

**CITY COUNCIL MEETING OF 07-18-12
PUBLIC QUESTIONS/COMMENTS SUBMITTED AT OR BEFORE
MEETING**

ED FLORES

- **Has any of the City Council been threatened with their current position or position that you hope to acquire in the future election?**
- **Has any City staff or Department heads been threatened with their job, directly or indirectly, in any shape or form?**

To the best of City staff's knowledge, no member of the City Council has been threatened with their current or future position by anyone with respect to the Redlands Crossing project.

On Monday, December 6, 2010, Mr. Pat Meyer had scheduled a meeting between Walmart representatives and City staff. The representative from Walmart was unable to make the meeting and did not show up; just Mr. Meyer. The staff members who attended were: Enrique Martinez, Oscar Orci, Bob Dalquest and Dan McHugh (City Attorney). During the meeting, when discussing Walmart's proposed project, Mr. Meyer made a comment to Oscar Orci, in response to banter about the project, which substantially was: "Do you like (want to continue) working for Redlands?" In essence, suggesting that if Mr. Orci did not take certain action or exhibit certain conduct with respect to the project, there could be adverse consequences with respect to his continued employment status.

Mr. Orci told the City Attorney after the meeting that he thought it was just a "joke" and did not take the comment in any serious or offensive way. Regardless, Mr. Martinez and Mr. McHugh thought the comment was inappropriate, especially with a subordinate of Mr. Orci's being present. Mr. Martinez said he did not wish to raise the matter with Mr. Meyer unless another similar comment was made by him. No other comments of this nature have occurred prior to or subsequent to that December 2010 meeting.

These comments are not related to the adequacy of the EIR or the environmental analysis of the Redlands Crossing Project.

AL KELLY

- **Section 3.10 (Biology) – There is only one species of mammal listed on-site in the EIR. However, there are at least five different mammals on the site. There are Coastal Live Oaks on-site. Over 150 Baccharis trees on-site.**

Onsite wildlife is summarized on pg. 3.4-5 to 3.4-6 of the EIR. As stated on page 3.4-5 of the EIR, the habitat assessment survey indicated the site supports a moderate diversity of wildlife including Botta's pocket gopher, coyote, California ground squirrel, side-blotched lizard, American kestrel, and American crow. Additionally, as stated in

the EIR, the site has non-native ruderal forbs and grasses, as well as a windrow of Eucalyptus trees, English walnut, China Berry, and Peruvian peppertree. However, as identified on page 3.4-12 of the EIR, there are no sensitive wildlife or special status plant species occurring onsite. Regardless, the EIR included suitable mitigation measures related to Burrowing Owl (MM BR-1a) and nesting birds (MM BR-1b) in order to ensure any impacts remain less than significant.

The project [A1] site occurs in an area that has undergone a conversion from natural habitats into commercial, residential, and related developments with subsequent improvements to infrastructure. The development surrounding the project site and ongoing development in the general vicinity has reduced, if not completely eliminated, any connectivity to undisturbed natural habitats associated with the Santa Ana River located one mile to the north. Subsequently, this isolation has limited the project site's viability to provide suitable habitat for sensitive biological resources. The proposed development would not have any direct impacts to naturally occurring habitats or sensitive biological resources.

Based on the updated biological survey prepared by MBA (2009), there have been no significant changes in the biological resources or the potential for rare plant or wildlife species to occur on site since the 2005 LSA report. Specifically, as outlined within the 2005 LSA report and confirmed within the 2009 MBA report, "the proposed project site is vegetated by non-native grass lands and a disturbed citrus grove. Neither of these plant communities is considered to be a sensitive natural community. Thus, impacts to these plant communities are not considered significant. In addition, "the sensitive species identified within the 2005 LSA report as potentially present on the proposed project site have limited population distribution in southern California and development is further reducing their ranges and numbers. These species have no official State or Federal protection status, but require consideration under CEQA. Because the proposed project site is relatively small and is surrounded by existing development, impacts to these sensitive species are not considered significant." Thus, there are no changes to the original recommendations identified in the original biological report. In addition, mitigation measures are included within the EIR requiring protocol focused surveys to be conducted at the site prior to grading activity to reduce impacts to sensitive species to a level of less than significant.

In addition, as conceded within the Habitat Assessment Update (RBF, March 2012), the habitat on the project site was closely examined for its ability to support sensitive habitats and/or species potentially occurring that could pose a constraint to development. In particular, the habitat was closely examined for its ability to support San Bernardino kangaroo rat (*Dipodomys merriami parvus*) (SBKR) and burrowing owl (*Athene cunicularia*). Pursuant to the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game (CDFG) Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but can vary slightly from year to year based upon seasonal weather conditions. If construction

activities occur during the avian nesting season a pre-construction clearance survey will be required. Specifically, a clearance survey for burrowing owls will be required.

The proposed development of the Redlands Crossing Project would not result in significant direct or indirect impacts to any Federal and/or State listed plant or wildlife species, riparian habitat, heritage or sensitive trees, or other sensitive biological resource. Impacts will be limited to areas consisting of undeveloped vacant land supporting ruderal vegetation.

BARBARA MURRAY

- **How many of the 206 jobs will pay more than \$30,000 per year so the people will be able to live in Redlands.**

Based on the information provided to the City by the Project applicant, the average hourly full-time Walmart store associate in California earns \$12.82 per hour as of the end of July 2012. In addition, its employees have access to low-cost healthcare plans that start at \$15 per pay period, a 401(k) retirement plan, and a bonus plan. Walmart has promoted over 161,000 hourly employees last year and more than 300,000 of its employees have worked for the company for more than 10 years. Walmart states that its turnover rate is lower than the industry average and employee satisfaction scores are higher than the retail industry average. Finally, Walmart has informed the City that nearly 70% of Walmart management teams started out in hourly positions.

- **Does the City or Walmart have similar drawings of the existing Walmart which shows what this project was supposed to look like?**

The City has the development file in the Development Services Department from 1991 for the commercial shopping center on Redlands Boulevard where the existing Walmart store is located. The file contains building elevations, landscape plans and site design which is a standard requirement for filing a development project with the City. The commentor seems to infer that drawings of how the project is proposed to look are not representative of how the Project will actually look when constructed. There have been problems in the past with the lack of maintenance of the landscaping and site within the commercial center where Walmart is presently located. However, Walmart does not own the entire commercial center on Redlands Boulevard. Walmart owns the building it occupies and some of the parking field in front of its store. The outparcel improvements, buildings in the center and most of the surfacing parking areas are all owned by other private entities; which is the genesis of the problem – multiple ownerships. Many of the maintenance issues that have occurred at this shopping center were not the responsibility of Walmart. To avoid a repeat of this situation, staff has conditioned the Redlands Crossing Project to establish Covenants, Conditions & Restrictions (CC&R's) that require the formation of a Property Owner's Association to be responsible for the maintenance of the landscaping and improvements within the shopping center and perimeter landscaping along the street frontages. In addition, Walmart and the developer of the nine outparcels in the Redlands Crossing Project are

required to annex into a Landscape Maintenance District (LMD). The LMD will be dormant and activated by the City if the maintenance becomes a problem and the City needs to step in and take control of the maintenance situation.

