

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE: 4/6/16

Departmental Concurrence

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: TLMA – Planning Department

225

SUBMITTAL DATE:
MARCH 28, 2016

SUBJECT: APPEAL of PLANNING COMMISSION'S DECISION TO APPROVE PLOT PLAN NO. 25422 ENVIRONMENTAL IMPACT REPORT NO. 537 – Applicant: Tom Simmons/Blackridge – Engineer/Representative: Warren Williams/DRC Engineering - First Supervisorial District – March Zoning District – Lake Mathews / Woodcrest Area Plan: Community Development: Light Industrial (CD: LI) (0.25-0.60 Floor Area Ratio) – Location: southerly of Alessandro Boulevard, easterly of Gem Lane, and westerly of Brown Street – 54.39 Gross Acres - Zoning: Industrial Park (I-P) - REQUEST: To take action on the appeal and the project, including the certification of the EIR. The appeal of the project cited concerns with the conditions of approval and the mitigation measures. The Plot Plan proposes an industrial development comprised of 2 buildings totaling 814,630 square feet. The Revised Draft EIR studies the impacts of the project. (100% Deposit Based Funding)

[Signature]

Steve Weiss, AICP
Planning Director

(Continued on next page)

[Signature]

Juan C. Perez
TLMA Director
Patricia Romo

Assistant Director of Transportation
POLICY REPRESENT (per Exec. Office)

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

Consent ☐ Policy ☒

SOURCE OF FUNDS: N/A

Budget Adjustment: N/A

For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

APPROVE

BY:

[Signature]
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- ☐ A-30
☐ 4/5 Vote
☐ Positions Added
☐ Change Order

Prev. Agn. Ref.:

District:1

Agenda Number:

16-1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: APPEAL of PLANNING COMMISSION'S DECISION TO APPROVE PLOT PLAN NO. 25422,
ENVIRONMENTAL IMPACT REPORT NO. 537**

DATE: March 28, 2016

PAGE: Page 2 of 3

RECOMMENDED MOTIONS: That the Board of Supervisors:

DENY the appellant's request for the Board of Supervisors to overturn the Planning Commission's approval of PLOT PLAN NO. 25422 and Certification of EIR No. 537; and

ADOPT RESOLUTION NO. 2016-087 Certifying Environmental Impact Report No. 531 based on the findings and conclusions set forth in the resolution and EIR No. 531; and,

APPROVE Plot Plan No. 25422, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

Summary

The Plot Plan, also known as the Alessandro Commerce Center, proposes to entitle two industrial buildings totaling 814,630 square feet. Building 1 is intended as a logistics warehouse and will occupy 598,190 square feet and Building 2 will be designated for general or multi-tenant warehousing and will occupy 216,440 square feet. The project will also include 581 parking spaces, a truck parking area and two detention basins and a temporary rock crushing plant. An EIR was prepared to study the environmental impacts of the proposed project.

A lot line adjustment was studied in the EIR as well but is not part of this action.

A similar project was previously approved as Plot Plan 22925. A subsequent lawsuit and settlement agreement required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. Consequently, Plot Plan No. 25422 has a changed layout and number of structures. Impacts are generally reduced by the new design and use. An Environmental Impact Report (EIR) was previously done for the site, EIR No. 510, which was also vacated. A new revised focused EIR (EIR No. 537) has been drafted building on the contents of EIR No. 510. As part of the settlement agreement for the litigation a 6.69 acre Stephens Kangaroo Rat (SKR) corridor/ habitat area was added to the project design.

The Planning Commission approved the project on March 16, 2016. An appeal to the approval was filed on March 23, 2016 by the SoCal Environmental Justice Alliance (represented by the Law Firm Blum|Collins LLP). The filing of the appeal requires a new de-novo hearing before the Board of Supervisors within 30 days.

Please see the attached Board appeal staff report for a detailed response to the appeal. In summary, the Planning Staff has determined that the conditions of approval are appropriate and the CEQA analysis contained in the EIR are adequate and sufficient. Additionally, Staff is proposing the addition of a number of conditions of approval that were not presented to the Planning Commission and were not part of its approval of the project. While reviewing the appeal Staff felt it was important to add these additional conditions to address the concerns of the appeal letter. Please see the appeal staff report for more detail on these new proposed conditions of approval. At this time staff does not request any changes to the documents and recommend the Board uphold the Planning Commission's approval of the project with the additional conditions of approval provided in the attached staff report.

Impact on Citizens and Businesses

All potential impacts were analyzed in the Environmental Impact Report No. 537.

ATTACHMENTS:

- A. **RESOLUTION NO. 2016-087**
- B. **APPEAL STAFF REPORT**

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: APPEAL of PLANNING COMMISSION'S DECISION TO APPROVE PLOT PLAN NO. 25422,
ENVIRONMENTAL IMPACT REPORT NO. 537**

DATE: March 28, 2016

PAGE: Page 3 of 3

- C. APPEAL APPLICATION**
- D. PLANNING COMMISSION MEMOS (2)**
- E. PLANNING COMMISSION STAFF REPORT**

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



16-2

10:30 a.m. being the time set for public hearing on the recommendation from Transportation and Land Management Agency/Planning regarding Public Hearing on the Appeal of the Planning Commission's Approval of Plot Plan No. 25422 – Environmental Impact Report No. 537, which proposes an industrial development comprised of three (3) buildings totaling 918,150 square feet. The appeal of the project cited concerns with the conditions of approval and the mitigation measures. The project is located southerly of Alessandro Boulevard, easterly of Gem Lane and westerly of Brown Street in the Lake Mathews / Woodcrest Area, 1st District.

Matt Straight, Contract Planner Supervisor, presented the matter.

The following people spoke on the matter:

Ms. Miller

James Thomson

Andrew Silva

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, May 17, 2016 at 10:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley

Nays: None

Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 12, 2016 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: April 12, 2016
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: 

Deputy

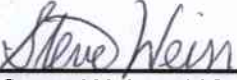
AGENDA NO.

16-2

xc: Planning, COB

Agenda Item No.:
Area Plan: Lake Mathews/ Woodcrest
Zoning District: March
Supervisory District: First
Project Planner: Matt Straite
Board of Supervisors: April 12, 2016

PLOT PLAN NO. 25422
ENVIRONMENTAL IMPACT REPORT NO. 537
Applicant: Tom Simmons/Blackridge
Engineer/Representative:
Warren Williams/DRC


Steve Weiss, AICP
Planning Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT APPEAL STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The Planning Commission approved the project on March 16, 2016. An appeal to the approval was filed on March 23, 2016 by the SoCal Environmental Justice Alliance (represented by the Law Firm Blum|Collins LLP). The filing of the appeal requires a new de novo hearing before the Board of Supervisors within 30 days. Said hearing has been scheduled for April 12, 2016.

The Plot Plan, also known as the Alessandro Commerce Center, proposes to entitle two industrial buildings totaling 814,630 square feet. Building 1 is intended as a logistics warehouse and will occupy 598,190 square feet and Building 2 will be designated for general or multi-tenant warehousing and will occupy 216,440 square feet. The project will also include 581 parking spaces, a truck parking area, two detention basins and a temporary rock crushing plant (during construction only). An EIR was prepared to study the environmental impacts of the proposed project.

A lot line adjustment was studied in the EIR as well but is not part of this action.

A project on this site was previously approved as Plot Plan 22925. A subsequent lawsuit and settlement agreement required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. Consequently, the applicant has changed the layout, use (it was retail/office, now it is warehouses) and the number of structures. The new project is Plot Plan No. 25422. Impacts are generally reduced by the new design and use. An Environmental Impact Report (EIR) was previously done for the site, EIR No. 510. A new revised focused EIR (EIR No. 537) has been drafted building on the contents of EIR No. 510. As part of the settlement agreement for the litigation a 6.69 acre Stephens Kangaroo Rat (SKR) corridor/ habitat area was added to the project design along the western edge, between the closest homes and the proposed structures.

The proposed project is located in the First District more specifically its southerly of Alessandro Boulevard, easterly of Gem Lane, and westerly of Brown Street, within the Lake Mathews/Woodcrest Area Plan.

The project is designed with the larger structure located near Alessandro Boulevard. The structure is heavily screened from view along Alessandro Boulevard by a landscaped basin and additional landscaping designed to prevent any view of the truck docks from the street by pedestrians or cars. The smaller structure is located along future Brown Street, which has yet to be constructed. To the west, the structure is buffered from the neighboring structures with a Stephens Kangaroo Rat corridor/habitat conservation area. This corridor was required as part of the settlement agreement with the Center for Biological Diversity. The conservation area will feature natural native landscaping and slopes gradually

towards the proposed warehouse structure. The project is also proposing to construct a 6 foot solid block wall along the property line, between the conservation area and the homes, to help screen the project from the neighboring homes on the west side of the project and to help preserve the conservation area. Additionally, during the Planning Commission hearing the applicant agreed to (and conditions were added to require) plant additional trees and landscaping within a neighbor's property to further screen the proposed project at the applicants expense.

Both proposed structures feature enhanced architectural features on all sides of the structures including spandrel glass and columns to break up the façade and provide light play throughout the day. This helps break up the façade and provide visual interest. Massing was added to the structures at the office locations to make it clear where the offices are in relation to the buildings.

The smaller structure is located along proposed Brown Street. This building will also feature enhanced architecture and added massing at office locations. The structure will be setback from the conservation area to the south of the project to act as a buffer to the conservation. All urban wildland interface requirements have been met to assure no disturbance to the conservation area.

The streetscape will be fully landscaped and feature sidewalks along the project edge. The project will be constructing the full width improvements to Brown Street because the property directly to the east, south, and parts of the west are dedicated for conservation in property under the ownership and jurisdiction of the March Joint Powers Authority (JPA). Because there will be no projects constructed in these conservation areas, there is no one to build the other half of the street (the County normally only asks for half width construction fronting the project). Thus, the applicant will be building the full improvements. All construction in the March JPA will require permits from the JPA.

THE APPEAL:

The appellant submitted a letter to the Planning Commission dated March 14, 2016. The CEQA consultant responded, and both were provided to the Planning Commission for their consideration. The appeal stated concerns that were similar to the letter submitted. The appellant's five concerns (in *italics*) and Planning Staff responses are shown below.

First, to properly mitigate biological resource impacts, Condition of Approval 60.EPD.1 (EPD- MBTA Survey) should have required nesting bird surveys from January 1- September 15 rather than from February 1.

Planning Staff recommends that the Board accommodate this suggestion, the condition has been revised to reflect the extra month. The dates are added as a precaution to the developer that nesting for most birds *could* possibly occur in that window. While the applicant is required to survey during that window, they would be responsible for any bird impacts regardless of the time of year. The use of February as a start date is conservative, changing that to January would likely not result in any additional nesting bird finds, as birds generally do not nest that early in the year. However, the additional month does not place any significant burden on the applicant. So in an abundance of caution, staff recommends the condition be changed pursuant to the appellant's request.

Second, there were a number of conditions for mitigation of air quality and greenhouse gas impacts that were not imposed: (a) the conditions of approval should have prohibited the use of refrigerated trucks or refrigerated storage under any circumstances, (b) the conditions of approval should have required

tenants or users of the space to use 2010 or later model trucks, or to apply for funding for such trucks to the ARB and SCAQMD if they did not have them (c) the conditions of approval should have limited the daily number of trucks permitted onsite to the number analyzed in the Revised Focused Draft Environmental Impact Report (RFDEIR), (d) the conditions of approval should have required electric vehicle charging stations for trucks, since plugins will become more available during the lifetime of the project and the project should be ready for them, and (e) the conditions failed to require any alternatively fueled trucks, even though they are available and would reduce the significant impacts of the project.

