR with a preferred alternative that required opening Overlook for traffic circulation. This would significantly reduce traffic on Arlington and Central. None of the proposed housing along Central should be approved because the ability for ingress and egress and the increased pollution for individuals living in the vicinity

3. Climate Change is more critical than complying with RHNA

The legislature has adopted conflicting mandates. On the one hand, we are required to reduce Green House Gas reductions, expand green spaces, and ensure poorer communities have more trees. One critical tool for doing so is the application of water for public benefits as the City Council just acknowledged; however, determining how much water is needed and actually allocating that water particularly in poorer communities. The City Council received comments from C-CERT showing how regional logistics expansion will worsen our air quality.

4. This plan does not address Affordable Housing

Most homes will be market based attracting more people to our region who have to drive for jobs. This proposal does not discuss other options to address affordability, i.e. subsidizing rents; converting some apartments to affordable units, or converting unused retail to housing. These options would have fewer environmental impacts but are not thoroughly analyzed.



Citizens United for Resources and the Environment

5. EJ organizations should receive grants to respond

Most non-profit organizations and poorer residents lack the attorneys and technical consultants needed to review, understand and comment. This is an oversight that makes this effort almost meaningless no matter how many public hearings you hold.

CURE intends to supplement its comments as part of this process.

August 19, 2021

Matthew Taylor, Senior Planner
City of Riverside Community & Economic Development Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
Email: mtaylor@riversideca.gov

Subject: Riverside Housing & Public Safety Element Updates and Environmental Justice Policies Project Draft Environmental Impact Report (EIR)– SCH# 2021040089

Dear Mr. Taylor,

The California Department of Conservation, California Geological Survey (CGS) has reviewed the Draft Environmental Impact Report (EIR) for the City of Riverside (City) Housing & Public Safety Element Updates and Environmental Justice Policies Project (Project). We offer the following comments and recommendations with respect to the proposed project's potential impacts on public safety.

Project Description:

The Project proposes to update the Housing and Public Safety Elements of the City's 2025 General Plan. The Housing Element updates include the identification of "Opportunity Sites", which are vacant or underused lots dispersed throughout the City that could accommodate new housing. The updates to the Public Safety Element incorporate new Environmental Justice Policies in establishing Opportunity Site selection criteria that reduce the short- and long-term risks of death, injuries, property damage, and economic and social disruption from natural hazards (such as floods, earthquakes, and landslides) when determining which sites are appropriate for future housing developments.

CGS Comments:

Section 2.2 lists Project objectives including to "Limit or prevent housing development in areas with development constraints, such as ... fire and flood hazard zones. As such, the City has limited or eliminated sites that are unsafe because they are in a flood zone or high-fire area. The EIR briefly describes the Opportunity Site inventory analysis and weighted suitability model used to identify the final list of Opportunity Sites.

An Opportunity Site was identified on the eastern edge of the intersection of Watkins Drive and East Big Springs Road in Ward 2 in the northeastern part of the City. This site is within a flood zone and a very high fire hazard zone. Additionally, the canyon upslope of the eastern end of East Big Springs Road is in the very high fire hazard zone. This canyon is the main drainage basin that would contribute flow to the East Big Springs Road flood hazard zone. The very high fire hazard in the potential flood hazard source

area within the Box Springs Mountain Reserve Park east of this Opportunity Site presents the potential for an additional risk of post-fire debris flows impacting the site. Debris flows are a specific type of landslide. Landslide hazards are discussed in this EIR, but from the perspective of potential impacts the Project might have on causing or increasing the likelihood of landslides. CGS agrees that this project appears unlikely to cause significant effects related to landslide hazards. The coincidence of the very high fire hazard in the flood hazard zone source area appears to be a naturally occurring baseline condition. Considering that, CGS recommends the following:

- 1) Reevaluate the suitability of the Watkins Drive/East Big Springs Road Opportunity Site, considering the potential post-fire debris flow hazard.
- 2) Include a post-fire debris flow hazard evaluation in the predevelopment checklist that will be developed as part of the Project to support the development review process for applicants proposing development on Opportunity Sites.

References:

California Department of Forestry and Fire Protection. 2020. California Fire Hazard Severity Zone Viewer. Available: <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>. Accessed August 2021.

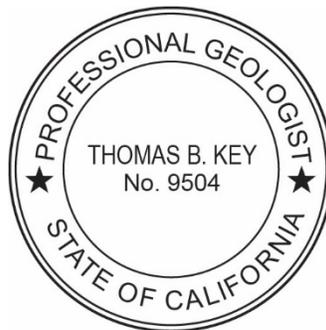
Federal Emergency Management Agency (FEMA). 2008. FEMA's National Flood Hazard Layer (NFHL) Viewer. Available: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed: August 2021.

Thank you for giving us the opportunity to comment on the Draft EIR for the Riverside Housing & Public Safety Element Updates and Environmental Justice Policies Project. If you have any questions or concerns regarding the comments in this letter, please contact Thomas Key, Engineering Geologist, at 801 K Street, MS 13-40, Sacramento, California 95814, (916) 584-4854, thomas.key@conservation.ca.gov.

Sincerely,

Original signed by:

Thomas Key, PG 9504
Engineering Geologist
Sacramento, California



Original Signed by:

Cheryl Hayhurst, CEG 2639
Senior Engineering Geologist
Sacramento, California





August 29, 2020

To: Honorable Planning Commission

Re: Public Comment Regarding RHNA Deadlines

CURE urgently recommends that the Planning Commission call upon the Mayor, City Attorney, and our state elected officials to convene a meeting in Sacramento to explain in detail why the October 15, 2021 deadline, cannot be met without violating the time requirements of CEQA as well as the due process clause of the State and federal constitutions. CURE recognizes the City failed previously to timely comply with RHNA; however, new information and the unique circumstances confronting Riverside necessitate our city coming together to resist jumping off a cliff with no soft landing.

1. Timing

Staff has confirmed that between September 2 and 9, 2021, they cannot provide written responses to Draft EIR comments and propose a final EIR to the Planning Commission. They are claiming that only the City Council must approve the final and are assuming that there will be no need to recirculate the EIR. This “cram down” violates the letter if not the spirit of CEQA and prevents this body and the public from an opportunity to provide meaningful input so that our elected officials understand the consequences.

2. Staff misrepresented that future projects return to the PC

CURE clarified that staff is (1) proposing simultaneous zoning ordinances which would allow administrative approval of projects under 50,000 once they are included in the Housing Element. Those projects are “by right” so that there will be no more review by the PC or appeal process for the public. Worse yet, staff has not finalized the ordinances for public consumption that will go before you and council apparently on the same schedule as the final EIR. No one has the capacity to keep up with what’s happening and the illusion this constitutes “notice” is offensive.

3. The proposed 31,000 houses is far beyond what the law requires.

RHNA requires approximately 18,500 houses. Staff acknowledges their goal of 31,000 or even 24,000 is not required by law. They are doing this for a matter of convenience so that, if we fall below 18,000, they don’t have to come back for new zoning. That policy decision should be made FIRST by the city council and not by staff.

4. The new Census Numbers reflect less population growth than anticipated.

Because we are only getting new census information, it is unclear how this affects the underlying assumptions. This alone justifies a short 60-90 extension by the state.

5. The DEIR fails to acknowledge significant unmitigated impacts on water and impacts to infrastructure including the financing needed to upgrade.

CURE appreciates the comments/questions of the Commissioners at the last meeting. We will submit expert input on this shortcoming before September 2.