

Received

MAR 31 2015

City of Jurupa Valley

City of Arts & Innovation

VIA: E-MAIL, US MAIL, AND HAND DELIVERY

March 31, 2015

REF: EDE 15-009

Victoria Wasco, City Clerk
City of Jurupa Valley
8930 Limonite Ave.
City of Jurupa Valley, CA 92509 - cityclerk@jurupavalley.org

Dear Ms. Wasco:

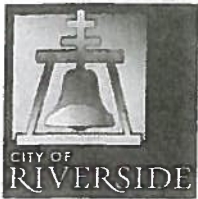
Pursuant to Public Resources Code section 21092.2, the City of Riverside respectfully submits this written request to receive notices of all City of Jurupa Valley projects, actions within the City of Jurupa Valley area, and actions where the City of Jurupa Valley is a responsible agency. In addition to those notices listed in section 21092.2 of the California Environmental Quality Act ("CEQA"), and more specifically, the City requests immediate notification of all CEQA-related actions - proposed, draft, final, adopted or otherwise - including, but not limited to Initial Studies, Addenda, proposed findings under Public Resources Code 21166 or State CEQA Guidelines 15162, and Notices of Exemption.

Thank you in advance for your cooperation. If there are any questions, please do not hesitate to contact me at (951) 826-2400.

Sincerely,

George R. Hanson
Engineering Manager
Riverside Public Utilities

cc: Pat Hohl, Assistant General Manager/Energy Delivery
Kristi J. Smith, Interim City Attorney
Jay Eastman, Principal Planner/Community Development



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Victoria Wasco, City Clerk
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8930 Limonite Ave.
City of Jurupa Valley, CA 92509 - cityclerk@jurupavalley.org

Subject: Public Records Act Request Vernola Marketplace Apartment Community Project

Dear Ms. Wasco:

Pursuant to the California Public Records Act, Government Code section 6250 *et seq.*, the City of Riverside requests copies of the following records, final and draft, relating to the Vernola Marketplace Apartment Community project:

- all written comments
- all verbal comments
- all letters
- all environmental studies, reports, documents, and notices
- all responses to any comments and letters
- all staff reports
- all reports prepared for or by any commission, committee, or council of the City of Jurupa Valley
- all electronic communications
- all recordings, audio or video, concerning the project
- speaker cards
- agendas
- minutes, including of official meetings
- notes, including of official meetings
- minutes of meetings attended by any staff, planner, or representative of Jurupa Valley, whether an employee or contracted
- notes taken by any staff, planner, or representative of Jurupa Valley, whether an employee or contracted
- minutes or notes taken by any official, elected or otherwise, of the City of Jurupa Valley

Thank you in advance for your cooperation in this matter. If you have any questions, please do not hesitate to contact me at your earliest convenience at (951) 826-2400.

Sincerely,

George R. Hanson
Engineering Manager

cc: Pat Hohl, Assistant General Manager/Energy Delivery
Kristi J. Smith, Interim City Attorney

Riverside Public Utilities • Energy Delivery

County Record, 4/2/15

Council Approves Apartments 4-1: SC Edison, Riverside Against Project

JURUPA VALLEY -- On a 4-1 vote with Councilman Brian Berkson dissenting, the City of Jurupa Valley City Council approved a 397 unit apartment complex on 17.4 acres on Pat's Ranch Road in Mira Loma. The apartment complex is proposed by Vernola Trust and Rick Bondar of McCune and Associates.

The apartments will be in the path of the city of Riverside's proposed reliability project, an effort between Riverside and Southern California Edison to build electrical transmission lines and towers through Mira Loma. None of the electrical power will benefit the City or Jurupa Valley or its 90,000+ inhabitants.

The city attorney, Peter Thorson, told council members letters opposing the project were received from Ray Hicks, Region Manager for Southern California Edison, and Riverside City's George Hanson, RTRP Project Manager.

Mayor Brad Hancock said 76 people signed a petition advocating the

apartments near the Lowe's Center between Limonite Avenue and 68th Street in southwest Mira Loma.

Robin Kilcoyne, owner of the Queen of Hearts horse therapy company, opposed the apartments.

Her company provides therapeutic horseback riding for youth, adults and disabled combat veterans.