SHAUN MCDUFFY

- **Air Quality implications of this project. Two greatest threats to respiratory health are particulate matter and sulfur dioxide. Greatest source of this are diesel engines. What's the dollar amount that could be considered an overriding benefit to air quality?**

The studies prepared to support the EIR demonstrate that there is a less than significant risk of cancer rates due to diesel exhaust related to the Project. As shown under Table 3.3-33, the significant threshold of such risk is 10 per million; while the Project is approximately 0.8 per million. (DEIR pg. 3.3-57.) The maximum chronic non-cancer risk is calculated to be on the nature of 0.0006 per million to the most impacted sensitive receptor. (*Id.*) This is less than the AQMD's hazard risk of 1.0 per million. (DEIR pg. 3.3-56 to 57). Therefore, there are no significant impacts related to localized air quality impacts (direct respiratory health impacts) due to particulate matter.

For regional impacts, with mitigation incorporated, there are no significant air quality construction impacts for any of the identified criteria pollutants, which include both particulate matter and sulfur oxides. (DEIR, Table 3.3-29, pg. 3.3-49.) Additionally, while there are significant operational emissions for other criteria emissions including particulate matter; the impacts do not include sulfur oxides. (DEIR, Tables 3.3-26, -27, and -28, pg. 3.3-44.). However, these are based upon stringent regional criteria emission controls for the entire air basin and are not anticipated to have direct respiratory impacts on individuals in the surrounding area, as localized air quality impacts for operation are less than significant.

DOREEN ISENBERG

- **Testified and emailed that there is no basis for the Socio-Economic report's assumption that there will 4.3% growth in Redland to create sufficient demand to cover customer shifts to Wal-Mart.**

The commentor asserts that TNDG's grocery demand model indicated that sales at existing supermarkets would increase back to existing levels in just one year after the proposed project's 2013 opening date, in 2014. This is incorrect. As shown on Table II-4 (page 14) in the Executive Summary, sales at existing stores are not projected to recover to existing levels until 2016, approximately three years after the project's projected opening date. This information is also provided on Table III-7 (page 38) in Section III, Retail Demand Analysis Methodology – Supermarket Analysis.

The commentor asserts that TNDG's grocery demand model assumed income growth of 4.3% per year. This is incorrect. As shown in Appendix A (grocery demand model),

Table A-2, TNDG assumed no income growth over the study period evaluated in the analysis, from 2010 – 2020.

The commentor asserts that TNDG's grocery demand model assumed a population growth rate of 4.3% in the first year after the project opening date. This is also incorrect. The population projections for the trade area (Supermarket Analysis) are provided in Table III-1 (page 34). As shown in the table, the trade area population is projected to grow at a 1.3% annual rate over the study period evaluated in the analysis, from 2010-2020.

- **The commentor disputes the Socio-Economic Report's assumption that there is a potential for \$479 million in retail sales in Redlands with only \$429 occurring in Redlands and that Walmart will fill that demand gap. Instead she contends that gap relates to purchases that cannot be made in Redlands and which the Wal-Mart will not fill such as department store goods and nursery goods.**

The urban decay study's estimate of market support for GAFO (General Merchandise, Apparel, Furniture, and Other/Specialty) sales is based on a thorough retail demand analysis, which is fully documented in Section IV and Appendix C. Second, GAFO sales are reported directly by the State Board of Equalization (Sales for the Citrus Plaza Center and other nearby retail development – which are in the “doughnut hole” – have been added to this total, based on information provided by the City's Finance Department. This retail development is technically located in unincorporated County territory, although situated squarely within the City's boundaries. See page 48 of the urban decay study for further detail.). The commentor provides no comments with respect to specific assumptions in the retail demand model.

The GAFO categories correspond to the typical merchandise mix of a discount department store such as Walmart. There is no basis for the claim in the comment that Walmart will not sell “department store goods and nursery goods”. In addition, the proposed project includes an additional 28,700 square feet of GAFO space (separate from Walmart). Thus, TNDG's analysis evaluated the potential demand for the additional Walmart GAFO space (over and above the existing store's space), along with this additional 28,700 square feet of GAFO space proposed as part of the project.

Although not entirely clear, the commentor appears to suggest that there is some portion of retail demand that will always “leak” outside of Redlands when she states “that [the] gap relates to purchases that cannot be made in Redlands”. The commentor appears to imply that this “permanent leakage” has not been accounted for in the study. However, a careful reading of the urban decay study shows that a factor for retail sales leakage has been accounted for in the analysis. For clarification, the following passage is provided on page 46, Section IV-E, of the urban decay study:

“[I]t is unlikely that Redlands will capture 100% of its resident demand since, for the foreseeable future, there will be some types of stores (e.g., major department

stores such as Nordstrom) that the City will lack. Therefore, capture rates are projected at **85%** in the GAFO categories, acknowledging that some amount of residents' retail expenditures likely will **always 'leak'** outside of the City."

Therefore, contrary to the commentor's assertion, TNDG's GAFO market support estimate of \$478.4 million does take into account the likely share of retail sales that will always leak outside of the City.

MIKE LAYNE

- **Is Walmart or any of the developers involved in this project getting any tax breaks or subsidies from this project?**

There are no tax incentive breaks or subsidies associated with this Project. As discussed, in the EIR, the Project will pay its fair share fees and development impact fees as required. Such fees include the following:

Traffic Impact Fees – as required under the law, the Project will pay the required development impact fees for any impacted intersections or roadways that are already identified within the City's development impact fee program. For any intersections that are not identified in this program, the Project will contribute the identified percentage of fees tied to its share of the impacts to such intersections (the fair share fees). (DEIR pg. 3.15-103.)

Fire Service Fees - the Project will pay a fire suppression fee of roughly \$0.50 per square foot of the Project to pay for various capital improvements and staffing/services. (DEIR pg. 3.13-7.)

Police Service Fees – the applicant will pay a law enforcement fee of roughly \$0.31 per square foot of the Project to pay for various capital improvements and police staffing/services. (DEIR pg. 3.13-8.)

School Impact Fees - the Project will pay a development impact fee under the Redlands Unified School District of roughly \$0.47 per square foot of the Project to offset any impacts related to surrounding schools. (DEIR p. 3.13-10.)

DAVID BAER

- **What is the annual projected gross income gain that will come to the City of Redlands from this project if it is completed as proposed?**
- **How much would it cost the City annually to support this project if it were to go through, i.e. in City services, etc?**

While the provided comments are not related to the adequacy of the EIR or the environmental analysis for the Redlands Crossing Project, as stated in the City's Socio-Economic Cost/Benefit Study, the Project will provide an annual "new net" revenue of

\$459,936 to the City upon operation and annual ongoing costs to the City of approximately \$178,080. This equates to a revenue/cost ratio of a positive factor of 2.58. Thus, under a worst case scenario, every dollar the City spends, it will receive approximately \$2.58 in revenue. (See pg. 2 of Resolution No. 7192.)

- **There are many empty buildings (stores and enterprises) and why would it be different here if this project was completed.**

The EIR identifies the potential reuse for the existing Walmart. Table 3.18-5 illustrates the potential demand for absorption of this available space at 2050 West Redlands Boulevard and finds that there is sufficient demand for space to accommodate both the new project location and the existing store location. (DEIR pg. 3.18-17.) Additionally, no significant urban decay impacts are anticipated and the Project would not contribute to existing vacancy rates.

