



APPENDIX B NOTICE OF PREPARATION COMMENTS

From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Thursday, February 28, 2019 4:48 PM
To: Danny Serrano
Subject: FW: NOP for General Plan Update and Draft SEIR

Hi Danny – public comment from EHL:



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From: Dan Silver [mailto:dsilverla@me.com]
Sent: Thursday, February 28, 2019 3:29 PM
To: Ramaiya, Jarrett
Subject: NOP for General Plan Update and Draft SEIR

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Ramaiya:

Endangered Habitats League (EHL) is in receipt of the NOP for the project and requests to be maintained on all notification and distribution lists, including for CEQA documents and public hearings. We note that the project includes an update to the Climate Action Plan.

EHL has the following initial comments:

- 1) Alternatives should include a land use scenario that identifies and increases density in “town centers.” Such locations should have enhanced walkability and transit adaptability compared to the automobile centric pattern of growth that it otherwise prevalent in Murrieta.
- 2) The update should improve the regional jobs-housing imbalance with more employment-generating uses.
- 2) High quality natural open space should be protected with rural densities of 1 unit per 10 to 20 acres, and preferably low density. Mandatory clustering to achieve a minimum of 75% open space should be applied in these locations.
- 3) Reflecting its participation in the Western Riverside County Multiple Species Habitat Conservation Program (MSHCP) which reconciles biological and economic objectives on a regional basis, MSHCP compliance should - if not already – *be incorporated into the General Plan* as a mitigation measure for all new development (residential, commercial, industrial, public and private infrastructure). Parenthetically, we note that the residents of Murrieta have been chief beneficiaries of nearby MSHCP financial investments, such as Winchester 700 and Warm Springs Ranch.

4) A revised CAP should focus on the land use and transportation sectors, with reduction of vehicle miles traveled (VMT) as the primary consideration. The California Air Resources Board (CARB) has definitively identified the State's increasing VMT as the greatest obstacle to meeting its greenhouse gas reduction objectives, yet this sector is under local rather than state control. The town center and jobs-housing approaches described above can help, as could a shuttle bus system. In addition, the City should create a program to "retire" the existing development rights for high-VMT housing units that are already approved and which have a high likelihood of actually being constructed. The "avoided conversion" methodology that CARB has developed for agriculture lands should be adapted by the City for this purpose, so as to create carbon credits on lands slated for VMT retirement. These credits would be purchased as GHG mitigation by other development. Retired VMTs could also originate in the unincorporated area. Lands that would contribute to MSHCP assembly should be prioritized, in order to achieve that important co-benefit.

See:

<http://sgc.ca.gov/programs/salc/>

https://www.arb.ca.gov/cc/capandtrade/auctionproceeds/final_sgc_salc_qm_16-18.pdf

Thank you for considering our input into this Update, and I would be happy to discuss anything further.

With best regards,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Monday, March 4, 2019 4:39 PM
To: Danny Serrano
Subject: FW: Murrieta General Plan Update - Planning Area 1 - APN: 910-150-024

Importance: High

Just FYI



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From: Brian Bush [mailto:BBush@diversifiedpacific.com]
Sent: Monday, March 04, 2019 4:15 PM
To: Ramaiya, Jarrett
Subject: Murrieta General Plan Update - Planning Area 1 - APN: 910-150-024
Importance: High

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Jarrett,

I'm inquiring about the recent General Plan Update. Could you please provide the description of the Innovation use being proposed for Planning Area 1? Also, all of the uses allowed within? Diversified Pacific owns approximately 1.06 acres, specifically known as APN: 910-150-024, within Planning Area 1. I would like to see how this will impact our property.