She said "some members of the city council may have received campaign contributions from the developer" and she would like to know if they would be recusing themselves from voting on this matter.

The city's Attorney, Thorson, said the California Supreme Court ruled council members are not disqualified by taking a campaign contribution and it is not considered a conflict of interest.

Several people spoke in favor of the apartment complex.

Bondar noted for the record Southern California Edison and the City of Riverside submitted letters "attempting to block the development of any

project within the proposed Riverside Transmission Reliability Project (RTRP)."

Riverside and the Jurupa Valley are arguing for and against the transmission project. The City of Riverside needs the electricity as backup because of power outages.

The project will not benefit Jurupa Valley.

Citizens of Jurupa Valley have protested the City of Riverside project because it constructs unsightly towers alongside the 1-15 freeway, along the Santa Ana River, and into Riverside.

The vast majority of the towers will be in Jurupa Valley - and all on prime Jurupa Valley property designated for future development, including new shopping centers.

The 4-1 vote and debate was done at the city's March 19 council meeting.

Citizens arguing against the development were concerned about traffic congestion in an area already overwhelmed with traffic gridlock.

Bondar said the apartments provide the least amount of traffic -- adding that industrial or commercial development would bring much more traffic.

Mayor Brad Hancock is asking that a portion of \$1.2 million given to the city by the developers as mitigation fees be used specifically to address the traffic congestion the project may create.

May Hearing on Power Lines in The Works

California Public Utilities Commission will hear Jurupa Valley argument about City of Riverside as lead agency in transmission lines and towers

JURUPA VALLEY -- There may be a public hearing in May with the members of the California Public Utilities Commission (CPUC) which has agreed to hear the City of Jurupa Valley's complaint about the City of Riverside being the lead agency in the Riverside Transmission Reliability Project (RTRP).

The question is where and when in May will the hearing be held.

The CPUC meets May 9 and 23 at the San Diego County Operations Center, 5520 Overland Avenue.

The CPUC meets May 13 at its commission headquarters at 505 Van Ness Avenue in San Francisco.

Mayor Verne Lauritzen is taking the public hearing on this one of many issues to the limit and is asking for the hearing to be held at the Ontario Convention Center.

"That's what I'd like to see, neutral territory and close enough we could get some people there," the mayor said.

Ed Hawkins has an in-depth report on the RTRP in this week's edition (see page 6).

Mayor Lauritzen said Jurupa Valley has an opportunity to succeed on this issue if it can have the hearing close enough to allow citizens to attend in force.

Bury the Wires...

Editor, The Record:

Sir. - What an innovative idea Riverside City officials have to tell Jurupa City we can use the land under the electrical towers for commercial.

So far Southern California Edison has been lucky their downed wires have only started fire in the Santa Ana River.

It has been known in our area to have Santa Ana winds reaching up to 125 miles per hour.

Hope Edison can pay for the damage and God forbid the loss of lives under our "commercial" land.

Solution? Bury the wires. Charge the customers who benefit from the power.

Good luck to our Mayor Verne Lauritzen with our lawsuit.

Heather Ober, Jurupa City

Jurupa Valley Gets PUC Hearing

Challenge to Riverside May be heard May 13 in San Francisco

By ED HAWKINS

Riverside finally decided to seek more electric power and a good backup system for emergencies and disasters, years after being ordered by the Independent System Operators. It was late, Riverside scurried and grabbed.

One member of the City Council boasted about using its vacant site by the sewage treatment plant at Van Buren and Jurupa Road, in the northwest corner of the City.

It was available, out of the way and free. Desperation is an outgrowth of procrastination.

Having a site for new facilities led to the search for big power. That was available at the giant Mira Loma regional power substation. Taking a direct route from the Mira Loma power source to the sewage treatment area where new facilities would be built brought transmission lines through high density areas of Jurupa Valley.

Three parallel routes were close together: the I-15 Freeway Corridor, the Bain Street Canal and the Railroad right-of-way. A fourth route coming from Agua Mansa through hilly open land with sparse residen-

tial and industrial development was also mentioned.

The first three routes were very threatening to Jurupa Valley. Towers over 100 feet carrying 2 lines each of 230kv would be ugly and the health risks from electro-magnetic radiation were uncertain despite claims to the contrary. So Jurupans en masse pushed for the Agua Mansa route which would cross the river into the City of Riverside at the Market Street bridge.