Unlike companies that have been foreclosed upon or that have shut down operations, Walmart maintains an internal division specifically dedicated to the reuse of its buildings and excess property. Walmart treats their former buildings as an asset and this division actively markets the buildings based upon plans tailored to the region and economics of the area. In California, Walmart has a high success rate to date of either leasing or selling its former stores. With specific reference to the Cathedral City store, as noted in the EIR, the site was vacant for a period of time. However, the site was recently partially leased by a 99 Cents Only store. (Draft EIR 3.18-31.)

- **What guarantees are there of the completion and sustainability of this project; what will happen if it fails?**

While the provided comments are not related to the adequacy of the EIR or the environmental analysis for the Redlands Crossing Project, Walmart has a lengthy presence in the City of Redlands and has been an active member of the community for decades. Walmart fully expects this presence and participation to continue well into the future.

- **How will the project impact the freeways which are already impacted; is there any project that proposes any enlargements to the freeway system that will be running right by; if so what and when will these changes be made?**

Section 3.15 of the EIR and associated Traffic Impact Analysis reports provide extensive analysis of all of the potential traffic impacts to the surrounding roadways, including impacts to the freeway. The analysis includes not only the potential traffic impacts, but also identifies the required traffic improvements in order to mitigate potential impacts related to unacceptable levels of service.

As disclosed in the EIR, the Project will result in potential cumulative impacts to freeway SR-210. As noted by Caltrans in its letter of March 15, 2012, Caltrans prepared a

Project Study Report (PSR) in 2008, identifying improvements to the SR-210. A PSR is a preliminary engineering document used to program funds and initiate environmental studies of proposed improvements. However, as stated in the Draft EIR, neither the applicant nor the City has control over Caltrans and therefore there is no way to ensure impacts to those freeway segments are mitigated. (DEIR pg. 3.15-112 to 113.) Additionally, due to the nature of Development and Fair Share Impact Fees, there is no way for the applicant to ensure that future improvements will be constructed when needed in order to mitigate potential traffic impacts prior to when they occur. Therefore, while the needed improvements and appropriate fees have been identified, in order to provide a conservative analysis of all potential impacts, the impacts related to Caltrans' controlled roadways were identified as significant and unavoidable. (DEIR p. 3.15-113.) Note that even without the Project, the cumulative impacts for the freeway segments would operate at an unacceptable level of service.

- **How will this proposed step profit Redlands on a financial, quality of life and future growth basis?**

The Project, as proposed, will develop approximately 275,500 square feet of commercial retail space in an existing vacant lot within the City of Redlands. This includes the Redlands Crossing Walmart consisting of approximately 215,000 square feet of full service retail goods, open 24-hours per day, seven days a week. Along with general retail and grocery goods, the store will offer a Tire & Lube Express, pharmacy, banking center, food service, a photo center, garden center, and similar services. The Project will be developed with a high-quality mix of retail, grocery, restaurant and commercial uses that will complement each other and encourage one stop shopping within the area. The Project will provide convenient and affordable shopping opportunities to the residents of the City of Redlands and surrounding areas and will provide the Redlands Crossing Center with a nationally recognized general-merchandise anchor to attract consumers and other businesses to the Project, helping to ensure the center remains a vibrant shopping center for the City of Redlands.

CORY BRIGGS (July 13, 2012 Letter; Transcript pp. 128 – 130.)

- **There are indirect subsidies. The EIR states that there will be significant unavoidable traffic impacts; and that the small portion of mitigation fees that Walmart pays will not be enough to ensure that there are no significant traffic impacts. To let Walmart off the hook when other businesses, like Stater Bros. who pay for it upfront and get reimbursed later, is an indirect subsidy.**

The EIR states that the Project, with the proposed mitigation and Project improvements, will not have any direct Project impacts to the surrounding roadways. The EIR does demonstrate that the Project may have indirect or cumulative impacts for future years. As required under the law, the applicant will pay the required development impact fees for any impacted intersections or roadways that are already identified within the City's development impact fee program. For any intersections that are not identified in this

program, the applicant will contribute the identified percentage of fees tied to their share of the impacts to such intersections (the fair share fees). (DEIR pg. 3.15-103.) As supported under case law, this is an appropriate way to offset the potentially significant impacts as determined within an EIR. The EIR identified the impacts; the required improvements needed in order to make the intersection operate at an acceptable level of service; and will include either direct improvements made by Walmart (MM TRANS-1a through MM TRANS-1e) or through the identified payment of fees based upon the Project's contribution to the impacted roadway. (See Table 3.15-23, DEIR pg. 3.15-100).

- **Contends that the Brown Act requires that agenda materials be available at public meetings.**

Government Code Section 54957.5 (a), states that “ Notwithstanding section 6255 or any other provisions of law, agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body by any person in connection with a matter subject to discussion or consideration at a public meeting of the body, are disclosable public records under the California Public Records Act...and shall be made available upon request without delay.” Mr. Briggs was the only member of the public who requested a copy of the staff report distributed to the City Council, and immediately upon that request the City provided him a copy to review and keep. Nothing in state law requires that an agenda book be kept. It should further be noted that the complete staff report and all exhibits were posted on the City's Website on July 13, 2012 prior to the Special Council Hearing on July 18, 2012.

- **Climate Change**

- **It is inaccurate for the EIR to state that there is no guidance available to assess potential impacts of GHGs.**

The EIR does not state this – it expressly employs the SCAQMD draft GHG threshold/methodology. (Draft EIR 3.17-17.)

- **EIR failed to include analysis of GHGs from the Project.**

This is not correct. Construction and Operational GHG emissions are quantified and broken down by multiple categories. (Draft EIR 3.17-18 – 3.17-26.)

- **EIR does not include a finding of significance or a threshold of significance for GHGs. Some lead agencies have found any net GHG emissions to be significant and this required that Redlands do the same.**

This is not correct. The EIR expressly employs the SCAQMD draft thresholds/methodology. (Draft EIR 3.17-17.)

- **EIR failed to mitigate for GHG impacts – recommends**
 - **Solar panels/renewable energy certificates**
 - **Mitigation Measures recommended by CAPCOA’s 2008 Climate Change publication.**
 - **List of recommended on-site measures to reduce operational GHGs**

The EIR concludes that GHG impacts are less than significant with the implementation of various AQ and Hydro mitigation measures so no need to adopt additional Mitigation Measures. (Draft EIR 3.17-32.) Comment does not contain any explanation as to why GHG impacts would remain significant and thus does not explain why the City should consider requiring any additional mitigation.

- **Energy**
 - **EIR does not analyze peak hour vs. non-peak hour energy needs or identify which activities are using energy.**

The Project is a typical retail development that includes a big box retailer, drive-through and sit down restaurants, and retail space. The Walmart proposed for the big box retail space will operate 24-hours and is analyzed as such. The remaining users are currently unknown, but will be required to abide by the applicable statutes and regulations related to energy consumption and energy efficiency measures. The EIR identifies, in its project description, the uses that are attributable to the Walmart store, including a garden center, tire and lube facility, pharmacy, medical care center, food service, photo studio, banking center and arcade, and other similar services within the store. This is a typical retail development that will not utilize a substantial amount of energy beyond what is characteristic of other similar retail and service-oriented commercial projects. The Project can, and will, be serviced by Southern California Edison.