Thank you,

Brian A. Bush
Director of Acquisitions
10621 Civic Center Drive
Rancho Cucamonga, CA 91730
Mobile/909-731-2036
Direct/909-373-2629
Main/909-481-1150 ext. 259
Fax/909-481-1151 direct
bbush@diversifiedpacific.com



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From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Tuesday, March 5, 2019 10:18 AM
To: Danny Serrano
Subject: FW: City's General Plan Update transmittal ALUC comments
Attachments: General Plan Update transmittal ALUC comments.doc

FYI



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From: Rull, Paul [mailto:PRull@RIVCO.ORG]
Sent: Tuesday, March 05, 2019 9:45 AM
To: Ramaiya, Jarrett
Subject: City's General Plan Update transmittal ALUC comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Jarrett,

Thank you for transmitting the above reference project to ALUC for review. Please find attached my comments. The proposed General Plan focused update (which would be effective City-wide) would impact properties within several Compatibility Zones in French Valley Airport Influence Area. Public Utilities Code Section 21676 requires that General Plan Amendments be submitted to ALUC for review and consistency with the French Valley Airport Land Use Compatibility Plan, as amended in 2011.

If you have any questions, please feel free to contact me.

Paul Rull
ALUC Principal Planner



Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, Ca 92501
(951) 955-6893
(951) 955-5177 (fax)
PRULL@RIVCO.ORG
www.rcaluc.org

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[County of Riverside California](#)

From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Thursday, March 14, 2019 12:44 PM
To: Danny Serrano
Subject: FW: General Plan Update / Scoping Session / Commenting Period

Danny

Just FYI – I'll let her know we're still taking in comments. Is there a technical 'closing' date?



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From: Joshlynn Russell [mailto:joshlynn.russell@gmail.com]
Sent: Thursday, March 14, 2019 12:38 PM
To: Ramaiya, Jarrett
Subject: General Plan Update / Scoping Session / Commenting Period

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jarrett,

I am a resident of Greer Ranch and want to stay in the loop on the General Plan Update efforts. Unfortunately I was out of town in November and December for the initial events and not available for the upcoming scoping session on March 16th. I do look forward to providing comments on the draft plan, SEIR and climate action plan though.

Upon review of the website and materials I was not able to confirm when your commenting period is closed. Could you please confirm this date and your preferred method of submitting comments?

Thank you,

Joshlynn Russell
760-415-8012

From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Monday, March 25, 2019 4:03 PM
To: Danny Serrano
Cc: Stiehl, Carl
Subject: FW: Specific Plan 382 - Notice of Public Hearing/Intent to Certify an EIR
Attachments: Murrieta NOP 2019.pdf

Importance: High

Danny

Comments from Metro Water District (they called us last Thursday to state that they would submit comments by today).



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From: Marks,Alexander S [mailto:AMarks@mwdh2o.com]
Sent: Monday, March 25, 2019 3:59 PM
To: Ramaiya, Jarrett
Cc: Abeles, Lorie
Subject: RE: Specific Plan 382 - Notice of Public Hearing/Intent to Certify an EIR
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Ramaiya -

Please find the Metropolitan Water District of Southern California's comment letter on the subject Notice of Preparation of General Plan Update and a Draft Supplemental Environmental Impact Report attached.

Please contact me if you have any questions.

Sincerely,
Alex Marks

Alex Marks, AICP
Environmental Specialist
The Metropolitan Water District
(213) 217-7629

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From: Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>
Sent: Tuesday, March 26, 2019 4:11 PM
To: Danny Serrano
Cc: Stiehl, Carl
Subject: FW: Specific Plan 382 - Notice of Public Hearing/Intent to Certify an EIR
Attachments: Substructures Guidelines-Final - July 18 Publication.pdf

Danny

Good catch on that comment letter from MWD of SoCal – their staff provided the second attachment to the letter and is attached



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From: Marks,Alexander S [mailto:AMarks@mwdh2o.com]
Sent: Tuesday, March 26, 2019 4:02 PM
To: Ramaiya, Jarrett
Subject: RE: Specific Plan 382 - Notice of Public Hearing/Intent to Certify an EIR

Hi Jarrett –

My apologies for leaving it out. Please see attached.

Best

Alex Marks, AICP
Environmental Specialist
The Metropolitan Water District
(213) 217-7629



From: Marks,Alexander S [mailto:AMarks@mwdh2o.com]
Sent: Monday, March 25, 2019 3:59 PM
To: Ramaiya, Jarrett
Cc: Abeles, Lorie
Subject: RE: Specific Plan 382 - Notice of Public Hearing/Intent to Certify an EIR
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Ramaiya -

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Please contact me if you have any questions.