RPU (Riverside Public Utilities) quickly dismissed this possibility because it suspected there would be environment problems to face both on land and in the water, and it did not want to put a tower in the River.

Many in Jurupa believe the real reason to reject this route was that it would have placed the same giant towers across Riverside from Market Street to the sewage plant instead of in Jurupa Valley. "It is OK for Jurupa, but not for us" seemed the feeling.

So Riverside selected the Railroad right-of-way which was denied. Then they took a rigid position that they would bring power down the Freeway through the best potential

commercial area in Jurupa Valley.

Now we have Jurupa Valley citizens and officials urging route 4 from Agua Mansa to Market Street, then into Riverside, but Riverside adamant that route #1 down the Freeway Corridor will be used. In an impasse or dispute like this a referee is needed.

And a referee in such a case is the Lead Agency involved. Riverside just named themselves Lead Agency when it started this project. So we have Riverside judging who will prevail in our mutual dispute over the route for the transmission lines.

When Riverside started RTRP (the Riverside Transmission Reliability Project) they named themselves as Lead Agency. That designation refers to leadership, not to the bully tactics we have seen.

... It wrote into the plan that SCE ratepayers pay all costs for the major new facilities which generally are paid for by city ratepayers if the city will own and operate them.

...The Riverside Environmental Impact Report was poorly done in haste. Promised answers to questions about the Preliminary EIR were deferred for inclusion in the Final publication which denied any opportunity for public reaction before final decisions.

...Cost effects were discussed before any cost information was developed and published.

...Alternate routes to bring in power were opposed and bypassed instead of being analyzed and evaluated.

Jurupa Valley City Council won a round because the California Public Utilities Commission granted it a hearing in May (at a yet to be determined location) on the issue about Riverside being *lead agency*. It is both a legal and an ethical issue because there are a number of identified conflicts of interest.

BACK UP POWER

All of the power Riverside currently receives is from Vista substation near Grand Terrace, which is a feeder line from the Mira Loma substation. The Riverside second goal was a back-up system to protect electricity needs in a disaster or emergency. Bringing in more power from the same source certainly misses that goal.

There is a fascinating alternate plan which Riverside refuses to study. That is to bring power in through the Valley substation in Romoland.

The only time Riverside even mentioned Romoland was when General Manager David Wright was giving a review to the Planning Commission last November 27. He said there is a power station in Romoland which operates at a different voltage than Riverside so it cannot be used, as he waved his hand in dismissal.

But we persisted and found this to be another giant electric substation like Mira Loma.

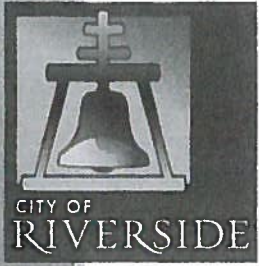
It covers Hemet, Moreno Valley and a large unincorporated area. It should be able to provide the added power Riverside needs as easily as Mira Loma. Transformers match all varieties of voltage, and every power source into Riverside will have to reduce higher voltages to the Riverside system of 69kv.

Further prodding about Romoland raised a false distance factor. Romoland is 24 miles from the sewage treatment area, but only 12 miles from the southeast city limits. This is just 2 miles further than the 10 mile Freeway Corridor proposal causing a war. Build the new power facilities at the other end of the city and connect half the city there. The distribution system is to be remodeled anyway as part of the project.

But the cherry on the malt is back-up power. Any other route than Romoland will bring in more power through Mira Loma. Depending on location and type of problem, back-up power is not very likely to be adequate using the same circuitry that failed. The great news is that Romoland gets its power from a different section of the Southern California electric grid system so backup power is much more secure.

Riverside had two objectives: added power and back-up for emergencies or disaster. "Transmission reliability" was the phrase used to describe back-up. Jurupa leaders supported the objectives, not the transmission line routes Riverside selected.

Now the Valley Substation in Romoland stands out like a beacon for both backup and added power while the hasty selection of the Freeway Corridor route is inferior on backup and superior only in its opposition.



Office of the
City Manager

Jeinfor T.