The County feels that the CEQA analysis in the EIR was adequate. The mitigation measures suggested are not requirements pursuant to any State or local ordinances. More specifically, in response to the request that all refrigeration be eliminated, the project is proposing "spec" buildings, meaning the tenants have not been determined. The future tenant may require refrigeration units in the structure and on the trucks. Any refrigeration inside or on trucks will be compliant with applicable State and Federal laws. The appellant did not provide any reasoning on why refrigeration should not be used, or any possible environmental impacts that could result from the use of refrigeration. To ban them would be to ban any business that would ship cold products, which is not something Staff is willing to support.

In item (b) above the appellant is requesting that the project use only trucks that are newer than 2010. The EIR adequately addressed this issue as it relates to the requirements of the State, more specifically of AB 32 which requires California Air Resources Board (CARB) to adopt rules and regulations that would reduce Greenhouse Gas (GHG) emissions, equivalent to the statewide levels existing in 1990, by 2020. CARB has required that such measures achieve the maximum technologically feasible and cost-effective reductions in GHGs from sources or categories of sources to achieve the statewide GHG emissions goal for 2020. The traffic and air quality modeling in the EIR has accounted for the more stringent emission limits required by CARB over time, newer vehicle engines, and EPA regulations requiring diesel fuel to have no more than 15 parts per million sulfur content (termed ultra-low sulfur diesel) beginning in 2007. Control for diesel emissions from equipment and trucks are embedded in the compliance for all diesel-fueled engines, trucks, and equipment with the statewide CARB Diesel Reduction Plan. These measures would be implemented by CARB in phases with new rules imposed on existing and new diesel-fueled engines. The applicant, or tenant using the warehouses at that time, shall comply with all existing and future CARB and SCAQMD regulations related to diesel-fueled trucks and equipment. This was explained in detail in the EIR.

Therefore, the appellant's request to have newer engines will be automatically complied with or without the need to add any new requirements to the project. Any addition for new engines would be redundant with the CARB rules. However, in an abundance of caution, Staff is proposing the addition of the conditions of approval on the next page, which includes a phased requirement for engines newer than 2010 within 3 years of project approval to comply with the more stringent CARB request.

In regards to the appellant's request to have the number of trucks limited to the number studied in the analysis, the number studied in the EIR was conservative, in worst case circumstances. The project would not exceed the number used in the EIR. More specifically the EIR states in the Air Quality section on page 4-17:

This shows that even using the very conservative modeling techniques of assuming all 779 daily trucks are the largest T7 diesel-type, all spend 10 minutes idling per trip, all are

co-located at the closest loading area [to residential uses], and the wind constantly blows directly from the loading area to the residences, the health risks are still well below the thresholds of significance. Thus, the actual health risk levels from the project operations would be much less than these estimates. The peak chronic risk is well under the threshold of 1.0.

In regards to the appellant's request to have electric truck charging stations added to the project to accommodate a possible future fleet of electric trucks, at this time the addition of any such infrastructure would be speculative and premature. It is not yet known what requirements an electric truck would require to charge. The voltage, the style and size of the plugs and other infrastructure requirements are not yet known, making the addition of them now inefficient. Even if the project were to speculate on the needs, the technology would likely become outdated by the time the trucks would be available and would need to be replaced. CEQA discourages the use of speculation, see CEQA guidelines section 15145. Further, a similar comment was submitted by the California Air Resources Board in their comment letter to the EIR. The FEIR responded to the comment in full detail on page 34 of the FEIR.

Regarding the appellant's request for alternative fuel use, the CEQA consultant on this project, LSA, responded to the same comment made by the appellant in a previous letter. The response explained:

While there are manufacturers selling natural gas trucks (SCEJA Attachment C), it is unknown how viable they are as replacements for current diesel trucks in terms of economics, maintenance, availability, etc. NG trucks emit substantially less PM10 and CO than diesel, but NOx emissions are not reduced to nearly the same degree. Even if all diesel trucks for the project were switched to NG it is still likely the project would still have significant NOx emissions.

Regarding Air Quality, in response to the appeal and to help assure consistency with other County project approvals, Staff is proposing to add the following conditions of approval to the project:

10.PLANNING.XX 2010 ENGINES REQUIRED

All Heavy-Heavy Duty Haul Trucks (HHD) accessing the project site shall use year 2010 or newer engines during all **construction** activities.

10.PLANNING.XX MAINTENANCE RECORDS

Construction equipment maintenance records and data sheets of equipment design specifications (including the emission control tier of the equipment) shall be kept onsite during construction and subject to inspection by the County of Riverside.

10.PLANNING.XX CONSTRUCTION POWER

Onsite electrical hook ups to a power grid shall be provided for electric construction tools including saws, drills, and compressors, where feasible, to reduce the need for diesel powered electric generators.

10.PLANNING.XX OPERATION REQUIREMENTS

The tenant/operator shall implement the following to reduce emissions from onsite heavy duty trucks within six months after operations commence:

a) Post signs informing truck drivers about the health effects of diesel particulates, the California Air Resources Board diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.

b) Post signs in all dock and delivery areas containing the following: truck drivers shall turn off engines when not in use; trucks shall not idle for more than five minutes; telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

c) Tenant/operators shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the warehouses within the project are in good condition, and in proper tune pursuant to manufacturer's specifications. tenant/operators shall maintain records on its fleet equipment and ensure that all Heavy-Heavy Duty Trucks (HHD) accessing the project site shall comply with the following:

- Within 1 year of project approval 50% of the heavy duty diesel trucks accessing the site shall use 2007 engines, or newer. The remaining 50% of the heavy duty diesel trucks accessing the site shall use 2010 engines, or newer.
- Within 2 years of project approval 25% of the heavy duty diesel trucks accessing the site shall use 2007 engines, or newer. The remaining 75% of the heavy duty diesel trucks accessing the site shall use 2010 engines, or newer.
- Within 3 years of project approval 100% of the heavy duty diesel trucks accessing the site shall use 2010 engines, or newer.
- Applicant shall stipulate this condition of approval in writing to Tenants so that the Tenant and/or Operator shall fulfill the terms and conditions of this condition of approval.

d) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Additional Transportation Condition of approval:

The applicant is advised that the County intends to study cumulative traffic impacts related to logistic warehouses being built within the County. This study may be conducted in partnership with other regional transportation agencies, and either separately or as part of an overall Regional Transportation Plan.

The study may lead to the establishment of a new impact fee related to traffic generated by logistic warehouses. Should such a fee be adopted by the County prior to the issuance of the project's first building permit, the project applicant, or successor in interest, shall pay the fee in accordance with the provisions of the ordinance establishing the fee.

Third, the RFDEIR should have analyzed cumulative impacts to air quality from the projects nearby including at the March Joint Powers Authority Properties and the multiple other warehouse and high cube warehouse projects in the vicinity.

The County feels that the CEQA analysis in the EIR was adequate. The appellant made the same comment in a previous letter, to which the CEQA consultant on this project responded explaining:

Cumulative environmental impacts were evaluated extensively in the Original Draft EIR. There are several reasons why the Revised Focused DEIR did not evaluate a new list or plan regarding cumulative impacts. First, a new Notice of Preparation was not issued for the Revised Focused DEIR as it was intended to address the deficiencies noted by the trial court, none of which included cumulative impacts (as discussed in detail in the Introduction of the RFDEIR). Second, the Revised Project produces much less traffic, air pollution, health risks, and noise compared to the Original Project, so the overall evaluation of the Project relative to surrounding development would be on a much smaller scale. Note that the Revised Project is consistent with the General Plan and zoning designations for the site and so the cumulative air quality impacts of industrial land uses in the County were addressed in the County's General Plan EIR. In addition, economic conditions since approval of the Original EIR have been stagnant, as evidenced by the updated traffic counts prepared for the Revised Project which showed actually less area traffic now than when the Original Project was proposed. This indicates cumulative conditions have not worsened since the Original EIR was approved. Finally, as noted earlier the trial court did not find the cumulative analysis in the Original EIR to be deficient, so the County, as lead agency, determined it did not need to be revised for the reasons outlined above.

Fourth, regarding Air Quality, (a) the RFDEIR did not include assumptions for its analysis for regional and localized emissions, (b) neither the localized significance thresholds analysis nor the health risk assessment used AERMOD, but rather used the earlier SCREEN3 model, and (c) the RFDEIR ignored California Air Resources Board guidance calling for a 1,000 foot buffer between truck traffic and sensitive receptors.

The County feels that the CEQA analysis in the EIR was adequate. The appellant made the same comment in a previous letter, to which the CEQA consultant on this project responded explaining:

As indicated by the commenter, the information requested by the SCEJA, and the SCAQMD in their letter dated September 29, 2015, regarding construction and operational activities were included in the project air quality study appendices (RFDEIR Appendices C-1 through C-6) and in Section U-4 of the RFDEIR regarding energy conservation (i.e., "Would the project conflict with the State CEQA Guidelines Appendix F regarding energy conservation?") as outlined on pages 4-92 to 4-96 of the RFDEIR. In addition, the CalEEMod input and output files for the revised project are included in Appendix E of the FEIR. While it is more convenient to show the construction modeling assumptions in the Draft and/or Final EIR, it must be remembered this is a Revised Focused EIR and has now had two detailed environmental analyses consistent with

CEQA, including SCAQMD methodologies and procedures. The information needed to evaluate the air quality analysis and health risk assessment have been provided in the EIR document.

Yes AERMOD is the more detailed model, but SCREEN3 gives conservative results compared to any full air dispersion model (AERMOD, ISCST3, etc.) because it assumes that the wind blows directly from the emissions source to the receptor all the time, rather than using real meteorological data which has winds speed and direction varying. SCREEN3 also has the emissions rate constant throughout the day (and we set it at the peak hourly rate), rather than having the emissions vary based on daily operations. The combination of these differences results in SCREEN3 results being much higher than any full air dispersion model (AERMOD, ISCST3, etc.). If the more conservative SCREEN3 analysis shows results that are less than significant, then any more detailed, accurate, time-consuming AERMOD analysis would be expected to show lower results that are also less than significant.

Regarding the appellant's concern for a 1,000 foot building setback, this issue was fully addressed in the Final EIR on page 35. To summarize, the project already provides a buffer of over 200 feet between the closest sensitive receptors (residences to the west) and truck travel areas for Building 1. The project also provides a buffer of over 850 feet from sensitive receptors to Building 2. Providing a 1,000 foot buffer from Building 1 would make the project infeasible as the project site is only a little over 1,000 feet wide immediately east of the existing residences and would preclude building a warehouse building in this location. The County believes that the project as proposed would provide sufficient buffers between sensitive receptors and onsite uses, as discussed in Section 4.3 of the RFDEIR.

Fifth, the Project would violate the nighttime standard for noise, which the RFDEIR conceded is 45 DBA Leq, and the RFDEIR failed to find this was a significant impact of the Project. Accordingly, it should have been subject to mitigation.

Section 4.11 of the Revised Focused Draft EIR evaluates long-term noise impacts. Page 4-68 states the following noise standard:

The General Plan defines noise levels for industrial uses up to 75 dBA CNEL as "normally acceptable", which means the development of an industrial use is satisfactory with normal conventional construction without special noise insulation requirements.