Sincerely,
Alex Marks

Alex Marks, AICP
Environmental Specialist
The Metropolitan Water District
(213) 217-7629



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Hans W. Kernkamp, General Manager-Chief Engineer

March 14, 2019

RECEIVED

MAR 19 2019

CITY OF MURRIETA
DEVELOPMENT SERVICES DEPT
PLANNING DIVISION

Mr. Jarrett Ramaiya
City Planner
City of Murrieta
1 Town Square
Murrieta, CA 92562

RE: Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (SEIR) for the City of Murrieta General Plan Update (Project)

Dear Mr. Ramaiya:

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOP addressing a Draft SEIR for the City of Murrieta's General Plan Update. The Draft SEIR will address the potential impacts associated with the proposed General Plan update.

1. Build-out of the Project may have the potential to increase the amount of waste that could adversely affect solid waste facilities. To assess waste impacts, the Draft SEIR should include the projected maximum amount of waste generated from build-out of the Project, using appropriate waste generation factors for the proposed General Plan update land uses.

Note- CalRecycle's website may be helpful to determine the Project's waste generation:
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>

2. The following information can be useful in the analysis of the solid waste impacts:
 - a) Solid waste generated within the Project area is collected by Waste Management Inc. (WMI), with the bulk of recyclable waste and green waste delivered to the Moreno Valley Solid Waste Recycling and Transfer Facility (MVTS) for processing. The MVTS is located at 17700 Indian Street in Moreno Valley. It is permitted for a 2,500-tpd operation.
 - b) While the El Sobrante landfill is the closest landfill to the Project site, the franchise waste hauler could also use the Lamb Canyon and Badlands landfills for disposal of the waste generated from the proposed Project. Descriptions of the local landfills are provided below:

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill

is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse.

USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2017 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 55.1 million tons.¹ In 2017, the El Sobrante Landfill accepted a daily average of 10,607 tons with a period total of approximately 3,256,432 tons. The landfill is expected to reach capacity in approximately 2060.

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 20.7 million tons. As of January 1, 2019 (beginning of day), the landfill has a total remaining capacity of approximately 9.3 million tons. The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2029. From January 2018 to December 2018, the Lamb Canyon Landfill accepted a daily average of 1,944 tons with a period total of approximately 596,863 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total permitted disturbance area of 278 acres, of which 150 acres are permitted for refuse disposal. The landfill is currently permitted to receive 4,500 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated total capacity of approximately 20.5 million tons. As of January 1, 2019 (beginning of day), the landfill had a total remaining disposal capacity of approximately 6 million tons. The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2022. From January 2018 to December 2018, the Badlands Landfill accepted a daily average of 2,909 tons with a period total of approximately 893,016 tons. Landfill expansion potential exists at the Badlands Landfill site.

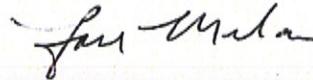
¹ 2017 El Sobrante Landfill Annual Report- Based on 137,936,464 tons remaining capacity (40% for in-county waste).

3. Additionally, you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate of 50% solid waste diversion from landfilling:
- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
 - Consider xeriscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.
 - Hazardous materials are not accepted at the Riverside County landfills. Any hazardous wastes, including paint, used during construction must be properly disposed of at a licensed facility in accordance with local, state and federal regulations. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
 - AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
 - Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
 - Subscribe to a recycling service with waste hauler.
 - Provide recycling service to tenants (if commercial or multi-family complex).
 - Demonstrate compliance with requirements of California Code of Regulations Title 14.
 - For more information, please visit:
<http://www.rcwaste.org/business/recycling/mcr>
 - AB 1826 requires businesses that generate 8 cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:

- Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
 - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
4. The Draft SEIR should provide a discussion about the need for the Project to comply with all regulatory requirements regarding recycling access in accordance with SB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991.

Thank you for allowing us the opportunity to comment on the NOP. We would appreciate a copy of the Draft SEIR on CD for review and comment when available. Please continue to include the RCDWR in future transmittals. Please call me at (951) 486-3200 if you have any questions regarding the above comments.