The EIR analyzes the stores energy consumption and takes into consideration the energy saving measures that are incorporated into the Walmart store’s design. (DEIR 5-3 through 5-11). The proposed store’s energy consumption is further controlled through a centralized facility, rather than on site, that maintains a continuous atmosphere through the 24-hour period. The Project, as designed, includes a substantial number of Project design features that will act to reduce the amount of energy needed as opposed to other similar retail establishments. This includes energy efficiency features such as: a daylighting system (skylights, electronic dimming ballasts, computer controlled daylight sensors, etc.), which automatically and continuously dims all of the lights as the daylight contribution increases; night dimming that would dim to approximately 75 percent illumination during the late night hours; super high efficiency HVAC units with a weighted Energy Efficiency Ratio that is 4 to 17 percent more efficient than required by Title 24 energy efficiency standards; an energy management system that is monitored and controlled from the Walmart corporate headquarters in order to monitor energy usage, analyze refrigeration temperatures, and observe HVAC

and lighting performance; capturing waste heat from the refrigeration equipment to heat water for the store's kitchen prep areas; a white membrane roof with a high solar reflectivity that results in lowering the cooling load by approximately 10 percent; interior lighting that would utilize T-8 fluorescent lamps and electronic ballasts, which are the most efficient lighting on the market; and the use of LED lighting for all internally illuminated building signage. (See Draft EIR, pp. 2-21 to 2-22.)

This is a typical retail development that will not utilize a substantial amount of energy beyond what is characteristic of other similar retail and service-oriented commercial projects. The Project can, and will, be serviced by Southern California Edison. There will be no environmental impacts, either during the peak or non-peak hour, related to energy use.

- **EIR's conclusion that energy use will not be wasteful or inefficient is unsubstantiated.**

Public Resources Code section 21100(b)(3), recently amended by AB 1575, requires EIRs to consider whether the wasteful, inefficient, and unnecessary consumption of energy is caused by a project. To facilitate this process, the State Resources Agency created Appendix F of the CEQA Guidelines. Appendix F is an advisory document that assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. Section 5.3 of the Draft EIR analyzes the Project and applies the analysis set forth in Appendix F.

Section 5.3 discusses the regulatory requirements and specifically addresses both the construction and operational requirements of the Project. (DEIR 5-3 to 5-11). Construction equipment and energy requirements are considered and analyzed under current regulations, and consideration is given for the energy saving and efficiency measures that are built into the design of the overall store, including the daylighting system, night dimming, the use of super high efficiency heating, ventilation and air conditioning units, the use of central energy management, the recapture of waste heat from the refrigeration equipment, white roofs, interior lighting program, and other Project considerations. The DEIR also looks at the potential vehicle trips generated by the project and the use of fuel for those trips and determined that the Project would not result in a substantial change in overall fuel consumption in Redlands. (DEIR 5-10). The DEIR analysis follows the requirements and analysis set forth in Appendix F and properly finds, based upon this analysis, that the project will not have wasteful, inefficient, and unnecessary consumption of energy.

- **EIR fails to include mitigation measures to prevent energy waste; reliance on Title 24 alone is insufficient.**

The Project includes design features that meet and exceed Title 24 requirements and there is no demonstration that these design features are not sufficient to address energy efficiency concerns. Even so, the Project will be required to meet all statutory and regulatory thresholds set forth under Local, State and Federal law so as to ensure

compliance with energy efficiency requirements. As discussed previously, the Project as designed incorporates a substantial number of Project-related design features that will greatly reduce the amount of energy required and improve the energy-efficiency of the Project as compared to other similar retail development of this size and scale.

The EIR does not rely on Title 24 to demonstrate that the Project will not be wasteful; it also lists Project's specific design elements that will reduce energy demand. (Draft EIR, pp. 5-10 to 5-11.)

- **Water Supply/Quality**

- **EIR fails to take into account “serious drought conditions” which render water supplies uncertain.**

It is unclear what potential conditions the commenter is referring to that would in some way negate the detailed analysis provided in the EIR. As part of the environmental analysis, the EIR provided a complete and thorough analysis regarding the potential impacts related to sufficient water supplies under CEQA.

Based upon the San Bernardino Valley Regional Urban Water Management Plan, the current and planned water supplies for Redlands, as well as the projected groundwater pumping amounts, are detailed in the EIR through the year 2030. Current and planned water supplies for Redlands include a diverse water infrastructure system, such as supplier-produced groundwater, recycled water, wholesale purchases, and surface water. Most of the City's existing sources of water come from four main supply sources, capable of pumping up to 34 million gallons per day of supply. Additionally, the City is planning to implement a non-potable system that will use non-potable well water and reclaimed water for irrigation and other non-potable water uses. (See Table 3.16-2 and 3.16-3; Draft EIR pp. 3.16-3 to -4.)

The current and planned water supplies for the City includes 31,749-acre feet per year for the year 2010, and 43,120-acre feet per for the year 2030. Table 3.16-4 provides a water consumption analysis estimated for both the Walmart and Outparcels 1 through 9. The Project will only consume approximately 0.00000014 to 0.00000011 percent of the available water supply for the year 2010 and 2030 respectively. (Draft EIR, p. 3.16-11.)

The San Bernardino Valley Regional Urban Water Management Plan quantified the amount of water supplies available through 2030 and concluded that sufficient water supplies are available to serve all customers within the City of Redlands through that year. As such, there is more than sufficient water supplies to meet the needs of the City, including the Project, through 2030.

It should be noted that as part of the Project's design features, there are a number of water reducing features such as: low flush toilets that use 1.28 gallons per flush, which saves roughly 25 percent water supply above average toilets; low flow faucets that reduce water usage by 77 percent; faucet sensors to regulate the amount of time

faucets flow; urinals that reduce water usage by approximately 87.5 percent; maintaining water pressure at 55 pounds per inch or less, and the incorporation of infrastructure to allow for recycled water irrigation. (Draft EIR, pp. 2-22; 3.16-14.)

- **EIR fails to take into account climate change impacts on water supply, including SWP's estimates of the impact of climate change on supply.**

As stated in the DEIR on pages 3.16-2 and 3.16-3, "the City of Redlands receives its water from the following sources:

1. Mill Creek Watershed: Water from the Mill Creek watershed is treated at the Henry Tate (Tate) Water Treatment Plant (WTP) located on Highway 38 east of Mentone.
2. Santa Ana River Watershed: Water from the Santa Ana River watershed is treated at the Horace Hinckley WTP located north of Mentone.
3. Local Groundwater: Local groundwater is pumped from wells in Redlands, Mentone, and Yucaipa.
4. California State Water Project (SWP) Water: When required, SWP water is treated at the Horace Hinckley WTP and Tate WTP."