The EIR did not find noise to be a significant impact. Noise was studied in detail in Section 4.11 (RFDEIR pages 4-68 through 4-70). As pointed out by the appellant, the EIR does explain that the Noise Element of the General Plan includes a residential exterior noise limit not to be exceeded for a cumulative period of more than ten minutes in any hour of 65 dBA Leq for daytime hours of 7 a.m. to 10 p.m. and 45 dBA Leq during the noise sensitive nighttime hours of 10 p.m. to 7 a.m. However, that is the residential standard. The Light Industrial standard is 75 dBA Leq. The General Plan Policies in the Noise element explain that efforts shall be made to limit and mitigate noise. The design of the project includes a buffer, elevation change and block walls to mitigate noise. The General Plan does not directly require an industrial project to mitigate noise to a residential level of less than 45 dBA Leq. The General Plan requires mitigation, which has been added. There is no evidence the Leq standard will be exceeded, but it is at least possible if 24/7 operation actually occurs. Therefore, MM N-4b was added to help assure there would be no significant noise impacts on residents to the west:

MM N-4b If, during project operations, the County Planning Department receives 4 or more noise complaints within a 3-month period from residents living west of the project property, the tenants or occupants of either one or both warehouses will be required to conduct noise assessments along the western property boundary to determine if project operational noise levels exceed County standards. If noise levels are found to exceed County standards, one or both operators shall be required to install noise attenuation improvements or reduce operational activities to reduce noise levels to meet County standards. This requirement shall be made part of conditions for map or conditional use permit approvals for both buildings of the project, and shall be implemented to the satisfaction of the County Planning Department Manager.

ISSUES OF POTENTIAL CONCERN FROM THE PLANNING COMMISSION HEARING:

Neighbors

The project is located next to existing single family homes on Gem Lane. The project property is designated Light Industrial on the General Plan. The proposed project has less possible impacts than many other possible light industrial uses that could build on the property. Additionally, the design of the project addresses many of the concerns. The project is building a 6 foot block wall between the existing homes and the project. This will help screen the project. Additionally, the project is buffered by a 200 foot wide conservation corridor that will remain into perpetuity. Lastly, the warehouse structure is proposed to be constructed at a lower elevation than the existing homes. The top of the proposed structure would be a few feet lower than the top of the 6 foot wall proposed at the back of the residential properties. Thus, the view sheds of the existing residencies will not be significantly impacted by the proposed project, insofar as they will not be looking at the back wall of the warehouse structure.

Hours

The project EIR found no impacts related to 24 hour operation. The conditions reflect the ability to operate 24 hours a day.

SUMMARY OF FINDINGS:

- | | |
|--|--|
| 1. Existing General Plan Land Use (Ex. #5): | Light Industrial (L-I) |
| 2. Surrounding General Plan Land Use (Ex. #5): | Medium Density Residential (MDR) to the West, City of Riverside to the North and Light Industrial (L-I) to the East. |
| 3. Existing Zoning (Ex. #2): | Industrial Park (I-P) |
| 4. Surrounding Zoning (Ex. #2): | Controlled Development Areas (W-2) and One-Family Dwellings Mountain Resort (R-A-1) to the West, Rural Residential (R-R) to the South, Scenic Highway Commercial (C-P-S) and Controlled Development areas (W-2) to the East. |
| 5. Existing Land Use (Ex. #1): | Vacant land |
| 6. Surrounding Land Use (Ex. #1): | Medium Density Residential (MDR) to the West, City of Riverside to the North and Light Industrial (L-I) to the East. |

7. Project Data: Total Acreage: 54.53 gross acres
8. Environmental Concerns: See attached EIR

RECOMMENDATIONS:

DENY the appellant's request for the Board of Supervisors to overturn the Planning Commission's approval of PLOT PLAN NO. 25422 and Certification of EIR No. 537; and

ADOPT RESOLUTION NO. 2016-087 Certifying Environmental Impact Report No. 531 based on the findings and conclusions set forth in the resolution and EIR No. 531; and,

APPROVE Plot Plan No. 25422, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings and in the EIR which is incorporated herein by reference.

1. The project site is designated Light Industrial (L-I) within the Lake Mathews/ Woodcrest Area Plan.
2. The proposed use, 2 general or multi-tenant warehouse buildings, is consistent with the Light Industrial (L-I) designation.
3. The project site is surrounded by properties which are designated: Medium Density Residential (MDR) to the West, City of Riverside to the North and Light Industrial (L-I) to the East.
4. The project is consistent with the General Plan including the new update from 2015, more specifically the project is consistent with revised circulation element policy number C-23.1 as it is funding improvements in the form of signal upgrades to a proximal intersection; C-23.3, 4, and 5 do not apply as there is no rail association with the project, and C 23.7 is consistent because the project will participate in regional development impact fees that will address street and highway goods movement. Several other new policies (C 23.10 through C 23.14) pertain to County wide measures and are not specific to this project.
5. The zoning for the subject site is Industrial Park (I-P).
6. The proposed use, 2 general or multi-tenant warehouse buildings, is a permitted use in the Industrial Park (I-P) zone under section 10.1 of Ordinance No. 348.
7. The proposed use, 2 general or multi-tenant warehouse buildings, is consistent with the development standards set forth in the Industrial Park (I-P) zone under section 10.1 of Ordinance No. 348.
8. The project site is surrounded by properties which are zoned: Controlled Development Areas (W-2) and One-Family Dwellings Mountain Resort (R-A-1) to the West, Rural Residential (R-R) to the

South, Scenic Highway Commercial (C-P-S) and Controlled Development areas (W-2) to the East.

9. This project is not located within a Criteria Area of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).
10. The project is adjacent to an SKR core habitat area and a riparian area. The project incorporates a 6.69 acre SKR habitat/ corridor, and mitigation is required for the riparian area.
11. This project is within the City Sphere of Influence of the City of Riverside. They were provided copies to review and the project has addressed all comments and concerns.
12. The Revised Project site, including the MJPA Property, is located eight miles southeast of the Riverside Municipal Airport and is beyond the airport's 60 dBA CNEL noise contour, within the Airport Influence Policy Safety Area II. Because, the March ARB does not have an Airport Master Plan, the Riverside County Airport Land Use Commission utilizes compatibility guidelines set forth in the current Riverside County Airport Land Use Plan. According to the Riverside County Airport Land Use Plan, Area II guidelines allow for light industrial development as contemplated by the Revised Project. Therefore, the development is consistent with the Riverside County Airport Land Use Plan.
13. Pursuant to CEQA Guidelines section 15162, the Riverside County Planning Department has determined that the proposed project will have a significant effect on the environment. All potentially significant effects have been adequately analyzed in the Environmental Impact Report (EIR No. 537) pursuant to applicable legal standards, and most have been avoided or mitigated, including mitigation measures that are required for the project. However, the following impacts cannot be mitigated to below a level of significance after the implementation of relevant standard conditions of approval, regulations and mitigation measures as identified in the Draft EIR and Final EIR (see resolution for more detail):
 - Sections 1.3.1 and 5 of the Original EIR, EIR No. 510, identified the following issues where the Original Project would result in impacts that could not be fully reduced to a less-than-significant level, even after implementation of all feasible mitigation measures:
 - Construction, operational, and cumulative air pollutant emissions;
 - Inconsistency with the Air Quality Management Plan;
 - Exceed PM₁₀ and PM_{2.5} localized significance thresholds;
 - Expose sensitive receptors to substantial pollutant concentrations;
 - Cumulative traffic;
 - Cumulative water supply; and
 - Project contributions to greenhouse gas emissions (e.g., global climate change).

Because these impacts would have been significant and unavoidable consequences of the Project, the Riverside County Board of Supervisors adopted a Statement of Overriding Considerations determining that the Project's economic, social, and technological benefits outweigh its significant environmental effects.

- The Revised Focused EIR (EIR No. 537) has determined that almost all the same environmental impacts are also significant for the current Revised Project, except for cumulative traffic impacts. The Revised Project will generate considerably less traffic onto local streets and regional

freeways compared to the project as previously proposed, so the Revised Focused EIR determined that the Revised Project will not have cumulative traffic impacts. In addition, with respect to impacts related to greenhouse gases, the cumulative impacts were considered to be speculative at the time that the Original EIR was prepared. With the advance of time and available new data the cumulative impacts can now be quantified. Thus the Revised Focused EIR includes a conclusion that impacts related to greenhouse gases are cumulatively considerable. This conclusion is technically not a new impact, but to be conservative the impact is considered to be a significant cumulative contribution. A Statement of Overriding Considerations is required to be adopted by the Planning Commission in connection with the approval of the Revised Project.

Therefore, the significant and unavoidable impacts are:

- Construction, operational, and cumulative air pollutant emissions;
- Inconsistency with the Air Quality Management Plan;
- Exceed PM₁₀ and PM_{2.5} localized significance thresholds;
- Expose sensitive receptors to substantial pollutant concentrations;
- Cumulative water supply; and
- Project contributions to greenhouse gas emissions (e.g., global climate change).

CONCLUSIONS:

1. The proposed project is in conformance with the Light Industrial (L-I) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Industrial Park (I-P) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is conditionally compatible with the present and future logical development of the area.
5. The proposed project will have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the MSHCP.

INFORMATIONAL ITEMS:

1. One letter from the March JPA dated 11-4-13 was submitted for the project. The letter is attached. All issues from the letter were addressed in the project design, the EIR and the response to comments on the EIR.
2. The project site is not located within:
 - a. A county service area;
 - b. A 100-year flood plain, an area drainage plan, or dam inundation area;
 - c. A fault zone;
 - d. A Criteria Cell of the MSHCP;
 - e. A high fire area; and

- f. A liquefaction area.
- 3. The project site is located within:
 - a. The boundaries of the Lake Mathews/ Woodcrest Area Plan;
 - b. The City of Riverside Sphere of Influence.
- 4. The subject site is currently designated as Assessor's Parcel Numbers 297-080-007, 297-080-008, 297-080-009 and 297-080-010.

**RESOLUTION NO. 2016-087
CERTIFYING ENVIRONMENTAL IMPACT REPORT
NO. 537 (ALESSANDRO COMMERCE CENTRE)**

WHEREAS, in April 2010, the County of Riverside (County) certified Environmental Impact Report 510 (Original EIR) for the development of the Alessandro Commerce Centre Project and approved Tentative Parcel Map No. 35365 and Plot Plan No. 22925 (Original Project). The Original EIR was subsequently successfully challenged by the Center for Biological Diversity (CBD) in the case *Center for Biological Diversity v. County of Riverside*. The court directed the County, as the Lead Agency, to vacate the Original EIR certification, and include data and analyses that require revisions and recirculation of selected portions of the Original EIR. A settlement agreement was entered into to settle this lawsuit.

WHEREAS, subsequent to the court decision, a Revised Project was submitted to the County to be incorporated into a Revised Focused Draft Environmental Impact Report (Revised Focused EIR, EIR No. 537) that would address both the direction from the court on the Original EIR and impacts of the new Revised Project. This Revised Focused EIR for the Revised Project accomplishes the following: (1) incorporates changes made to the Original Project to respond to market demand; (2) addresses the court's direction in its Statement of Decision; and (3) satisfies certain terms of the Settlement Agreement.