FYI

September 20, 2013

Laurie Lovret, AICP
Senior Planner
City of Jurupa Valley
Planning Department
8304 Limonite Avenue, Suite M
Jurupa Valley, CA 92509

SUBJECT: NOTICE OF INTENT (NOI) TO ADOPT A MITIGATED NEGATIVE DECLARATION (MND) – RIVERBEND MASTER-PLANNED RESIDENTIAL COMMUNITY

Dear Ms. Lovret:

Thank you for the opportunity to comment on the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the proposed Riverbend Master-planned Residential Community Project, a proposal featuring 466 new single-family residential homes on approximately 215.3 acres generally located east of Interstate 15, south of 68th Street and north of the Santa Ana River. As proposed, the project includes a general plan amendment to change the General Plan land use designation of the project site from LDR – Low Density Residential, RC-LDR – Residential Community – Low Density Residential, OS-R – Open Space Recreation, and OS-W – Open Space Water to MDR – Medium Density Residential, OS-CH – Open Space Conservation Habitat, and OS-W – Open Space Water. The project also proposes to change the zone of the project site from A-2-10 – Heavy Agriculture and W-1 – Watercourse, Watershed and Conservation to R-4 – Planned Residential and W-1 Watercourse, Watershed and Conservation. Finally, the project includes a tentative tract map (No. 36391) to subdivide the project site. With the proposed change of zone to R-4 and W-1, the project would yield a significant increase in the total number of residential units (466 units) allowed over the current zoning designations of A-2-10 and W-1.

City of Riverside staff has reviewed the project as proposed and offers the following comments for your review and consideration:

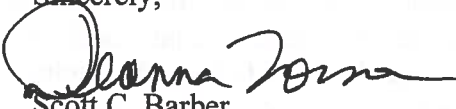
- On February 5, 2013, the Riverside City Council certified the Final Environmental Impact Report (FEIR) for the Riverside Transmission Reliability Project (RTRP), an approved plan to construct a new double-circuit 230-kilovolt (kV) transmission line, 230/69 kV electrical substation, and 69 kV sub-transmission lines. The approved RTRP will be located in the western and northern sections of the City of Riverside, with a small section in the City of Norco. It will then extend north into the City of Jurupa Valley, bordered by State Highway 60 and the existing Mira Loma to Vista SCE 230 kV Transmission Lines to the north and Interstate 15 to the west.

Approximately 4,350 linear feet of the approved RTRP is proposed to be located along 68th Street and within the northern boundary of the project site. However, the project description, MND and draft environmental Initial Study (IS) prepared for this project fail to acknowledge or address the approved RTRP and its environmental impacts. As such, the MND and draft environmental initial study are inadequate, the project description needs to acknowledge that the approved RTRP will be located within the project site and the draft IS needs to include an analysis of the RTRP and its potential environmental impacts as well as any proposed mitigation if necessary.

- The proposed infiltration basin to service the project site is proposed to be located within the flood plain of the Santa Ana River (SAR). The Water Quality Control Plan (WQCP) for the SAR lists a multitude of requirements as to the suitability of an infiltration basin as an acceptable Best Management Practice (BMP). Several jurisdictions along the SAR, including the City of Riverside, are collectively responsible for compliance with water quality regulations of discharge to the SAR and for compliance with plans intended to reduce bacteria pollution in the SAR. Further, while the project site is located downstream from the City of Riverside, downstream noncompliance can at times be inaccurately attributed to multiple upstream dischargers. Given these facts, the City of Riverside along with other jurisdictions, having defined compliance obligations within the SAR, could be in violation of water quality regulations should the proposed infiltration basin BMP be inappropriate, undersized, or due to its location within the floodplain, be compromised as a result of a high flow event.

City of Riverside staff appreciates your collaboration on this project and looks forward to continue working alongside the property owner and City of Jurupa Valley staff. Should you have any questions regarding this letter, please feel free to contact Steve Hayes, AICP, City Planner, at (951) 826-5658 or shayes@riversideca.gov.

Sincerely,


Scott C. Barber
City Manager

- c: William "Rusty" Bailey, III, Mayor
Riverside City Councilmembers
Belinda Graham, Assistant City Manager
Deanna Lorson, Assistant City Manager
Kristi Smith, Supervising Deputy City Attorney
Al Zelinka, Community Development Director
Emilio Ramirez, Community Development Deputy Director
Stephen Badgett, Interim General Manager
Kevin Milligan, Deputy General Manager
Jennifer Tavaglione, Project Manager
Tom Boyd, Public Works Director/City Engineer
Kevin Street, Regulatory Programs & Compliance Manager

Project's power lines won't cut through housing tract

The agreement solves what is called a big hurdle to the proposal.