On page 3.8-18 of the DEIR, it states,

The City of Redlands provides water services within the Project area and it is anticipated to provide water to the Project site. According to water usage rates for Walmart stores with similar square footage, the Project is anticipated to demand approximately 11,571 gallons of water per day (0.042 gallons per square foot multiplied by 275,500 equals 11,571). Redlands' average daily water consumption is 27 million gallons per day (mgd) with a maximum daily of 50 mgd in the summer. The maximum storage capacity for the City is 54.5 million gallons. Therefore, the estimated amount of water usage by the Project (11,571 gallons of water per day) will be well below the City's average water consumption rate (50 mgd).

Further, the Project will be consistent with the City of Redlands Municipal Code Chapter 15.54, Water Efficient Landscape Requirements, through installation, maintenance, and management of water efficient landscaping; and through implementation of water management practices and water waste prevention for landscaping. Consistency with the City of Redlands Municipal Code Chapter 15.54 will further reduce impacts to groundwater supplies.

Nonetheless, long-term water supply is a significant concern in California, and the Project can reduce its demand on water supply through the implementation of water conservation measures. Mitigation is proposed that would require the Project applicant to implement outdoor irrigation and indoor domestic water conservation measures and practices. These measures would reduce overall

Project demand for potable water and ensure that long-term water supply impacts are less than significant.

Therefore, the water supply will be adequate, even if SWP supplies are impacted more than anticipated by either drought or climate change.

- **EIR is inadequate because future water supplies identified for the Project are not likely to be available; SWP water ability to meet Project demands is not supported by substantial evidence.**

The EIR does not say that the Project will have to rely on future water supplies; rather it discloses that the Project can be served from currently available water supplies. (DEIR pp. 3.16-14 – 15.)

- **The ability obtain SWP is uncertain, and so the ability to draw SWP from Bunker Hill Basin is uncertain.**

As shown by responses above, the project's water will be supplied by the City of Redlands. The City of Redlands does not wholly depend on the SWP for its water. As stated on page 3.16-3 of the EIR,

“The City has four main supply sources available. The potable wells can produce about 34 million gallons per day (mgd) of supply. The Horace Hinckley WTP currently can treat 14.5 mgd. The Tate WTP was recently upgraded to be able to treat SWP water in addition to Mill Creek water. The rated capacity of the plant is 20 mgd per day. The City is also planning to continue to implement a nonpotable system that will use nonpotable well water and reclaimed water for irrigation and other non-potable water uses such as power plant cooling towers. Several phases of this non-potable water system have been completed and are able to provide approximately 3.5 mgd. The City also has additional wells solely dedicated to irrigation use that have a design capacity of 9 mgd.

The City has numerous options for obtaining new potable water sources or managing demand. The potential options include (1) increased production of water from the groundwater basin through well rehabilitation, contaminated flow treatment, or new well construction; (2) increased conservation practices; (3) continued expansion of its reclaimed water system; or (4) purchase of additional water from the SWP.”

As the purchase of water from the SWP is on an “as needed” basis, and there are numerous other sources of potable water that the City relies on, the supply from SWP is not considered an obstacle to attainment of adequate water supply.

- **EIR fails to evaluate the environmental impacts of supplying water – infrastructure demand on impacts on availability of**

- **Bunker Hill Basin contains several contaminated plumes. EIR does not analyze public health impacts of using this water or impact of pumping groundwater below safe yield.**

As outlined within the EIR, California Water Code Sections 10910 through 10915 require that a Water Supply Assessment be prepared for any project containing a shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space. The Project proposes to develop 215,000 square feet for the proposed Walmart, 60,500 square feet for outparcels 1-9, totaling 275,500 square feet. In addition, implementation of the Project will generate approximately 436 new jobs. Therefore, the Project is below the 500,000 square feet of floor use or 1,000-employees and is not required to provide a Water Supply Assessment.

Water consumption would be consumed from short-term construction activities and long-term operational activities. Short-term construction water consumption from development of the proposed Project would be spread out over the length of construction activities and would not occur all at once. The actual volume of water consumption of at any one time is not expected to pose a significant impact to water supply.

The Project will tie in to the nearest water line, which is located immediately adjacent to the site. The Project's water consumption estimate is provided in Table 3.16-4 (see Section 3.16, Utilities, of the EIR). As shown in the Table 3.16-4, the Project is anticipated to demand 14,817 gallons of water on a daily basis. As described within Section 3.16, Utilities, the 2010 San Bernardino Valley Regional Urban Water Management Plan concluded that sufficient water supply is available between 2010 and 2030 to serve all customers within the City of Redlands; refer to Table 3.16-2 (See Section 3.16.2, Existing Conditions, for Table 3.16-2). The Project is consistent with the Land Use and Zoning designations for the Project site and will therefore be served with adequate long-term water supply. In addition, as previously outlined within Table 3.16-2, the current and planned water supplies for the City of Redlands includes 31,479-acre feet per year for the year 2010 and 43,120-acre feet per year for the year 2030. Consequently, implementation of the Project will consume approximately 0.00000014 to 0.00000011 percent of the available water supply for the year 2010 and 2030, respectively.

In addition, the Project would reduce its demand on water supply through the implementation of various indoor and outdoor water conservation measures detailed in the Project's sustainability features discussed in detail in Section 2, Project Description, of the EIR. Specifically, water conservation measures recommended by the California Department of Water Resources, as well as the City's landscape ordinance, will be incorporated into the Project as appropriate, including but not limited to: a) low flush toilets of no greater than 1.6 gallons per flush and b) keeping water pressure at 55

pounds per inch or less. Some portion of the landscaping, especially shrubs and trees, may be native species or species that are adapted to drought conditions. However, the commercial nature of the project means that a good portion of each lot will likely be asphalt, concrete, and minimal turf, which will have a “low” water consumption.

Additionally, mitigation measure MM HWQ-2a through HWQ-2c requires the applicant to install outdoor irrigation and indoor domestic water conservation measures and practices and plumb landscaped areas with “purple pipe” prior to issuance of the certificate of occupancy for the Walmart store to allow for recycled water irrigation. These measures would reduce overall Project demand for potable water and ensure that long-term water supply impacts are less than significant. As outlined above, the plume from the Bunker Hill Basin has been addressed within the San Bernardino Valley Regional Urban Water Management Plan and impacts to water supply to the City of Redlands and the Project site would be less than significant.

- **Project required a Water Supply Assessment.**

No WSA required as the Project is under 500,000 square feet and will not require the equivalent amount of water as a 500 dwelling unit project.

- **Findings/RTCs**

- **City /EIR failed to make finding that the Project is regionally significant.**

It appears that this comment is referring to CEQA’s requirement that there be state agency review of EIRs for projects of “statewide, regional, or areawide environmental significance.” (Pub Res C § 21083; CEQA Guidelines § 15206(a)(1).) This includes projects which “have the potential to cause significant effects on the environment extending beyond the city or county in which the project would be located.” CEQA provides several examples of such projects, and this Project does not fall into any of those categories (it is not, for instance a shopping center with over 500,000 square feet of floor space...) Even if, arguably, the Project is of “regional” significance, the only requirement for such a project is that the draft EIR and a notice of completion be submitted to the State Clearinghouse for state agency review, which was done by the City. CEQA does not require any separate special “finding” of regional significance.