WHEREAS, pursuant to the provisions of Government Code Section 65450 et seq., public hearings were held before Riverside County Planning Commission in Riverside, California on March 16, 2016, and before the Riverside County Board of Supervisors on April 12, 2016, to consider the Revised Focused EIR; Plot Plan No. 25422; Environmental Assessment No. 42616; and a blasting permit, if necessary, that includes neighbor notification (collectively referred to herein as Revised Project); and

WHEREAS, all provisions of the California Environmental Quality Act (CEQA) and Riverside County CEQA implementing procedures have been met, and Revised Focused EIR, prepared in connection with the Revised Project, is sufficiently detailed so that all of the potentially significant effects of the Revised Project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above referenced Act and Rules; and

///

FORM APPROVED COUNTY COUNSEL
BY: MELISSA R. CUSHMAN
DATE: 3/30/16

1 **WHEREAS**, pursuant to California Code of Regulations, title 14 (State CEQA Guidelines),
2 section 15151, the evaluation of environmental effects is to be completed in light of what is reasonably
3 feasible; and,

4 **WHEREAS**, on June 26, 2008, Riverside County Planning Department (County) circulated a
5 Notice of Preparation (NOP) of an EIR for the Original Project to the State Clearinghouse and interested
6 agencies and persons for a 30-day review period; and

7 **WHEREAS**, on July 26, 2008, the County held an appropriately noticed scoping meeting; and

8 **WHEREAS**, the Revised Focused Draft EIR was circulated for a 45-day public review period
9 beginning August 15, 2015, and ending September 30, 2015 (SCH # 2008061136); and

10 **WHEREAS**, pursuant to Public Resources Code section 20191(d)(2)(A) and State CEQA
11 Guidelines sections 15088 and 15089, the County responded to all environmental comments that were
12 submitted to the Original Draft EIR during the public review period and a Final EIR was completed; and

13 **WHEREAS**, cumulative impacts were analyzed for the Project through a combination of a “list”
14 and “summary of projections” approach, based on information available from the Riverside County
15 Planning Department for recently approved or proposed development projects within the vicinity of the
16 proposed Project, as well as information contained in long-range planning documents (see Original Draft
17 EIR Section 5); and

18 **WHEREAS**, on August 15, 2015, a Notice of Availability for the Final EIR was mailed to
19 interested persons and written responses were provided to agencies who commented on the Original Draft
20 EIR; and

21 **WHEREAS**, the matter was discussed fully in a public hearing at Planning Commission with
22 testimony and documentation presented by the public and affected government agencies; and

23 **WHEREAS**, on March 17, 2016, the Planning Commission voted 4-0 to adopt Planning
24 Commission Resolution No. 2016-004 and approve the Project; and

25 **WHEREAS**, on March 23, 2016, an application for appeal of the Planning Commission’s
26 decision was filed; and

27 **WHEREAS**, the staff report for the April 12, 2016 Board of Supervisors meeting, incorporated
28 herein by reference, described and analyzed the Project, including the Original EIR and Revised Focused

1 EIR, and recommended that the Board of Supervisors deny the appeal, certify the EIR, and approve the
2 Project; and

3 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by the
4 public and affected government agencies to the Board of Supervisors.

5 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by
6 the Board of Supervisors of the County of Riverside, in regular session assembled on April 12, 2016,
7 that:

- 8 A. The Original Project proposed industrial and commercial development containing eight
9 buildings, associated parking, and three detention basins. The Project included a
10 Tentative Parcel Map No. 35365, which was a Schedule E subdivision of 54.4 gross
11 (51.21 net) acres into six (6) industrial/commercial parcels. Plot Plan No. 22925
12 proposed eight (8) buildings of approximately 258,100 square feet of office; 42,300
13 square feet of light industrial/multi-tenant; 409,400 square feet of industrial
14 warehouse/distribution; 10,000 square feet of retail on a 54.4 gross (51.21 net) acre site
15 with a total building area of approximately 720,000 square feet (floor area ratio [FAR] of
16 0.32) including 1,784 parking spaces and 974,727 square feet of landscaping area
17 (approximately 40 percent).

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that:

- 19 A. The Original Project was modified to include up to 814,630 square feet of the following
20 industrial warehouse uses:
- 21 • Building 1: 598,190 square feet (logistics warehousing)
 - 22 • Building 2: 216,440 (general or multi-tenant warehousing)
- 23 B. The Revised Project occupies 54.53 acres, same as the Original Project, and is built out
24 to a FAR of 0.43, which is within County standards. The Revised Project involves a lot
25 line adjustment to rearrange the existing 4 lots with Lot 2 proposed for truck parking
26 (i.e., no new warehouse building). The revised site plan shows 581 parking spaces and
27 includes two detention basins occupying 4.16 acres associated with Buildings 1 and 2.
28 The Revised Project is expected to generate 534 new employees.

- 1 C. The Revised Project would construct Brown Street to its full width south of Alessandro
2 Boulevard. The Revised Project will construct a 6-foot block wall at the top of slope
3 along the western project boundary to provide an additional visual and noise buffer
4 between the Revised Project and the existing residences.
- 5 D. The proposed industrial buildings of the Revised Project will be consistent with the
6 development standards of the County's "Light Industrial" zoning classification. The
7 building height will be a maximum height of 45 feet at the corners for architectural
8 treatments.
- 9 E. The Revised Project will have a 200-foot wide open space/conservation easement
10 established along the western portion of the site. The purpose of this easement or corridor
11 is to help establish a connection between the March Joint Powers Authority (MJPA)
12 Stephens' kangaroo rat (SKR) habitat conservation lands south of Alessandro Boulevard
13 and the SKR habitat land in the Sycamore Canyon Nature Park north of Alessandro
14 Boulevard. The proposed easement is consistent with the Settlement Agreement, which is a
15 result of the Superior Court Statement of Decision requiring revisions to the environmental
16 baseline. In addition, the developer will provide an endowment to maintain and monitor
17 conditions in the easement in perpetuity.
- 18 F. During the public review process of the Original DEIR, the MJPA requested more detailed
19 information on potential impacts to MJPA property that might result from construction of
20 the Revised Project and Brown Street. Based on the revised land plan, approximately 2.4
21 acres of land under MJPA authority may be impacted on either temporary or permanent
22 basis by the construction of Brown Street. To provide the additional information requested
23 by MJPA, LSA Associates, Inc. (LSA) assessed biological and cultural resources on the
24 adjacent MJPA property with the approval of MJPA. These studies were used to complete
25 the appropriate sections of the Revised Focused DEIR. In addition, LSA also updated the
26 Jurisdictional Delineation for the Revised Project, highlighting any potential impacts on
27 the adjacent MJPA property as a result of constructing Brown Street.
- 28

1 G. It is possible that a temporary rock crushing facility will be needed during grading of the
2 site for the Revised Project. If needed, this facility would be located on Lot 3 in the
3 southern end of the site, approximately 880 feet from the closest residence (to the
4 northwest). If this option was utilized at some point in the future, it would be limited to
5 construction activities only and would cease once the site becomes operational. A
6 supplemental noise assessment was prepared for this facility and is included in Appendix
7 D of the Revised Focused DEIR.

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, based on analysis contained in
9 the Revised Focused DEIR, the County determined that a number of potential environmental effects of the
10 Revised Project would be insignificant, less than significant, or would be adequately addressed through
11 the County review process. The basis for these conclusions is provided in Revised Focused DEIR, Section
12 4. For these topics, no further environmental assessment was required for preparation of the EIR, in
13 accordance with State CEQA Guidelines section 15128.

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following environmental
15 impacts associated with the project are potentially significant unless otherwise indicated, but each of these
16 impacts will be avoided or substantially reduced to a level that is less than significant by the identified
17 existing regulations, Project Design Features or mitigation measures specified in the attached Mitigation
18 Monitoring and Reporting Program which is incorporated herein by this reference. Accordingly, the
19 County makes the following finding as to each of the following impacts pursuant to State CEQA
20 Guidelines section 15091(a): "Changes or alterations have been required in, or incorporated into, the
21 project which avoid or substantially lessen the significant environmental effect as identified in the final
22 EIR."

23 A. Aesthetics

24 *Impact AES-1. Scenic Vistas*

25 **Threshold:** *Project construction and implementation would not result in impacts to scenic*
26 *vistas*

27 The Revised Project's potential to damage scenic vistas is discussed in Revised
28 Focused Draft EIR page 4-4. The primary scenic vistas visible from the Revised

1 Project site and surrounding land uses are Sycamore Canyon and Box Springs
2 Mountain. However, as was determined in the Original EIR for the Original
3 Project, the Revised Project is consistent with surrounding development, and the
4 overall views of Sycamore Canyon and Box Springs Mountain from the
5 surrounding area would not be marred, and therefore would not result in a
6 significant impact. This is a similar level of impact compared to the Original
7 Project.

8 *Impact AES-2. State Scenic Highways*

9 **Threshold:** *Construction and implementation of the Project would not result in impacts to*
10 *a scenic highway corridor or scenic resources.*

11 The Revised Project's potential to substantially damage scenic resources within a
12 State scenic highway is discussed on Revised Focused DEIR page 4-7.
13 Development of the Revised Project will change the current landscape and natural
14 vistas of the site. It should be noted there are no trees or historical buildings on site,
15 and the I-215 Freeway to the east is not a designated scenic highway. There would
16 only be limited views of the Revised Project from the I-215 Freeway a half mile to
17 the east due to distance, intervening topography, and buildings. The Revised
18 Project is not expected to create significant aesthetic impacts that are detrimental to
19 the site or the surrounding community and environment. This is a similar level of
20 impact compared to the Original Project, which was determined to be less than
21 significant and did not require mitigation.

22 *Impact AES-3. Visual Character*

23 **Threshold:** *Construction and implementation of the Project would not result in impacts to*
24 *the existing visual character or quality of the site and its surroundings.*

25 The Revised Project's potential to substantially affect the visual character of the
26 site is discussed in Revised Focused DEIR page 4-7. The Original Project proposed
27 many smaller buildings with hundreds of parking spaces closer to the existing
28 residential uses, while the Revised Project would have two warehouse buildings

1 farther from the existing residences. Lot 2 will be used for trailer parking or storage
2 and will comply with the County's standard site screening requirements, which will
3 provide a sufficient visual buffer for residences to the west. The Revised Project
4 incorporates terms in the Settlement Agreement addressing aesthetic impacts, and
5 the County's recently passed nighttime lighting ordinance must be followed. Due to
6 the design of the Revised Project requiring compliance with the foregoing, the
7 Revised Project would not substantially degrade the existing visual character of the
8 site or surrounding residential property. Thus, as was determined in the Original
9 EIR for the Original Project, the Revised Project will not significantly impact
10 surrounding residential property.

11 *Impact AES-4. Light and Glare*

12 ***Threshold:*** *Construction and implementation of the Project would not create a new source*
13 *of substantial light or glare which would adversely affect day or nighttime views in the*
14 *area.*

15 Impact AES-4 is discussed on page 4-8 in the Revised Focused Draft EIR.
16 Development of the Revised Project will include the installation and operation of
17 new lighting features that will increase light levels upon and in proximity to the
18 Project site. These new sources of light are not expected to generate excessive or
19 inordinate light spill or glare that could adversely affect daytime and/or nighttime
20 views in the area. The Revised Project will be required to comply with the County
21 lighting ordinance, which will further mitigate potential light impacts. Accordingly,
22 as was determined in the Original EIR for the Original Project, development of the
23 Revised Project is not expected to produce significant lighting impacts that would
24 adversely affect views.

25 The Revised Project has the potential to impact the residential neighborhood to the
26 west, by introducing light incursion and glare from the Revised Project's building
27 and street/parking lights. As mentioned above, the Revised Project will be required
28 to comply with County lighting ordinance, which will direct potential light and

1 glare away from existing uses to the extent feasible. The requirements of the private
2 conservation easement will restrict on-site lighting especially for the larger
3 warehouse building on Lot 1, so lighting impacts will likely be reduced from those
4 identified in the Original EIR.

5 Therefore, development of the Revised Project is not expected to expose residential
6 property to unacceptable light levels. Therefore, construction and operation of
7 Brown Street and related drainage improvements will not create any significant
8 aesthetic impacts that were not identified in the Original EIR.

9 *Cumulative Impacts.*

10 The Original EIR concluded that development of the Project and continued
11 development of other properties in the surrounding area would incrementally increase
12 ambient light and glare, and incrementally degrade “dark skies” conditions assuming
13 that future development is consistent with applicable zoning. As long as new
14 development, including the Revised Project, is similar in appearance and scale to
15 existing development, and meets local planning and design guidelines, it will not
16 induce/produce cumulatively considerable aesthetic impacts. Although the Revised
17 Project has a different mix of land uses, the site will be essentially developed under
18 either project scenario, so the cumulative aesthetic (views) and lighting impacts would
19 be similar to those of the Original Project. Project-level impacts were determined to be
20 less than significant, so the Revised Project will not make a significant contribution to
21 a cumulatively considerable impact relative to aesthetics, and no mitigation is required.