Sincerely,



Jose Merlan
Urban/Regional Planner III



South Coast Air Quality Management District

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

SENT VIA USPS AND E-MAIL:

March 12, 2019

jramaiya@MurrietaCA.gov

Jarret Ramaiya, City Planner

City of Murrieta, Planning Department

1 Town Square

Murrieta, CA 92562

Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Proposed Murrieta General Plan Update and Draft Supplemental Environmental Impact Report

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Supplemental Environmental Impact Report (SEIR). Please send SCAQMD a copy of the Draft SEIR upon its completion. Note that copies of the Draft SEIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the Draft SEIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the Draft SEIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files¹. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

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

On March 3, 2017, the SCAQMD's Governing Board adopted the 2016 Air Quality Management Plan (2016 AQMP), which was later approved by the California Air Resources Board on March 23, 2017.

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

Built upon the progress in implementing the 2007 and 2012 AQMPs, the 2016 AQMP provides a regional perspective on air quality and the challenges facing the South Coast Air Basin. The most significant air quality challenge in the Basin is to achieve an additional 45 percent reduction in nitrogen oxide (NO_x) emissions in 2023 and an additional 55 percent NO_x reduction beyond 2031 levels for ozone attainment. The 2016 AQMP is available on SCAQMD's website at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan>.

SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. Guidance² on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

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

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse air quality impacts and sources of air pollution that could occur using its best efforts to find out and a good-faith effort at full disclosure in the Draft SEIR. The degree of specificity will correspond to the degree of specificity involved in the underlying activity which is described in the Draft SEIR (CEQA Guidelines Section 15146). When quantifying air quality emissions, emissions from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers),

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

area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, for phased projects where there will be an overlap between construction and operation, the emissions from the overlapping construction and operational activities should be combined and compared to SCAQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

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

Mitigation Measures and Health Risks Reduction Strategies

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the Proposed Project, including:

- Chapter 11 “Mitigating the Impact of a Project” of SCAQMD’s *CEQA Air Quality Handbook*
- SCAQMD’s CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD’s Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- CAPCOA’s *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Additional Recommended Mitigation Measures

SCAQMD staff has prepared the following list of mitigation measures as suggestions to the Lead Agency to consider and incorporate in the Draft SEIR.

- Require the use of Tier 4 emissions standards or better for off-road diesel-powered construction equipment of 50 horsepower or greater. To ensure that Tier 4 construction equipment or better will be used during the Proposed Project’s construction, SCAQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful 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 California Air Resources Board (CARB) or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance, and conduct regular inspections to the maximum extent feasible to ensure compliance.
- Require zero-emissions or near-zero emission on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB’s adopted optional NOx emissions standard at 0.02

grams per brake horsepower-hour (g/bhp-hr), if and when feasible. At a minimum, require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year trucks (e.g., material delivery trucks and soil import/export) that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks³. The Lead Agency should include this requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

- Suspend all on-site construction activities when wind speeds (as instantaneous gusts) exceed 25 miles per hour.
- All trucks hauling dirt, sand, soil or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).
- Enter into applicable bid documents, purchase orders, and contracts to notify all construction vendors, contractors, and/or haul truck operators that vehicle and construction equipment idling time will be limited to no longer than five minutes, consistent with the CARB's policy⁴. For any idling that is expected to take longer than five minutes, the engine should be shut off. Notify construction vendors, contractors, and/or haul truck operators of these idling requirements at the time that the purchase order is issued and again when vehicles enter the Proposed Project site. To further ensure that drivers understand the vehicle idling requirement, post signs at the Proposed Project site, where appropriate, stating that idling longer than five minutes is not permitted.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through the CEQA process prior to allowing this land use or higher activity level.
- Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).
- Should the Proposed Project generate significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Draft SEIR, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.
- Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)⁵. It is important to make this electrical infrastructure available when the project is built so that it is

³ Based on a review of the California Air Resources Board's diesel truck regulations, 2010 model year diesel haul trucks should have already been available and can be obtained in a successful manner for the project construction California Air Resources Board. March 2016. Available at: <http://www.truckload.org/tca/files/ccLibraryFiles/Filename/000000003422/California-Clean-Truck-and-Trailer-Update.pdf> (See slide #23).

⁴ California Air Resources Board. June 2009. *Written Idling Policy Guidelines*. Accessed at: <https://www.arb.ca.gov/msprog/ordiesel/guidance/writtenidlinguide.pdf>.