- **City failed to consult with adjacent cities, counties and responsible agencies.**

The commentor does not identify what jurisdictions or responsible agencies he feels the City failed to consult. The list of responsible agencies for the Project (all of whom were consulted with) can be found in the EIR at page 2-28. Furthermore, a Notice of Preparation, Notice of Availability and a Notice of Completion were submitted to the State Clearinghouse. All agencies within jurisdiction of the Project (as required by the State Clearinghouse) were provided a copy of all notices and the EIR for review.

Potential concerns or comments by the agencies would have been addressed to the City of Redlands or State Clearinghouse for an appropriate response.

- **City failed to respond to comments.**

The commentor provides no example of what comments he feels were not adequately responded to. The EIR contains the City's good faith reasoned analysis of every comment submitted during the public comment period on the EIR.

- **City failed to make findings to approve the project and re: environmentally superior alternative; findings are not supported by substantial evidence.**

The commentor provides no explanation as to why he feels the findings proposed for the Project are inadequate. While the proposed findings for the Project are subject to review and revision by the City Council prior to any approval action, the current draft Findings are detailed and supported by substantive evidence as to each finding.

- **Air Quality**

- **EIR failed to analyze indoor air quality impacts.**

The EIR already analyzed the worst-case air quality scenario when it considered outdoor exposure to air quality. It found all impacts to be less than significant with mitigation with the exception of an operational exceedance of SCAQMD's Regional Emissions Thresholds. As the regional operational thresholds for several criteria pollutants, their contribution to the overall SCAQMD regional emission burden would add to a cumulatively considerable impact. On a localized level, the emissions are considered to be less than significant. As to any impact that is less than significant based on outdoor exposure, it is, per se, less than significant indoors. Furthermore, indoor air quality problems are caused primarily from indoor sources that release gases or particles into the air. Ventilation can decrease indoor pollutant levels by diluting the concentrations. The indoor air pollutants include VOCs from new carpets and fresh paints, mold spores, radon, cigarette smoke, and combustion sources.

- **City must implement all feasible mitigation measures to address significant air quality impacts.**

As disclosed in the EIR, the Project will result in significant and unavoidable impacts related to operational and cumulative exceedance of SCAQMD's Regional Emissions Thresholds; however, further mitigation of those impacts is not feasible. The thresholds exceeded by the project are regional, and would occur no matter where the project was located in the South Coast Air Basin (basin). On a localized level, the project's air quality impacts are less than significant with mitigation.

The basin consists of Orange County, all of Los Angeles County except for the Antelope Valley, the non-desert portion of western San Bernardino County, and the western and Coachella Valley portions of Riverside County. The air quality in the basin is impacted by dominant airflows, topography, atmospheric inversions, location, season, and time of day. Based on the 2003 and 2007 Air Quality Management Plans (used in this project's analysis), the basin is in nonattainment for ozone, particulate matter (PM10 and PM2.5), and nitrogen dioxide, which means that concentrations of those pollutants currently exceed the ambient air quality standards for those pollutants. It is not feasible to require every sensitive receptor (residences, schools, nursing homes and the like) within the basin to install a filtration system, run their HVAC system 24 hours a day, and keep their windows closed. Furthermore, as stated previously, external ventilation can reduce the potential for indoor air quality impacts to a less than significant level.

- **Hazardous Materials**

- **Project employees will be exposed to pesticides on products. This impact should have been analyzed. City should mitigate for this impact by requiring that all produce be organic or reducing pesticide exposure.**

This is not a CEQA issue. Implementation of the Project, more specifically, the grocery store component will abide by all federal, state and local regulations regarding pesticides on produce products. Abidance by all state and local regulations regarding regulation on use of pesticides on produce products will reduce impacts in this regard to a level of less than significant.

AMANDA FRYE

- **The EIR mischaracterizes the agricultural land impacts and it is still Prime Farmland regardless of when it was last utilized or watered.**

In order to be shown on FMMP's Important Farmland Maps as Prime Farmland and Farmland of Statewide Importance, land must meet the following criteria: The soil must meet the physical and chemical criteria for Prime Farmland or Farmland of Statewide Importance as determined by the USDA Natural Resources Conservation Service (NRCS). NRCS compiles lists of which soils in each survey area meet the quality criteria.

Therefore, FMMP's maps are based on USDA Natural Resources Conservation Service data. In addition, as outlined within Section 3.2.5 of the EIR, according to the State's FMMP, the Project site is classified as having approximately 9.70 acres of prime farmland, 0.15 acre of farmland of statewide importance, 35.68 acres of grazing land, and 0.10 acre of urban built-up land. Consequently, the Project site is not located within an area categorized as "Other Land" which includes vacant land. Agricultural impacts analyzed within the EIR are therefore accurate.

The commentor states that the Farm Bill of 1981 is the start of a federal effort to protect farmland from conversion to non-agricultural uses and contends that the Federal Acts and implications of this agricultural land conversion were not adequately addressed in the DEIR for Redlands Crossing. Congress enacted the Farmland Protection Policy Act (FPPA) as a subtitle of the 1981 Farm Bill. The purpose of the law is to "...minimize the extent to which Federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses..." (P.L. 97-98, Sec. 1539-1549; 7 U.S.C. 4201, et seq.). The Project will not use federal programs nor is it apart of a federal program and does therefore not apply to the proposed Project.

The commentor also states that the land use discussion fails to discuss the impact of urbanization of prime agricultural land and future needs for locally grown food. See discussion under Response to Comment FRYE-1, which discusses the lack of impacts to agricultural resources within the City of Redlands.

Further, local Measures U, Proposition R, and Measure N are addressed within Section 3.2, Agricultural Resources of the EIR. As concluded within the EIR, a growth control zoning ordinance within the City of Redlands known as Proposition R, as amended by Measure N, purports to allow residential units (excluding congregate and single room occupancy units) to be built within the City provided with service connections located in the County and later to be annexed into the City. The Project does not propose to develop residential uses within the Project site. Therefore, the City's Proposition R and Measure N are not applicable to this Project.

According to Measure U (December 12, 1997), the purpose and intent of this initiative measure is to establish comprehensive and inviolable principles of managed development for the City of Redlands that will preserve, enhance, and maintain the special quality of life valued by this community. The principles of managed development established by this initiative measure assure that future development within the City of Redlands occurs in a way that promotes the social and economic well-being of the entire community.

This initiative measure is consonant with and furthers the purpose and intent of Proposition R, approved by the voters in 1978, and Measure N, approved by the voters in 1987 with regard to the preservation of agricultural land. However, as previously discussed, the Project site is zoned as CP-4 (Concept Plan - 4) per the East Valley Corridor Specific Plan (EVCSP), a designation of General Commercial District in Concept Plan No. 4 and a land use designation of Commercial within the City of Redlands General Plan, which is consistent with the Project's proposed uses. Consequently, the Project site has been planned for urban development as part of the EVCSP since its adoption in 1989. Furthermore, the City of Redlands retains substantial areas of agricultural lands within the City. Specifically, substantial agricultural preserves exist in the City's Canyon areas; concentrated areas of agricultural lands remain in the northern areas of the City; and the City maintains broad areas for Citrus production throughout the City. This is further confirmed by the City's General Plan, which demonstrates that many agricultural lands remain within the City

(see Redlands Planning Area MEA Figure 5.2, Agricultural Lands). Implementation of the Project will therefore have a less than significant impact to the conversion of prime farmland, unique farmland, or farmland of statewide importance.