22 1. Mitigation.

23 No mitigation is required.

24 2. Findings.

25 All impacts are less than significant.

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1 B. Agricultural and Forestry¹ Resources

2 *Impact AG-1. Convert Farmland to Non-Agricultural Use*

3 **Threshold:** *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide*
4 *Importance to non-agricultural use.*

5 *Impact AG-2. Agricultural Zoning*

6 **Threshold:** *Conflict with existing zoning for agricultural use or a Williamson Act contract*
7 *or conflict with existing zoning for, or cause rezoning of forest land.*

8 *Impact AG-3. Other Agricultural¹ Impacts*

9 **Threshold:** *Involve other changes in the existing environment which could result in*
10 *conversion of Farmland to non-agricultural use or loss of or conversion of forest land to*
11 *non-forest use.*

12 Impacts AG-1 through AG-2 are discussed on page 4-9 in the Revised Focused
13 Draft EIR. The Revised Project proposes full development of the project site,
14 similar to the Original Project, including construction of Brown Street and related
15 drainage improvements. Impacts to agricultural uses (including forest resources)
16 are therefore expected to be equivalent to those outlined in the Original EIR (i.e.,
17 less than significant and no mitigation recommended). As discussed in the Original
18 EIR, the Revised Project will not impact any ongoing agricultural uses or
19 operations, and the site contains no trees so it is not considered a forest resource.
20 The project site is not currently being utilized for agricultural uses and has not been
21 utilized in the past for such use. The 2.53 acres only represent a very small and
22 isolated portion of farmland of local importance in the east-central portion of the
23 site adjacent to Brown Street. Therefore, Project impacts related to this issue would
24 be less than significant.

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¹ For the purposes of this analysis, the term agricultural resources includes forest resources as neither exists on the project site.

1 *Cumulative Impacts.*

2 The Revised Focused Draft EIR determined that cumulative impacts associated
3 with agricultural resources and forestry resources were the same as those identified
4 in the Original EIR (i.e., less than significant and no mitigation required). For this
5 reason, cumulative impacts would be less than significant.

6 1. Mitigation.

7 No mitigation is required.

8 2. Findings.

9 All impacts are less than significant.

10 C. Air Quality

11 1. Impacts.

12 *Impact AQ-4: Sensitive Receptors*

13 ***Threshold:*** *Project construction and implementation would not create expose sensitive*
14 *receptors to substantial pollutant concentrations.*

15 The closest residence to a truck loading dock is located 450 feet away. Table 4.3.H
16 of the Revised Focused DEIR shows that the peak carcinogenic risk is 0.235 in a
17 million or less even at a 435-foot distance, with the threshold of significance set at
18 10 in a million. The peak chronic risk is well under the threshold of 1.0. This shows
19 that even using the very conservative modeling techniques of assuming all 779
20 daily trucks are the largest T7 diesel-type, all spend 10 minutes idling per trip, all
21 are co-located at the closest loading area, and the wind constantly blows directly
22 from the loading area to the residences, the health risks are still well below the
23 thresholds of significance. The Project would also not generate localized emissions
24 in excess of the South Coast Air Quality Management District's (SCAQMD's)
25 significance thresholds. Thus, the Revised Project would not expose sensitive
26 receptors to substantial pollutant concentrations. Therefore, Revised Project
27 impacts related to this issue would be less than significant. Impacts to sensitive
28

1 receptors under the Revised Project would be less than those estimated for the
2 Original Project.

3 *Impact AQ-5. Odors*

4 ***Threshold:*** *Project construction and implementation would not create objectionable odors*
5 *affecting a substantial number of people.*

6 Land uses typically considered to be associated with odors include wastewater
7 treatment facilities, waste-disposal facilities, or agricultural operations. The
8 Revised Project does not contain land uses typically associated with emitting
9 objectionable odors. Diesel exhaust and volatile organic compounds (VOCs) will
10 be emitted during construction of the Revised Project, which are objectionable to
11 some; however, emissions will disperse rapidly from the Revised Project site and
12 therefore should not reach a level to induce a negative response. Therefore, as was
13 determined in the Original EIR for the Original Project, the Revised Project will
14 not have significant impacts in regard to odors and no mitigation is necessary.

15 2. Mitigation.

16 No mitigation is required.

17 3. Finding.

18 Impacts AQ-4 and AQ-5 are less than significant.

19 D. Biological Resources

20 1. Impacts.

21 *Impact BR-1. Candidate, Sensitive, or Special Status Species*

22 ***Threshold:*** *Project construction and implementation would not have a substantial adverse*
23 *effect, either directly or through habitat modifications, on any species identified as a*
24 *candidate, sensitive, or special status.*

25 The Revised Project's potential to have a substantial adverse effect on any species
26 identified as a candidate, sensitive, or special status species is discussed on Revised
27 Focused Draft EIR pages 4-25 through 4-26. There is Stephens' kangaroo rat
28 (*Dipodomys stephensi*) (SKR) habitat on the Private Conservation Area property

1 east and south of the Revised Project site. Therefore, SKR was considered to be
2 present on the Revised Project site. The site is located within the boundaries of the
3 County's Habitat Conservation Plan (HCP) Fee Area for SKR and thus must pay
4 the appropriate mitigation fee.

5 The Original DEIR indicated protocol surveys were conducted on site for
6 burrowing owl (*Athene cunicularia*) and least Bell's vireo (*Vireo bellii pusillus*);
7 neither species was observed on site but suitable habitat was present. In June 2013,
8 a new burrowing owl survey was conducted for the project site and the MJPA
9 Brown Street property at the request of MJPA to determine if either of these areas
10 was occupied by burrowing owl. Again, the species was not found on site. Because
11 the burrowing owl is a highly mobile species, it has a potential to subsequently
12 occupy any suitable burrows within the site. Per the Western Riverside County
13 Multiple Species Habitat Conservation Plan (MSHCP) 30-day Pre-Construction
14 Burrowing Owl Survey Guidelines (revised August 17, 2006) a pre-construction
15 survey is required for the burrowing owl within 30 days prior to start of
16 grading/construction activities.

17 The site contains only a few large isolated shrubs and small trees, but there is at
18 least some potential for project development to impact nesting birds and species
19 covered by the Migratory Bird Treaty Act (MBTA). The Revised Project will have
20 the potential for a significant impact to migratory birds, burrowing owl, and least
21 Bell's vireo habitat, as was the case for the Original Project, and mitigation is
22 required.

23 *Impact BR-2. Riparian Habitat or Other Sensitive Natural Community*

24 **Threshold:** *The Project would not have a substantial adverse effect on any riparian*
25 *habitat or other sensitive natural community identified in local or regional plans, policies,*
26 *regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife*
27 *Service.*

1 There is a total of 0.89 acre of MSHCP-Defined Riparian/Riverine areas within the
2 Revised Project survey area. A total of 0.21 acre of MSHCP-Defined
3 Riparian/Riverine areas will be permanently impacted by Revised Project activities
4 (i.e., State jurisdiction areas).

5 The 2008 Jurisdictional Delineation Report concluded that that Area 4 of the
6 Revised Project was potentially jurisdictional with a downstream connection to
7 Ditch 1, which may connect to Sycamore Canyon, a Relatively Permanent Water
8 (RPW). Based on this potential connectivity to an RPW, the U.S. Army Corps of
9 Engineers (USACE) may exert jurisdiction over Area 4. The total potential USACE
10 jurisdictional area within the study area associated with Area 4 is 0.44 acre,
11 although only 0.04 acre is expected to be permanently impacted by the Revised
12 Project development. Since this feature historically conveyed flows and may
13 provide wildlife habitat associated with a streambed, the California Department of
14 Fish and Wildlife (CDFW) may assert jurisdiction over Area 4. It is unlikely that
15 any of the other riparian/riverine areas would fall under the jurisdiction of federal
16 or State agencies relative to water resources. Impacts to drainage features are
17 potentially significant and mitigation is required. This is the same level of impact
18 as the Original Project.

19 *Impact BR-3. Wetlands*

20 ***Threshold:*** *Project construction and implementation would not have a substantial adverse*
21 *effect on federally protected wetlands as defined by Section 404 of the Clean Water Act*
22 *(including, but limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling,*
23 *hydrological interruption, or other means.*

24 A total of 0.44 acre of potential USACE and Regional Water Quality Control
25 Board (RWQCB) jurisdictional areas and 0.89 acre of potential CDFW
26 jurisdictional areas were identified within the study area. A total of 0.04 acre of
27 potential USACE jurisdictional areas and 0.21 acre of CDFW jurisdictional areas
28 will be permanently impacted by the Revised Project activities. It is possible that

1 all or some of the jurisdictional land impacted by the Revised Project can be
2 mitigated on site, which typically results in a 1:1 compensation rate in subsequent
3 permitting through the resource agencies. In contrast, any amount of jurisdictional
4 land that must be compensated for with off-site property is typically mitigated at
5 3:1 compensation ratios. However, impacts to jurisdictional areas are addressed
6 under BR-2, and there are no federally protected wetlands on the project site. This
7 is the same level of impact as the Original Project (i.e., less than significant and no
8 mitigation necessary).

9 *Impact BR-4. Wildlife Movement and Nursery Sites*

10 **Threshold:** *Project construction and implementation would not interfere substantially with*
11 *the movement of any native resident or migratory fish or wildlife species or with*
12 *established native resident or migratory wildlife corridors, or impede the use of native*
13 *wildlife nursery sites.*

14 The Revised Project site does not contain flowing water or standing pools, nor does
15 the site support any vegetation or resources that serve as a habitat for the migratory
16 fish or wildlife. The site does not lie within any known wildlife corridors. Although
17 the site contains a small isolated drainage, it does not contain any nursery areas or
18 resources. Therefore, as was the case for the Original Project as discussed in the
19 Original EIR, implementation of the Revised Project will not have a significant
20 impact on wildlife corridors.

21 *Impact BR-5. Local Policies or Ordinances*

22 **Threshold:** *Project construction and implementation would not conflict with any local*
23 *policies or ordinances protecting biological resources, such as a tree preservation policy*
24 *or ordinance.*

25 The Revised Project site is within the bounds of the MSHCP. As was the case for
26 the Original Project, with compliance and adherence with the guidelines of the
27 MSHCP, (see Impact BR-6 below for details), the Revised Project will be
28 consistent with and not conflict with any local policies and ordinances protecting

1 biological resources. Impacts would remain less than significant with
2 implementation of Mitigation Measure BR-2.

3 *Impact BR-6. Habitat Conservation Plans*

4 **Threshold:** *The Project would not conflict with the provisions of an adopted Habitat*
5 *Conservation Plan, Natural Conservation Community Plan, or other approved local,*
6 *regional, or state conservation plan.*

7 The Revised Project site is not located within an MSHCP Criteria Area; therefore,
8 no analysis of the Revised Project's relationship to MSHCP Reserve Assembly is
9 required. However, the Revised Project site is adjacent to Existing Core D, which
10 consists of two non-contiguous habitat blocks of Public/Quasi-Public (PQP) lands
11 associated with Sycamore Canyon Park. According to the MSHCP, "the Core
12 provides live-in habitat for the granite spiny lizard, a species requiring rock
13 outcrops, and likely provides movement habitat for bobcat." MSHCP requirements,
14 including species surveys, are applicable for this site. The Revised Project DEIR
15 (pages 4-29 through 4-31) analyzes the Revised Project's consistency with the
16 MSHCP. With payment of MSHCP and SKR HCP mitigation fees,, impacts related
17 to MSHCP consistency would be less than significant. This is the same level of
18 impact as the Original Project.

19 *Cumulative Impacts.*

20 Based on the various technical studies, both the Original and Revised Projects are
21 consistent with the MSHCP and no significant biological resources will be
22 impacted by project development with implementation of the recommended
23 mitigation. Therefore, the Revised Project will not contribute to cumulatively
24 considerable impacts to biological resources, and no additional mitigation is
25 required.