By **IMRAN GHORI**
STAFF WRITER

Power lines won't be running through a Jurupa Valley housing project under a deal that removes one obstacle to the transmission lines proposal.

Riverside and Southern California Edison reached an agreement last week with the home developer.

An overhead transmission line that would have gone through Lennar Homes' planned 466-home Riverbend project south of 68th Street and east of I-15 will avoid the development.

Under the agreement, which the Riverside City Council was set to an-

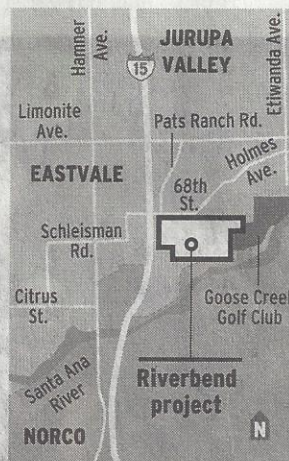
nounce Tuesday night, a 2-mile portion of the power line will be built underground and on city right-of-way instead of through the 211-acre housing project.

The Riverside Transmission Reliability Project is a venture of Riverside Public Utilities and Southern California Edison to build a 10-mile, 230-kilovolt transmission line plus substations, transmission towers and poles.

Lennar had filed a protest to the power line project with the California Public Utilities Commission, which is reviewing the application. Lennar will withdraw its protest, the agreement states.

Donald Johnson, principal manager overseeing the project for Edison, said that objection "was one of the key issues to resolve" for the parties.

George Hanson, engineering manager for River-



side Public Utilities, called the pact a positive step.

A Lennar representative could not be reached for comment.

The agreement does not resolve differences with Jurupa Valley, where opposition has been strong since before the community became a city in 2011. About half of the project would be in each city.

"Our question is why are

they even coming through (Jurupa Valley) at all if there are other alternatives that would avoid it, which they've discarded long ago," Jurupa Valley City Manager Gary Thompson said.

Jurupa Valley officials say the project would do irreparable economic harm to the city because its path includes an area planned for major retail and commercial development.

Project backers hope the agreement will bolster their chances with the Public Utilities Commission, which has sought more information from the utility before deeming its application complete. Jurupa Valley has asked that the application be dismissed.

The decision to bury the utilities is expected to increase costs, though it's not clear by how much, Johnson said. Edison ratepayers will shoulder the project's cost, he said.

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September 20, 2013

VIA EMAIL & U.S. MAIL

Laurie Lovret, AICP, Senior Planner
City of Jurupa Valley
8304 Limonite Avenue Suite "M"
Jurupa Valley, California 92509
llovret@jurupavalley.org

Re: *Comments on Proposed Initial Study/Mitigated Negative Declaration for Master Application 1201; General Plan Amendment 1202; Change of Zone 1201, and Tentative Tract Map 36391 (CV Communities - Riverbend Project)*

Dear Ms. Lovret:

This office represents Southern California Edison Company ("SCE"), an investor-owned utility providing electrical service to approximately 15 million metered customers in California, including customers within the City of Jurupa Valley ("Jurupa Valley"). The purpose of this letter is to provide comments on behalf of SCE regarding the August 9, 2013 Proposed Initial Study/Mitigated Negative Declaration (the "IS/MND") for Master Application 1201; General Plan Amendment 1202; Change of Zone 1201, and Tentative Tract Map 36391 (the "Proposals") related to the Riverbend Project proposed by CV Communities. Although SCE does not oppose development of the Riverbend Project, SCE notes that the IS/MND and relevant documents associated with the Proposals must be revised to accurately account for a realistic potential scope of development and a more reasonable range of environmental impacts.

I. Introduction

The Riverbend Project is proposed for development in Jurupa Valley on properties generally located east of Interstate 15, west of Goose Creek Golf Course, south of 68th Street and north of the city's boundary with the adjacent City of Norco (collectively, the "Property"). The IS/MND describes the Riverbend Project as a master planned residential community with 466 single-family residential lots, one park site, an

infiltration basin, open space (including natural, graded, and community open space), as well as roadways and other supporting infrastructure.