GREG PETTIS

- **Walmart will destroy business in two ways: (1) when they arrive (impacts to existing businesses); and (2) When they leave and hurt the businesses that now depend on Walmart being there and leave a vacant big box.**

Although the Lead Agency may consider such impacts when deciding whether to approve a project, CEQA does not require the evaluation of impacts related to low wages, business practices, and economic impacts in an EIR; as related to low wages, business practices, and economics aside from urban decay issues do not pertain to the potential “significant impacts on the environment” (PRC § 21060.5). However, CEQA does require an evaluation of physical changes to the environment that would result from social or economic impacts, including the closure of local businesses. Accordingly, the Redlands Crossing EIR included an Urban Decay analysis as Section 3.18, which analyzed the potential for urban decay, or blight, in the project area that could result from the implementation of the proposed project. Based on the Urban Decay Analysis contained in Appendix J of the EIR, Section 3.18 determined that no significant impacts would result from the project related to either 1) the creation of long-term store vacancies or the abandonment of buildings within the retail market served by the Project or 2) the physical deterioration of properties or structures that would impair the proper utilization of the properties or structures, or health, safety, and welfare of the surrounding community. Because the EIR properly analyzed the potential physical impacts that could result from economic or social changes in the project area, no further analysis is required.

Walmart has been operating in Redlands for over two decades, since November 15, 1991. The Proposed project is not to add a second Walmart store to the City, but to provide an updated, community orientated store. The EIR evaluated grocery stores (DEIR pg. 3.18-13), general merchandise and other retail sales (DEIR pg. 3.18-15), restaurants and fuel facilities (DEIR pg. 3.18-16), and potential impacts to Redlands Downtown (DEIR pg. 3.18-18). The EIR found no significant impacts related to urban decay as part of the proposed Project.

The Urban Decay analysis found that the inclusion of a supermarket component would be unlikely to cause any existing supermarkets in the area to close. Sales at existing grocery stores would decrease by about 4.3% the first year, but are expected to recover to about 97% of existing sales by 2014. (DEIR, pg. 3.18-14.).

The Project would result in a net increase of 74,327 square feet of retail space devoted to GAFO (General Merchandise, Apparel, Furniture/ Appliances, Other/Specialty) which represents a small portion (approx 18%) of the residual market support for GAFO and is unlikely to represent a significant impact on surrounding stores. (DEIR p. 3.18-16). The

EIR also found no significant urban decay impacts related to restaurant space or fuel facilities.

The EIR determined that because the Project is largely a relocation of an existing Walmart that has already been operating in competition with Downtown Redlands, the proposed Project is unlikely to have any additional impacts on Downtown. (DEIR p. 3.18-18).

Lastly, Table 3.18-5 in the EIR illustrates the potential demand for absorption of this available space at 2050 West Redlands Blvd. (the anticipated vacant Walmart) and finds that there is sufficient demand for space to accommodate both the new project location and the existing store location and therefore the Project would not contribute to existing vacancy rates. (DEIR pg. 3.18-17.)

The commentor discussed vacancies in Cathedral City related to Walmart that he says have remained for nine years. The EIR's Urban Decay analysis took the Cathedral City Wal-Mart into account in its analysis. Please also note that the Cathedral City store site was recently partially reoccupied by a 99 Cents Only store. (Draft EIR 3.18-31.)

BILL PEREZ

- **The local contractors will not benefit from the proposed new jobs since Walmart hires out of state contractors and not local companies.**

This comment does not relate to an environmental impact, but instead concerns economics and the introduction of new jobs from implementation of the Project. Such comments do not relate to the "environment" as defined by CEQA, and are not properly addressed within an EIR (PRC § 21060.5; State CEQA Guidelines, § 15064(e)). However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

In addition, implementation of the Project would be expected to create approximately 206 new job positions. This includes the creation of 85 new job positions at the new Walmart store and approximately 121 new job positions for Parcels 1 to 9. In addition, 230 of the existing jobs at the existing Walmart store would be moved to the new Walmart store, from the potential closure of the existing Walmart store. Consequently, the Project would provide an overall of 436 jobs at the Project site.

The applicant for this Project has informed the City that Walmart uses a bidding process for all of its construction projects. While the general contractors must be pre-approved through a vetting process with Walmart in order to participate in the bidding, there is not a regional or geographic limit as to the companies that may obtain pre-qualification. Contractors usually find it to be beneficial and economical to use local labor where a qualified labor force exists, such as in the Inland Empire. Four current and recent San Bernardino County Walmart projects in Hesperia, San Bernardino, Upland, and Victorville have been awarded to Southern California contractors.

BRIAN ROACH

- **The City should force Walmart to buy additional land as conservation beyond what is provided in the EIR and donate it to the City.**

Under Municipal Code section 3.32.050, “in lieu of the payment of the fees required by [Chapter 3.2], the city council may, in its sole discretion, accept the donation of land or the construction of improvements and development of park land to satisfy all or part of the obligation to pay the fees required [Chapter 3.2].” As documented in the EIR, the Project sponsor will pay Chapter 3.2 fees in the amount of \$0.62 per square foot (the established amount for commercial developments) at the time of building permit issuance. (Draft EIR at p. 3.14-7.) Nothing in Chapter 3.2 authorizes the City to require land donation where an in-lieu fee is offered.

The Project applicant has informed the City that Walmart has created and participates in a program called “Acres for America”. The goal of Acres for America is to set aside as part of a conservation program one acre for every acre of raw land that used for development of a Walmart store. Working with established conservation agencies, in 2005 Walmart set the goal of permanently protecting 138,000 acres of land to offset Walmart’s domestic development footprint through 2015. To date, nearly 680,000 acres have been protected, with more than 19 projects in 25 states with 75 partners, including in both Northern and Southern California.

STEVE RODGERS

- **Contends that he made a Public Records request to Dan McHugh via a May 5, 2012 email and received no response.**

While comment is not related to the adequacy of the EIR or the environmental analysis for the Redlands Crossing Project, please note that the City did respond to the comment’s public records request.

- **The commenter states that a tentative map was electronically provided in 2007. Then, as requested, the commenter received Tentative Map No. 19060 that was dated January 9, 2012, and which corresponded to the details analyzed within the Draft EIR. The commenter states that the EIR must therefore be recirculated.**

As identified within the comment, the map’s details match that of the Draft Environmental Impact Report that was circulated for public review from November 21, 2011 through January 18, 2012.

As detailed within the EIR, the site plan for the Project identified parcels 1 through 9 for the outparcels, parcel 10 for the Walmart site, and Lot A for the surface infiltration basin. (See Exhibit 2-4 and Table 2-2: Site Summary, within the Project Description). While

parcel 11 was identified in the EIR, it is not part of the overall proposed Project. Based upon the Project as described in the Project Description, the EIR included an exhaustive analysis of all of the potential environmental impacts that may occur and incorporated all feasible mitigation measures in order to offset any potentially significant environmental impacts.