26 2. Mitigation.

27 **BR-1a** (Original EIR): Burrowing owl (*Athene cunicularia*) (BUOW) Pursuant to
28 Objective 6 of the Species Account for the BUOW included in the MSHCP, within

1 30 days prior to the issuance of a grading permit, a pre-construction
2 presence/absence survey for the burrowing owl shall be conducted. A qualified
3 biologist shall conduct the survey and the results of this presence/absence survey
4 shall be provided in writing to the Environmental Programs Department (EPD) at
5 Riverside County. If it is determined that the Project Site is occupied by burrowing
6 owl, take of "active" nests shall be avoided pursuant to the MSHCP and the
7 Migratory Bird Treaty Act (MBTA). However, when the burrowing owl is present,
8 relocation outside of nesting season (March 1 through August 21) by a qualified
9 biologist shall be required. The EPD shall be consulted to determine appropriate
10 type of relocation (active or passive) and translocation sites.

11 **BR-1a:** (Revised EIR): Burrowing owl (*Athene cunicularia*) - Pursuant to
12 Objective 6 of the Species Account for the burrowing owl included in the MSHCP,
13 within 30 days prior to the issuance of a grading permit, a pre-construction
14 presence/absence survey for the burrowing owl shall be conducted. A qualified
15 biologist, who has a Memorandum of Understanding (MOU) on record with the
16 County of Riverside, shall conduct the survey. A report documenting results of this
17 presence/absence survey shall be provided in writing to the Riverside County
18 Planning Department, Environmental Programs Division (EPD) for review and
19 approval. If burrowing owl is present on the project site or within a 150-meter
20 buffer zone, take of "active" nests shall be avoided pursuant to the MSHCP and the
21 Migratory Bird Treaty Act. However, when the burrowing owl is present,
22 relocation outside of nesting season (February 1 through August 31) by a qualified
23 biologist shall be required. The EPD shall be consulted to determine appropriate
24 type of relocation (active or passive) and translocation sites.

25 The County shall consult and coordinate with the Western Riverside County
26 Regional Conservation Authority (RCA) prior to any relocation (passive or active)
27 of burrowing owls from the project site. The County may also consult with the
28 California Department of Fish and Wildlife (CDFW) and the U.S. Fish and

1 Wildlife Service (USFWS). Mitigation for impacts will be consistent with the 2012
2 “Staff Report on Burrowing Owl Mitigation” published by the Department.

3 **BR-1b** (Original EIR): Nesting Birds – The removal of any trees, shrubs, or any
4 other potential nesting habitat shall be conducted outside the avian nesting season
5 wherever practicable. The avian nesting season, extends from February 15 through
6 August 30. If ground-disturbing activities are scheduled during the nesting season,
7 a survey for nesting birds shall be conducted by a qualified biologist prior to any
8 ground disturbing activities. If active nests are found within 500 feet of the planned
9 impact area, the area of the nest shall be flagged, including an adequate buffer as
10 determined by a qualified biologist, and the flagged area shall be avoided until a
11 qualified biologist has determined that the nest is no longer active. This measure
12 shall be implemented to the satisfaction of the County requirements until said
13 nesting activity has concluded.

14 **BR-1b:** (Revised EIR): Nesting Birds - The removal of any trees, shrubs, or any
15 other potential nesting habitat shall be conducted outside the avian nesting season
16 wherever practicable. The avian nesting season extends from February 15 through
17 August 30. If ground-disturbing activities are scheduled during the nesting season,
18 a survey for nesting birds shall be conducted by a qualified biologist prior to any
19 ground-disturbing activities. If active nests are found within 500 feet of the planned
20 impact area, the area of the nest shall be flagged, including an adequate buffer as
21 determined by a qualified biologist, and the flagged area shall be avoided until a
22 qualified biologist has determined that the nest is no longer active. This measure
23 shall be implemented to the satisfaction of the County requirements until said
24 nesting activity has concluded.

25 Prior to issuance of a grading permit, the developer shall demonstrate to the MJPA
26 and the County Planning Department that potential impacts regarding loss of
27 Stephens’s kangaroo rat (SKR) habitat within the adjacent MJPA property have
28 effectively mitigated by payment of an established development impact fee

1 established for such purpose, or by the provision of an appropriate amount of
2 suitable SKR habitat in the surrounding region. Potential fee programs include but
3 are not limited to the County's established MSHCP or the SKR Habitat
4 Conservation Plan (HCP).

5 **BR-2a:** (Original EIR): The Project applicant shall mitigate on-site impacts to
6 riparian/riverine habitat by funding off-site restoration activities at a ratio of 3:1.
7 The restoration will be done through the Santa Ana Watershed Association to
8 ensure high quality habitat is preserved/restored within the same watershed as the
9 impact area.

10 **BR-2a:** (Revised EIR): To the greatest extent feasible, the project applicant will
11 mitigate the riparian/riverine habitat on site through either avoidance or on-site
12 creation of biologically equivalent or superior habitat to ensure replacement of any
13 lost function or value of the riparian/riverine habitat. To the greatest extent feasible,
14 the project applicant will mitigate loss of riparian/riverine habitat on-site through
15 either avoidance or on-site creation of biologically equivalent or superior habitat to
16 ensure replacement of any lost function or value of the riparian/riverine habitat.
17 The applicant shall provide on-site habitat at a ratio of 1:1. If on-site mitigation is
18 determined to be insufficient by the resource agencies, the Project applicant shall
19 mitigate any residual on-site impacts to riparian/riverine habitat by funding off-site
20 restoration activities at a ratio of 3:1. The restoration will be done through the Santa
21 Ana Watershed Association or other conservation organization acceptable to the
22 California Department of Fish and Wildlife, including but not limited to the
23 Department itself, to ensure high quality habitat is preserved/restored within the
24 same watershed as the impact area.

25 **BR-2b:** (Revised EIR): Prior to the issuance of an occupancy permit, the developer
26 shall legally establish a conservation easement along the western boundary of the
27 project property, as shown in the approved site plan and as described in the project
28 Settlement Agreement. The developer shall work with an established conservation

1 organization acceptable to the County Resource Conservation Authority (RCA) to
2 establish the easement. The easement shall meet the requirements of the Settlement
3 Agreement and applicable guidelines in the MSHCP. The selected conservation
4 group will maintain and monitor the easement on a permanent basis.

5 In compliance with the Settlement Agreement resolving *Center for Biological*
6 *Diversity, et al. v. County of Riverside, et al.* Riverside County Superior Court Case
7 no. RIC10009105, the permanent Conservation Easement (CE) shall be established
8 and recorded by the developer and shall name an appropriate designee as the
9 holder/grantee as designated in the Settlement Agreement. The terms, standards,
10 and goals of the CE shall conform to those outlined in the MSHCP. The CE
11 holder/grantee shall have the necessary organizational and fiscal capability to
12 ensure enforcement of the easement in perpetuity. Alternatively, the CE may be
13 transferred in fee title to the RCA as long as the obligations regarding the CE are
14 simultaneously transferred.

15 The developer shall also provide a monetary endowment to the conservation group
16 sufficient for it to maintain and monitor conditions in the easement in perpetuity.
17 The developer shall demonstrate to the CBD and the County Planning Department
18 it has met the requirements of this measure, and applicable portions of the
19 Settlement Agreement in this regard, prior to receiving a certificate of occupancy
20 for the project.

21 Once the easement is established, discing as a means of fire clearance will only be
22 permitted if all other fire clearance methods or mechanisms are prohibited. Weed
23 abatement/fire prevention techniques that shall be employed to the greatest degree
24 feasible include mowing, hand clearance, or grazing. Discing is only permitted
25 upon written demonstration from an appropriate regulatory authority stating that
26 other weed abatement/fire prevent techniques are not permitted.

27 **BR-2c:** (Revised EIR): The developer shall minimize grading within the
28 conservation area to the greatest degree practical. Should any grading within the

1 conservation area occur, the developer shall pay for and complete a one-time
2 restoration of any graded portions of the conservation area with native plants
3 generally supportive of Stephens' kangaroo rat (SKR) habitat including, but not
4 limited to, the plants listed in Exhibit B of the Settlement Agreement. Initial
5 grading of the conservation area shall be completed within six (6) months of the
6 commencement of grading in the conservation area. Restoration of any areas
7 graded in the conservation area shall begin as soon as practical after completion of
8 the initial grading so as to coincide with the fall and winter rainy season, and reach
9 completion by January 20th of the following year. Restoration shall be completed
10 within one year and may include a grow-kill cycle to reduce weeds during the first
11 rainy season if so included in the restoration plan as required by Exhibit B of the
12 Settlement Agreement. The developer shall make an adequate one-time restoration
13 effort to achieve a 70 percent native plant cover (bird's eye view) with the
14 recommended plant palette and a maximum of 10 percent cover by non-native plant
15 species five (5) years after planting. Exhibit B of the Settlement Agreement
16 contains a list of restoration experts and minimum contract requirements of
17 restoration of the conservation area. The one time restoration shall be based on a
18 site specific scientifically based revegetation plan from local native plant sources
19 developed by a restoration expert chosen by the developer from the list in Exhibit B
20 of the Settlement Agreement with proven experience in successful revegetation of
21 western Riverside County and coastal sage scrub and native grasslands. The
22 developer shall provide a report demonstrating that the restoration activities meet
23 the terms of the Settlement Agreement prior to any use or occupancy of the
24 buildings or structures.

25 **BR-2d:** (Revised EIR): Prior to establishment of the conservation easement
26 identified in Mitigation Measure BR-2b, discing within the conservation area as a
27 means of fire clearance will only be permitted if all other fire clearance methods or
28 mechanisms are formally prohibited. Weed abatement/fire prevention techniques

1 that shall be employed to the greatest degree feasible including mowing, hand
2 clearance, or grazing. Discing is only permitted upon written demonstration from
3 an appropriate regulatory authority stating that other weed abatement/fire prevent
4 techniques are not permitted.

5 **BR-2e:** (Revised EIR): Prior to issuance of an occupancy permit, the developer shall
6 demonstrate that all project lighting minimizes lighting impacts on neighbors to the
7 west and adjacent conservation areas to the east and west of the site, in compliance
8 with the project Settlement Agreement. Night lighting shall be directed away from
9 adjacent conservation areas, and those areas shall be treated as separate parcels for
10 the purposes of compliance with Riverside County Ordinance 915. Shielding shall
11 be incorporated to ensure ambient lighting in the adjacent conservation areas does
12 not increase beyond 0.5 foot-candles adjacent to developed lots. Devices that may
13 be employed to control light include lenses, louvers, barn doors, and snoots. A
14 photometric study and engineering plan shall be submitted to the County
15 demonstrating consistency with these lighting provisions prior to any use or
16 occupancy of the site.

17 Prior to review and approval by the County, the developer shall submit the
18 photometric and engineering plans for lighting along Brown Street and the eastern
19 side of the project to MJP A for review and comment.

20 3. Findings.

21 Impacts BR-3 [Federal Wetlands], BR-4 [Wildlife Movement and Nursery Sites],
22 and BR-6 [Habitat Conservation Plans] were determined to be less than significant
23 and did not require mitigation, similar to the findings of the Original DEIR. With
24 implementation of Mitigation Measures BR-1a through BR-2e, Impacts BR-1
25 [Candidate, Sensitive, or Special Status Species], BR-2 [Riparian Habitat or Other
26 Sensitive Natural Community], and BR-5 [Local Policies or Ordinances] would be
27 mitigated to less than significant levels.

28 ///

1 E. Cultural Resources

2 1. Impacts.