As detailed further below, the IS/MND should be revised because it fails to account for another project jointly proposed by SCE and the City of Riverside Public Utilities Department (“RPU”) on the same Property. The omission of this separate project renders the IS/MND’s analysis of the Riverbend Project’s individual and cumulative environmental impacts inaccurate.

II. The IS/MND’s Failure To Account For RTRP Renders The Analysis Of The Riverbend Project Insufficient.

In conjunction with RPU, SCE is proposing to construct and operate the Riverside Transmission Reliability Project (“RTRP”). RTRP is an electrical utility system project, the major components of which include a new 230 kilovolt (“kV”) overhead transmission line in the cities of Riverside, Norco and Jurupa Valley; new 69 kV overhead subtransmission line segments; two new substations; and upgrades at four existing 69 kV substations within the City of Riverside. Pursuant to the California Environmental Quality Act (Pub. Resources Code § 21000 *et seq.*, “CEQA,”) the City of Riverside published a Notice of Preparation for the preparation of a Draft Environmental Impact Report for RTRP, State Clearinghouse # 2007011113 (“Draft EIR”), in 2009, and the Jurupa Valley provided comments on the Draft EIR and at various public meetings and hearings thereafter. Ultimately, the City of Riverside prepared a Final Environmental Impact Report (“Final EIR”) for RTRP and certified the Final EIR on February 5, 2013. The City of Riverside also adopted Resolution 42293 approving RTRP that same day.¹

Relevant here, RTRP’s 230 kV transmission line would be constructed by SCE through Jurupa Valley to connect the new RTRP substations to SCE’s existing Mira Loma-Vista 230 kV Transmission Line #1. In fact, as described in the Final EIR and approved by the City of Riverside, RTRP’s 230 kV transmission line would be located on and across the eastern and northern portions of the Property, stretching all the way from Goose Creek Golf Course to the northbound Interstate 15 off-ramp at 68th Street. (*See* Final EIR Figure 2.3-3, at p. 2-11, attached hereto as Attachment “A”.)

Despite the fact that Jurupa Valley was an overt participant in the City of Riverside’s RTRP review and approval process, the IS/MND published by Jurupa Valley for the Riverbend Project does not account for any aspect of RTRP – including the

¹ SCE still must obtain a Certificate of Public Convenience and Necessity (“CPCN”) from the California Public Utilities Commission (“CPUC”) before RTRP can be constructed. Although the CPUC submitted comments to the City of Riverside regarding various issues in the Draft EIR prepared by RPU for RTRP, each of the CPUC’s comments was addressed in the Final EIR, and none of the CPUC’s comments suggested that the CPUC was unlikely to approve a CPCN for SCE’s portion of RTRP.

portion of the 230 kV transmission line that would be located across the Property. This omission is significant because it casts doubt on the validity of the IS/MND as an informational document for several reasons.

A. **The IS/MND's Description Of The Riverbend Project Must Be Revised To Account For The Future Construction Of RTRP On The Property.**

According to the IS/MND, the Riverbend Project would include a residential subdivision, including 466 homes and associated thoroughfares, on the Property. (See Figure 4-10 of the IS/MND, depicting the Riverbend Project's subdivision plan in Tentative Tract Map 36391.) However, as designed by SCE and the City of Riverside, RTRP's transmission line (including at least six new poles) also would be located on the same Property. Construction of the RTRP transmission line would therefore necessarily require revision of the Riverbend Project subdivision plan of development because transmission poles and residential housing cannot be located in the same place. The Riverbend Project, and each of its supporting documents (including Tentative Tract Map 36391 and the Project Description in the IS/MND) should be updated to account for the future development of the RTRP transmission line.

The fact that the RTRP transmission line has not yet been constructed does not mean that the future construction of the line may be ignored. As discussed above, the City of Riverside has already certified a Final EIR that described the entire RTRP project, including the transmission line route across the Property, and SCE intends to pursue a CPCN from the CPUC. There is every reason to believe that the line will be constructed. In addition, as a public utility, SCE is vested with the right to condemn private property through eminent domain for purposes of constructing electrical facilities. (See generally, Pub. Util. Code § 612.) Therefore, the fact that SCE does not currently control the relevant portions of the Property is immaterial.²

The IS/MND should be revised to account for, at a minimum, a more realistic Riverbend Project that will not conflict with the future build-out of RTRP.