Pursuant to CEQA, the critical issue related to the need for a document to be recirculated is whether or not the new or changed information added to an EIR is significant or not. As discussed under CEQA Guidelines § 15088.5(a), significant new information is information that would (1) present a new significant environmental impact; (2) a substantial increase in the severity of an environmental impact; (3) an alternative or mitigation measure that would lessen the environmental impacts but which the proponent fails to adopt; or (4) where the Draft EIR is so fundamentally inadequate and conclusory that it precludes meaningful public review and comment. Where new information merely clarifies or makes insignificant modifications to an adequate EIR, recirculation is not warranted under CEQA. (CEQA Guidelines § 150088.5(b)).

As stated, the Redlands Crossing Center Draft EIR provided within the Project Description a site plan and parcel descriptions that illustrated the layout of the Project and provided suitable detail in order to evaluate the entirety of the potential environmental impacts. In no way does the information provided by the commentor meet the standards for recirculation under CEQA Guidelines § 15088.5.

Therefore, while recirculation is not warranted, the provided comments will be included as part of the administrative record.

WILLIAM CUNNINGHAM (July 17, 2012 Letter)

- **Air quality impacts (carbon dioxide, ozone and PM10) are not adequately addressed for the “estimated market area” and cannot be mitigated below a level of significance.**

Please see response to comment CUNNINGHAM-1 (Final EIR 3-378.)

- **Wal-Mart results in the loss of 1.4 jobs for every 1.0 job created. EIR fails to address this impact related to closing and empty blighted buildings.**

Please see response to comment CUNNINGHAM-2 (Final EIR 3-378.)

- **Additional carbon dioxide from truck and vehicle traffic will result in significant and unavoidable impacts related to climate change.**

Please see response to comment CUNNINGHAM-3 (Final EIR 3-378.)

- **The proposed mitigation measures to address light and glare are inadequate to mitigation impacts to abutting residential neighborhoods to a less than significant level.**

Please see responses to comment CUNNINGHAM-4 (Final EIR 3-378 -379.)

- **The EIR's traffic model fails to address impacts to San Bernardino and Tennessee; San Bernardino and Orange; Tennessee and Colton; Tennessee and Redlands – particularly during the beginning and ending activities at Citrus Valley High School.**

Please see response to comment CUNNINGHAM-6 (Final EIR 3-379-380.)

- **Traffic impacts at several intersections exceed the required standards of the Growth Management section of the General Plan.**

Section 2.0, the Growth Management Element of the General Plan, generally states: "The General Plan provides for build-out of the Redlands Planning area. Growth management policies apply to development within the City of Redlands and state the City's position regarding development in the presently unincorporated portions of the Planning Area. The policies are intended to implement the Plan's land use proposals, maintain adequate public services, and ensure fiscal balance during the buildout period." Guiding Policy number 2.0 d of the Growth Management Element provides that the City should "encourage programs that will enable concurrent provision of necessary urban services prior to the approval of development projects requiring services." Implementing Policy number 2.03 of the Growth Management Element states in relevant part that the City will "consider the costs of extending urban facilities and services in the review of urban development."

To ensure that public service concerns and infrastructure costs associated with traffic impacts at street intersections which result from new growth are reviewed and adequately mitigated, Guiding Policies 5.20 b and 5.20 c of the Circulation Element of the General Plan provide, respectively, that the City will: (1) "Maintain LOS C or better as the standard at all intersections presently at LOS C or better;" (2) "Within the area identified in GP Figure 5.3, including that unincorporated County area identified as GP figure 5.3 as the 'donut hole,' maintain LOS C or better; however, (4/5ths) vote of the total membership of the City Council;" and (3) "Where the current level of service at a location within the City of Redlands is below the Level of Service (LOS) C standard, no development project shall be approved that cannot be mitigated so that it does not reduce the existing level of services at that location except as provided in section 5.20 b."

The EIR states that "with regard to the obligation to mitigate [traffic impacts] under these General Plan policies, the City has interpreted the policies to mean that a Project must provide mitigation for its direct impacts concurrently with the Project's construction and that a Project must pay a fair share fee for the Project's proportional contribution to any

cumulative impact. In this way, the City can assure that a Project has provided mitigation for all effects that may reduce the existing level of services consistent with the General Plan policies.” (Final EIR page 3.15-12 - 13.) The EIR demonstrates that the direct impacts of the Project, with mitigation, do not reduce any traffic levels of service below LOS C. To the extent that cumulative impacts of the Project impact the LOS C threshold, consistent with the determinations of the EIR, the CEQA Guidelines specifically recognize that requiring a project to implement or fund its fair share of a measure designed to mitigate a cumulative impact is an effective way to address the project’s contribution to the impact (14 Cal. Code Regs. §15130 (a) (2)). The Project is required to mitigate its cumulative impacts to maintain traffic levels of service at LOS C by the payment of the Project’s fair share of development impact fees which will be expended by the City for the construction of necessary infrastructure to maintain the levels of services pursuant to the City’s master capital improvement plan programs. Therefore, with the required mitigation, the Project complies with the requirement of both the Growth Management Element and the Circulation Element of the City’s General Plan.

- **Alternatives analysis does not adequately address the potential for development with a significant reduction in environmental impacts.**

Please see EIR Section 6 for a detailed discussion of the alternatives considered and the potential for these alternatives to result in fewer environmental impacts than the Project.

- **The EIR does not adequately address cumulative traffic impacts as a result of the development of properties north of San Bernardino Avenue and east of 210, as well as the further development of the CSA 110 area to the west.**

Please see response to comment CUNNINGHAM-7 (Final EIR 3-380.)

SAM IRVINE, C. E. DUCKETT (identical July 18, 2012 emails)

- **Store will increase crime and traffic at Citrus Valley High School**

The EIR discusses the potential for the Project to result in impacts related to police protection. Please see EIR pp. 3.313-8 – 3.13-9. Please also see EIR pp. 3.13-8 -3.13-9.) For a discussion of traffic and Citrus Valley High School please see EIR response to comments ROQUE 2 and 3. (Final EIR pp. 3-94 -3-95.)

- **Walmart parking lots are unsafe and blighted with trash and pit fires.**

The EIR discusses the potential for the Project to result in impacts related to police protection. Please see EIR pp. 3.313-8 – 3.13-9

ROPER

- **The commenter claims that “[l]awyers have sued more than 30 cities that approved the 200,000-square-foot combination grocery and department stores, claiming local officials hungry for sales taxes have miscalculated their environmental consequences.”**

The commenter does not provide any references to these cities, nor how many of the lawsuits, if any, were successful. In any event, the statement has no bearing on the findings in the EIR’s urban decay study. This comment concludes with another sweeping statement: “All across the country study after study by reputable academics and economists documents the devastation of business, resulting urban decay, negative impact on jobs and wages, and general malaise which ensues when Wal-Mart moves in.” Again, the commentor cites “study after study,” but provides no references to these studies. Thus, it is impossible to evaluate any potential claims in the context of evaluating the potential for urban decay in Redlands. The Urban Decay analysis provides a fact based, conservative, and independent account of the potential environmental impacts as requiring pursuant to CEQA. In addition, the EIR provides a detailed market analysis specific to Redlands indicating sufficient demand for the Project and to re-occupy the existing Walmart store.