3 *Impact CR-1. Historic Resources*

4 ***Threshold:*** *Construction of the Project would not cause a substantial adverse change in*
5 *the significance of a historical resource as defined in Section 15064.5.*

6 The original and updated cultural resource assessments indicate the Original
7 Project site and adjacent MIPA Property upon which the Brown Street
8 improvements are proposed (LSA May 2014) do not contain any historical
9 resources as outlined in the State CEQA Guidelines. Therefore, the conclusion is
10 the same as the Original EIR with impacts being less than significant.

11 *Impact CR-2. Archaeological Resources*

12 ***Threshold:*** *Construction of the Project would not cause a substantial adverse change in*
13 *the significance of an archaeological resource with the implementation of mitigation*
14 *measures (refer to Attachment "B," Mitigation Monitoring and Reporting Program.*

15 The cultural resources assessment identified one potential cultural resource area
16 within the MIPA property adjacent to Brown Street, which was designated P-33-
17 022246. This new area was examined in detail during a Phase III assessment by
18 LSA in May 2014 and no significant resources or artifacts were found.
19 Representatives of the Pechanga Tribe were notified of the planned Phase III work
20 and declined to monitor. While this area was determined to not contain potentially
21 significant cultural resources, there remains potential to uncover buried
22 archaeological resources. This impact is potentially significant and mitigation is
23 required. This is the same level of impact as the Original Project.

24 *Impact CR-3. Paleontological Resources*

25 ***Threshold:*** *Construction of the Project would not directly or indirectly destroy a unique*
26 *paleontological resource or site or unique geologic feature.*

27 The geotechnical report and cultural resources report for the project site indicate the
28 area is underlain by shallow bedrock with numerous rock outcroppings of exposed

1 granite. Fossils and other paleontological resources are typically not found under
2 these surface and subsurface conditions, so the potential impacts to paleontological
3 resources is considered to be less than significant, and no mitigation is required.
4 This is the same level of impact as the Original Project.

5 *Impact CR-4. Human Remains*

6 **Threshold:** *Construction of the Project would not disturb any human remains; including*
7 *those interned outside of formal cemeteries with the implementation of mitigation*
8 *measures (refer to Project Resolution Attachment "B," Mitigation Monitoring and*
9 *Reporting Program).*

10 The Original EIR also concluded that impacts to human remains could be
11 potentially significant if unknown remains existed on the Project site and was
12 mitigated to less than significant level by implementation of Mitigation Measure
13 CR-4a. This conclusion also applies to the Revised Project including
14 implementation of CR-4a.

15 *Cumulative Impacts.*

16 The "universe" for cultural resources is the regional extent of the historical,
17 paleontological, and archaeological resources within the County. The Original EIR
18 concluded that cumulative impacts to cultural resources may be potentially
19 significant from development of projects on culturally sensitive areas within the
20 County. If cumulative development conforms to County and local policy and
21 mitigate potential impacts to cultural resources, impacts would be reduced to less
22 than significant levels. The Revised Project involves the same impacts as was the
23 case for the Original Project. Therefore, with mitigation measures imposed, the
24 Revised Project will not have a cumulatively significant impact associated with
25 cultural resources. This conclusion applies to both the Original and the Revised
26 Projects.

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28 ///

2. Mitigation Measures.

CR-2a: (Original EIR): Phase III data recovery must be completed for Feature 2 (CA-RIV-5457) prior to final approval of grading plans if this area is to be graded. The recovery fieldwork must be completed in its entirety before grading begins, and a Phase III excavation report must be finalized and approved before final inspection. The Phase III excavation must be designed and written to Archaeological Resource Management Reports standards and County of Riverside standards.

CR-2a: (Revised EIR): Phase III data recovery must be completed for Feature 2 (CA-RIV-5457) prior to final approval of grading within the Private Conservation Area. Any recovery fieldwork must be completed in its entirety before grading begins, and a Phase III excavation report must be finalized and approved before final inspection. The Phase III excavation must be designed and written to Archaeological Resource Management Reports standards and County of Riverside standards. The Pechanga Band of Luiseño Indians, The Pechanga and Soboba Tribes will be contacted at least 30 days prior to beginning the data recovery to develop a Cultural Resources Treatment and Monitoring Agreement for participation in the Phase III program. Final copies of the report will be distributed to the landowner/developer, the County, the Eastern Information Center, and the Pechanga Tribe and Soboba Tribes.

CR-2b (Original EIR): The Project Archaeologist must create a mitigation-monitoring program plan prior to earthmoving the Project area, and a pre-grade meeting associated with the details of that plan must occur between the monitoring archaeologist(s) and the grading contractor before grading begins. The abatement plan document must contain a description of how and where artifacts will be curated if found during monitoring, and contingency plans associated with Native American tribal representation if the recovered artifacts are considered sacred items by one or more Native American tribes.

1 **CR-2b:** (Revised EIR): The Project Archaeologist must create a mitigation-
2 monitoring plan prior to earthmoving or blasting in the Project area, and a pre-
3 grade meeting associated with the details of that plan must occur between the
4 monitoring archaeologist(s), Pechanga and Soboba Tribal monitoring
5 representatives, and the grading contractor before grading begins. The plan shall
6 address inadvertent treatment and disposition of the resources. The plan shall be
7 prepared in consultation with the Pechanga Tribe and Soboba Tribes and shall be
8 consistent with the agreement referenced in Mitigation Measure CR-2e.

9 **CR-2c** (Original EIR): Monitoring of development-related excavation is required
10 during all construction-related earthmoving. The Project Archaeologist may, at his
11 or her discretion, terminate archaeological monitoring in any one location on the
12 Project Site if and only if bedrock or sterile soils are encountered during
13 earthmoving at that location.

14 **CR-2c** (Revised EIR) Monitoring of development-related excavation is required
15 during all construction-related earthmoving or blasting activities by a Riverside
16 County certified professional archaeologist (County Condition of Approval 60
17 Planning 016). The Project Archaeologist may, in consultation with the Pechanga
18 Tribe monitor and Soboba tribal monitors, terminate monitoring in any one location
19 on the Project Site if and only if bedrock or sterile soils are encountered during
20 earthmoving at that location.

21 **CR-2d** (Original EIR): Should previously unidentified cultural resource sites be
22 encountered during monitoring, they must be evaluated, and tested if necessary, for
23 significance following the State CEQA Guidelines prior to allowing a continuance
24 of grading in the area. County Condition of Approval 10.Planning.002 addressing
25 inadvertent archaeological finds shall also be implemented.

26 **CR-2d:** (Revised EIR): Should previously unidentified cultural resource sites be
27 encountered during monitoring, they must be evaluated, and tested if necessary, for
28 significance following the State CEQA Guidelines prior to allowing a continuance

1 of grading in the area. County Condition of Approval 10 (Planning 002 and 038)
2 addressing inadvertent archaeological finds shall also be implemented.

3 Consistent with County Condition of Approval 60 (Planning 017), the
4 developer/holder shall prompt the project archaeologist to submit one wet-signed
5 paper copy and one CD of Phase IV Cultural Resources Monitoring Report that
6 complies with the Riverside County Planning Department's requirements for such
7 reports for all ground disturbing activities associated with this grading permit. The
8 report shall follow the County of Riverside Planning Department Cultural
9 Resources (Archaeological) Investigations Standard Scope of Work posted in the
10 TLMA website. The County Archaeologist shall review the report to determine
11 adequate compliance with the approved conditions of approval. Upon determining
12 the report is adequate, a final copy of the report shall be provided to the
13 developer/holder, the Eastern Information Center, and the Pechanga Tribe and
14 Soboba Tribes.

15 **CR-2e** (Original EIR): Native American monitors shall be allowed to monitor all
16 grading, excavation and groundbreaking activities.

17 **CR-2e:** (Revised EIR): Native American monitors from the Pechanga Tribe shall
18 also be allowed to monitor all grading, excavation and groundbreaking activities.
19 Permission is required from March Joint Powers Authority if activities and
20 monitoring occurs on their property. At least 30 days prior to seeking a grading
21 permit, the project applicant shall contact the Pechanga Tribe and Soboba Tribes to
22 notify the tribes of grading, excavation, and the monitoring program, and to
23 coordinate with the County and the Tribes to develop a Cultural Resources
24 Treatment and Monitoring Agreement. The agreement shall address: the treatment
25 of known cultural resources; the designation, responsibilities, and participation of
26 Native American Tribal monitors during grading, excavation, and ground
27 disturbing activities; project grading and development scheduling; terms of
28 compensation; and treatment and final disposal of any cultural resources, sacred

1 sites, and human remains discovered on the site. This is consistent with County
2 Condition of Approval 60 (Planning 018).

3 **CR-2f:** (Revised EIR): All cultural materials that are collected during grading
4 monitoring program and from any previous archaeological studies or excavations
5 on the project site, with the exception of sacred items, burial goods and human
6 remains which will be addressed in the Treatment Agreement outlined in
7 Mitigation Measure CR-2e, shall be curated according to the current professional
8 repository standards. The collections and associated records shall be transferred,
9 including title, to the Pechanga or Soboba Tribe's curation facility, which meets the
10 standards set forth in 36 CRF Part 79 for federal repositories. All sacred sites,
11 should they be encountered within the project area, shall be avoided and preserved
12 as the preferred mitigation, if feasible.

13 **CR-2g:** (Revised EIR): Prior to issuance of grading permits, the project applicant
14 and the Pechanga Tribe and Soboba Tribes shall prepare a Preservation and
15 Maintenance Plan for the long-term care and maintenance of CA-RIV-5457 and
16 any associated cultural features. The plan shall indicate, at a minimum, the specific
17 areas to be included in and excluded from long-term maintenance; prohibited
18 activities; methods of preservation to be employed (fencing, vegetative deterrence,
19 etc.); the entity(s) responsible for the long-term maintenance; maintenance
20 scheduling and notification; appropriate avoidance protocols; monitoring by the
21 Tribes and compensation for services; and necessary emergency protocols. The
22 project manager/landowner shall submit a fully executed copy of the plan to the
23 County to ensure compliance with this mitigation measure.

24 **CR-4a:** (Original and Revised EIR): If human remains are encountered during
25 earth-disturbing activities, all work within 100 feet of the find shall stop
26 immediately and the Riverside County Coroner's office shall be notified. If the
27 Coroner determines the remains are Native American in origin, the Native
28 American Heritage Commission (NAHC) will be notified and, in turn, will notify

the person determined to be the Most Likely Descendant (MLD) who will provide recommendations for treatment of the remains (State CEQA Guidelines, § 15064.5; Health and Safety Code, § 7050.5; Public Resources Code, §§ 5097.94 and 5097.98) (Condition of Approval 10 Planning 037).

3. Findings.

With implementation of Mitigation Measures CR-2a through CR-4a, Impacts CR-2 [Archaeological Resources] and CR-4 [Human Remains] would be less than significant. All other impacts are less than significant.

F. Geology and Soils

1. Impacts.

Impact GS-1. Substantial Adverse Effects from Fault Rupture, Ground Shaking, Ground Failure, Landslides

Thresholds: *Project construction and implementation would not expose people or structures to potential adverse effects from strong seismic ground shaking and seismic related ground failure, including liquefaction and landslides.*

Under both the Original Project and the Revised Project, essentially all of the project site will be graded except under the Revised Project, the far western portion of the site (Lot 4) will include a 6.69-acre, minimum 200-foot wide conservation easement. The buildings and uses are similar in scope and scale and would not represent an increase in the intensity of the site; impacts in that respect would be the same for the Revised Project. The geologic and soil conditions in the adjacent MIPA Brown Street area are equivalent to those of the Original Project site. Therefore, geotechnical and soils impacts of the Revised Project, including the MIPA Brown Street area, are equivalent to those of the Original Project (i.e., less than significant with no mitigation).