⁵ Southern California Association of Governments. Accessed at: <http://scagrtpsc.net/Pages/FINAL2016RTPSCS.aspx>.

ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the Lead Agency require the Proposed Project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations⁶. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should be appropriately sized to allow for future expanded use.

- Design warehouses or distribution centers such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.
- Design warehouses or distribution centers such that any check-in point for trucks is well inside the site to ensure that there are no trucks queuing outside of the facility.
- Design warehouses or distribution centers to ensure that truck traffic within the site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- Restrict overnight parking in residential areas.
- Establish overnight parking within warehouses or distribution centers where trucks can rest overnight.
- Establish area(s) within warehouses or distribution centers for repair needs.
- Develop, adopt and enforce truck routes to and from warehouses or distribution centers that avoid sensitive receptors, where feasible.
- Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between warehouses or distribution centers and sensitive receptors.
- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Proposed Project site to generate solar energy for the facility.
- Maximize the planting of trees in landscaping and parking lots.
- Use light colored paving and roofing materials (e.g., “cool” roofs and cool pavements).
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products.

Health Risks Reduction Strategies

Many strategies are available to reduce exposures from locating sensitive land uses near freeways or sources of air pollution, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Because of the potential adverse health risks involved with siting sensitive receptors near freeways and other sources of air pollution, it is essential that any proposed strategy must be carefully evaluated before implementation.

In the event that enhanced filtration units are required for installation at the Proposed Project either as a mitigation measure or project design feature, SCAQMD staff recommends that the Lead Agency consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate

⁶ City of Los Angeles. Accessed at:
http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf.

filters⁷, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter. The initial start-up cost could substantially increase if an HVAC system needs to be installed. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the residents. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. In addition, these filters have no ability to filter out any toxic gases from vehicle exhaust. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter (DPM) emissions.

If enhanced filtration units are installed at the Proposed Project, and to ensure that they are enforceable throughout the lifetime of the Proposed Project as well as effective in reducing exposures to DPM emissions, SCAQMD staff recommends that the Lead Agency provide additional details regarding the ongoing, regular maintenance and monitoring of filters in the environmental analysis. To facilitate a good faith effort at full disclosure and provide useful information to future residents who will live at the Proposed Project in a close proximity to freeways and other sources of air pollution, the environmental analysis should include the following information, at a minimum:

- Disclose the potential health impacts to prospective residents from living in a close proximity of freeways and other sources of air pollution and the reduced effectiveness of air filtration system when windows are open and/or when residents are outdoor (e.g., in the common and open space areas);
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are installed on-site at the Proposed Project before a permit of occupancy is issued;
- Identify the responsible implementing and enforcement agency such as the Lead Agency to ensure that enhanced filtration units are inspected regularly;
- Provide information to residents on where the MERV filters can be purchased;
- Disclose the potential increase in energy costs for running the HVAC system to prospective residents;
- Provide recommended schedules (e.g., once a year or every six months) for replacing the enhanced filtration units to prospective residents;
- Identify the responsible entity such as residents themselves, Homeowner's Association, or property management for ensuring enhanced filtration units are replaced on time, if appropriate and feasible (if residents should be responsible for the periodic and regular purchase and replacement of the enhanced filtration units, the Lead Agency should include this information in the disclosure form);
- Identify, provide, and disclose any ongoing cost sharing strategies, if any, for the purchase and replacement of the enhanced filtration units;
- Set City-wide or Project-specific criteria for assessing progress in installing and replacing the enhanced filtration units; and
- Develop a City-wide or Project-specific process for evaluating the effectiveness of the enhanced filtration units at the Proposed Project.

⁷ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by SCAQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

Alternatives

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

Permits

In the event that implementation of the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a Responsible Agency for the Proposed Project in the Draft SEIR. For more information on permits, please visit SCAQMD’s webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD’s Engineering and Permitting staff at (909) 396-3385.

Data Sources

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

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and mitigated where feasible. Please contact me at (909) 396-3308, should you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS
RVC190301-08
Control Number

AB 52

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

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

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

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

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Steven.Quinn@nahc.ca.gov.

Sincerely,



for
Steven Quinn
Associate Governmental Program Analyst

cc: State Clearinghouse