² It should also be noted that although the Riverbend Project proposes a General Plan amendment and zone changes to increase the developable density on the Property from a maximum of 274 residential dwelling units, to a maximum of 466 residential homes, that increase is not likely, in and of itself, to increase the value of the Property should eminent domain proceedings be necessary. (See IS-MND, at p. 2-22.) Rather, in the event of a judicial eminent domain condemnation proceeding, the value of any portion of the Property to be acquired is more likely to be set according to the previous permissible development envelope because, although both CV Communities and Jurupa Valley were aware that RTRP would need a portion of the Property, they still proceeded to process the Riverbend Project as if RTRP would never happen. The knowledge about the impending development of RTRP may not be turned into a basis to create a windfall for the owners of the Property.

B. The IS/MND's Environmental Impacts Analysis Must Be Revised To Account For the Cumulative Impacts Arising From RTRP And The Riverbend Project.

In addition to the fact that the IS/MND does not describe a realistic development scenario for the Riverbend Project, it also fails to analyze the likely environmental impacts associated with any version of the Riverbend Project that might ultimately be developed. In particular, the failure to consider the likely build-out of RTRP renders the IS/MND's cumulative impacts analysis particularly deficient given the potential combination of impacts when both projects are constructed near one another and separated by only a short time.

A review of the cumulative impacts analyses in the IS/MND reveals no mention of RTRP, even though RTRP was discussed, processed and approved (and a Final EIR was certified) by the City of Riverside well before the IS/MND was completed.³ The IS/MND's failure to account for any cumulative impacts between RTRP and the Riverbend Project is critical, because the Final EIR concluded that RTRP *by itself* would cause a number of significant and unavoidable environmental impacts. On that basis, it is hard to imagine how the combined effects of the two projects could not also be significant and unavoidable. For example, the Final EIR explained that one of the several RTRP impacts expected to be significant and unavoidable would be aesthetic impacts resulting from new development on the very same Property, which is currently vacant undeveloped land:

“The route would continue northwest through the Goose Creek Golf Club to 68th Street near Dana Avenue. Continuing west on the south side of 68th Street, the route would have more moderate impacts as it occurs within undeveloped landscapes of common scenic quality. However, this portion along 68th Street is within the immediate foreground of residential views on the north side of 68th Street (see Photo-simulation Viewpoint 14, Figure 3.2.1-22) and VanderMolen Elementary School on the northwest corner of 68th Street and Wineville Avenue. Impacts in this area would be potentially significant and immitigable, as they would degrade the visual character and quality of the interface of residential and recreational uses.”

(Final EIR, at pp. 3-54 – 3-55).

³ CEQA requires the lead agency to consider a project's potential to cause impacts that might be cumulatively considerable (*i.e.*, where the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). (Tit. 14, Cal. Code Regs. §§ 15064, subd. (h)(1); 15355, subd. (b).)

Given that RTRP's electrical system infrastructure alone was found to create a significant and immitigable aesthetic impact due to its construction on previously undeveloped property, it strains logic to think that any additional development on that same property (particularly a project consisting of 466 single-family residential units) would somehow not create a cumulatively considerable significant aesthetic impact as well. The IS/MND's analysis should be revised to account for these cumulative impacts which might be found significant and unavoidable upon appropriate review.⁴

III. Conclusion

SCE does not oppose the Riverbend Project in concept. However, in order to provide a realistic assessment of the Riverbend Project and its potential environmental impacts, the IS/MND should be revised to account for the RTRP 230 kV transmission line that would be constructed on the very same Property. The revisions should include, at a minimum, a revised Project Description and a cumulative impacts analysis that considers the combined effects of the Riverbend Project and RTRP.

Sincerely,



Robert D. Pontelle

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⁴ In addition, the potential significance of any cumulative environmental impacts could lead to the development of an environmental impact report, as opposed to a revised IS/MND. Under CEQA, an EIR must be prepared whenever there is a fair argument that a project might cause one or more significant environmental impacts. (*Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.) As discussed above, the combined effects of RTRP and the Riverbend Project are very likely to create such a fair argument requiring the preparation of an EIR.