Impact GS-2. Soil Erosion

Threshold: *Project construction and implementation would not result in substantial soil erosion or loss of topsoil.*

1 During grading and excavation there would be potential for surface water to carry
2 sediment from on-site erosion into the storm water system and local waterways. In
3 both project scenarios, this is a potentially significant impact that requires
4 mitigation. Mitigation Measures HWQ-1a and HWQ-1b addressed impacts to loss
5 of topsoil, and the same measures, with minor wording changes, will be
6 implemented as part of the Revised Project, as documented in Section 4.8 of the
7 Revised Focused DEIR.

8 With implementation of the proposed mitigation measures, potential erosion
9 impacts of the Revised Project, including to the adjacent MJPA Brown Street area,
10 are reduced to less than significant levels.

11 *Impact GS-3. Unstable Geologic Unit or Soil*

12 **Threshold:** *Project construction and implementation would result in a geologic unit or soil*
13 *to become unstable as a result of the project, resulting in on- or off-site landslide, lateral*
14 *spreading, subsidence, liquefaction, or collapse with implementation of mitigation*
15 *measures (refer to Project Attachment "B," Mitigation Monitoring and Reporting*
16 *Program).*

17 The various geotechnical reports for the Revised Project site indicate that the
18 underlying bedrock is capable of supporting the proposed development.
19 Liquefaction risk is also considered low. However, the Preliminary Geotechnical
20 Investigation by Leighton Consulting, Inc. in 2007 concluded that the topsoil,
21 alluvium/colluvium soil and highly weathered bedrock that exist on site are
22 considered potentially compressible and this material should be removed and
23 recompacted. Therefore mitigation is required. This is the same level of impact as
24 the Original Project (i.e., less than significant with implementation of the
25 recommended mitigation measures).

26 *Impact GS-4. Expansive Soils*

27 **Threshold:** *Project construction and implementation would not potentially expose people*
28 *and/or structures to potential impacts associated with expansive soils.*

1 Under both the Original Project and the Revised Project, essentially all of the
2 project site will be graded except the far western portion of the site (Lot 4) under
3 the Revised Project, which will be the conservation easement. The geologic and
4 soil conditions in the adjacent MIPA Brown Street area are equivalent to those of
5 the Original Project site, as described in Section GS-2, above. Therefore, expansive
6 soils impacts of the Revised Project, including the adjacent MIPA Brown Street
7 area, are equivalent to those of the Original Project. Thus, as was the case for the
8 Original Project, the Revised Project impacts are less than significant and do not
9 require mitigation.

10 *Impact GS-5. Septic Tanks*

11 ***Threshold:*** *The project would not result in adverse impacts as a result of soils incapable*
12 *of adequately supporting the use of septic tanks or alternative wastewater disposal systems*
13 *where sewers are not available for the disposal of wastewater.*

14 Under both the Original Project and the Revised Project, the project will connect to
15 the City of Riverside sewer system.

16 The Revised Project will not create any impacts related to soil constraints of using
17 septic or alternative wastewater disposal systems since the project will connect to
18 an existing piped sewer collection system; therefore, there will be no significant
19 impacts in this regard. Similar to in the Original Project, this is a less than
20 significant impact.

21 *Cumulative Impacts.*

22 The Revised Focused Draft EIR determined that cumulative impacts associated
23 with geological resources were the same as those identified in the Original EIR.
24 Each development project is required to mitigate its own potential project-level
25 geotechnical impacts, including the Original and Revised Projects, therefore,
26 cumulative impacts would be less than significant.

27 2. Mitigation Measures.

1 **GS-2a:** (Original and Revised EIR): Refer to the mitigation measures MM HWQ
2 1a- and HWQ 1-b (See DEIR section 4.8 Hydrology and Water Quality), and all
3 other applicable water quality standards and requirements.

4 **GS-3a:** (Original EIR): The developer shall implement the grading
5 recommendations identified in the Preliminary Geotechnical Report (2007). Prior
6 to the commencement of building construction, the applicant shall retain a qualified
7 engineer to design foundations adequate to support the project structures where
8 necessary, based on the recommendations of the Preliminary Geotechnical Report
9 (2007). Settlement analysis shall be performed once the structural design loads and
10 foundation system geometry have been defined for each building.

11 **GS-3a:** (Revised EIR): The developer shall implement the grading
12 recommendations identified in the Preliminary Geotechnical Report (2007).. Prior
13 to the commencement of building construction, the applicant shall retain a qualified
14 engineer to design foundations adequate to support the Proposed Project's
15 structures where necessary, based on the recommendations of the Preliminary
16 Geotechnical Report (2007). Settlement analysis shall be performed once the
17 structural design loads and foundation system geometry have been defined for each
18 building.

19 Any additional geotechnical evaluation that covers or applies to the Brown Street
20 improvements, or that affects the adjacent MJP A land, shall be submitted to MJP A
21 and their Civil Engineer for review and comment prior to submitting grading plans
22 to the County. Final engineering and grading plans shall be modified if necessary to
23 reflect comments by MJP A to the greatest degree practical. Brown Street will be a
24 County road so it must meet County geotechnical, engineering plan, and grading
25 plan requirements.

26 3. Findings.

27 With implementation of Mitigation Measures GS-3a, Impact GS-3 [Unstable
28 Geologic Unit or Soil] would be less than significant. Mitigation Measures HWQ-

1 1a and HWQ-1b from the Hydrology and Water Quality section of the DEIR would
2 address Impact GS-2 [Soil Erosion]. All other impacts are less than significant.

3 G. Greenhouse Gas Emissions

4 1. Impacts.

5 *Impact GhG-1. Greenhouse Gas Emissions and Impact GhG-2. Applicable Plan, Policy, or*
6 *Regulation*

7 ***Thresholds:*** *Project implementation would result in an increase in greenhouse gas*
8 *emissions, either directly or indirectly, that may have a significant impact on the*
9 *environment and would conflict with an applicable plan, policy, or regulation adopted for*
10 *the purpose of reducing the emissions of greenhouse gases.*

11 A supplemental air quality assessment was prepared for the Revised Project that
12 indicates the Revised Project would generate 11,000 metric tons of CO₂ equivalents
13 (CO₂e) without the mitigation outlined in the air quality section of the Original EIR
14 and 10,000 metric tons with the mitigation (see Revised Focused DEIR Tables
15 4.16.A and 4.16.B). This amount of greenhouse gas emissions is substantially
16 lower than those estimated for the Original Project (i.e., 51 percent less or
17 approximately half), due mainly to the use of the newer CalEEMod computer
18 program which generally results in higher amounts of greenhouse gas emissions
19 when compared to URBEMIS, and the nature of the Revised Project and its land
20 uses (i.e., warehousing vs. mixed uses under the Original Project such as office,
21 retail, and warehousing). Implementation of the proposed mitigation measures
22 would reduce greenhouse gas emissions from the Revised Project by approximately
23 9 percent. Using Lot 2 for parking and/or storage would incrementally reduce the
24 estimated greenhouse gas emissions of the Project by reducing the amount of
25 warehouse building on the site. The Revised Project's greenhouse gas emissions
26 will be over the 10,000-ton threshold suggested by the SCAQMD. This is a
27 potentially significant impact and mitigation is required.

28 2. Mitigation Measures.

Measures AQ-1i and AQ-1j from the air quality section of the Revised Focused DEIR would slightly reduce GHG emissions. It would be infeasible to try to control vehicular emissions from the two warehouses because it is unlikely the users will have their own truck fleets. No additional mitigation is required for the Revised Project due to the similar or reduced level of greenhouse gas emissions estimated compared to the Original Project, and as explained due to operational limits on the type of land use proposed (warehousing produces substantially less traffic compared to mixed use retail and office uses).

3. Findings.

The Revised Focused DEIR concludes that direct project impacts related to greenhouse gas emissions would be significant even with implementation of Mitigation Measures AQ-1i (meet LEED building requirements) and AQ-1j (install solar hot water heating and recycle construction materials) as recommended in the air quality section and the Revised Project requirements outlined in the Settlement Agreement (see Section 2.8 and Appendix G) because they exceed the SCAQMD's suggested threshold. This is the same conclusion the Original EIR came to regarding greenhouse gas impacts for the Original Project and includes the proposed MJPA Brown Street improvements. In addition, the project will also have a cumulative impact related to greenhouse gas emissions, which is different than was concluded in the Original Draft EIR for the reasons stated above.

H. Hazards and Hazardous Materials

1. Impacts.

Impact HHM-1. Transport, Use, or Disposal of Hazardous Materials

Thresholds: *Project construction and implementation would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.*

Impact HHM-1 is discussed on page 4-50 of the Revised DEIR. Similar to the Original Project, the Revised Project will utilize light industrial type chemicals and

1 materials, which are regulated by State and federal laws. The addition of Brown
2 Street would not increase the amount of chemicals or materials used by the Revised
3 Project compared to the Original Project. The small areas of dark stained soil were
4 reexamined by LSA on June 22, 2015 and no visible signs of contamination were
5 present. While no impacts are anticipated from contaminated soils based upon the
6 small amount of dark oil stains, if soils are later determined to be contaminated
7 during the course of construction for the Revised Project, all standard hazardous
8 remediation, removal, and disposal procedures will be adhered to. Therefore, the
9 potential impacts of the Revised Project relative to hazards and hazardous materials
10 will be similar for those identified for the Original Project (i.e., less than significant
11 with compliance with existing laws and regulations regarding hazardous materials,
12 including the County Fire and Health Departments).

13 *Impact HHM-2. Release of Hazardous Materials*

14 **Threshold:** *Project construction and implementation would create a significant hazard to*
15 *the public or the environment through reasonably foreseeable upset and accident*
16 *conditions involving the release of hazardous materials in the environment.*

17 The Revised Project's potential to create a hazard through the release of hazardous
18 materials is discussed on pages 4-50 through 4-51 of the Revised DEIR. The
19 adjacent MJPA Brown Street property shows no sign of contamination by
20 hazardous materials, and no buildings that could use hazardous materials will be
21 located in this area (i.e., only the street and related drainage improvements).
22 Therefore, the potential impacts of the Revised Project relative to hazards and
23 hazardous materials will be similar for those identified for the Original Project (i.e.,
24 less than significant).

25 *Impact HHM-3. Existing or Proposed Schools*

26 **Threshold:** *Project construction and implementation would emit hazardous emissions or*
27 *handle hazardous or acutely hazardous materials, substances, or waste within one-quarter*
28 *mile of an existing or proposed school.*

1 The Revised Project's potential to emit hazardous emissions or handle hazardous or
2 acutely hazardous materials, substances, or waste within one-quarter mile of an
3 existing or proposed school is discussed on page 4-51 of the Revised Focused
4 DEIR. The Project site is not within one-quarter mile of any existing or proposed
5 schools. The nearest school, Benjamin Franklin Elementary School, is located 1.4
6 miles southwest of the Revised Project site. In addition, implementation of the
7 Revised Project will not produce hazardous emissions or otherwise cause
8 hazardous materials impacts upon school facilities located within the target study
9 radius, and no mitigation is required. This is the same level of impact as the
10 Original Project.

11 *Impact HHM-4. Hazardous Materials Sites*

12 **Threshold:** *Project construction and implementation would not create a significant hazard*
13 *to the public or the environment with the implementation of mitigation as a result of being*
14 *included on a list of hazardous materials sites.*

15 The Revised Project's potential to create a significant hazard to the public or the
16 environment as a result of being on a site that is included on a list of hazardous
17 materials sites compiled pursuant to Government Code Section 65962.51 is
18 discussed on page 4-51 of the Revised DEIR. The Revised Project site, including
19 the MJPA Brown Street property, similar to the Original Project site, is not listed
20 on the Cortese List per Government Code Section 65962.5 and therefore there will
21 be no significant impacts in this regard, and no mitigation is necessary.

22 *Impact HHM-5. Airport Land Use Plans*

23 **Threshold:** *For a project located within an airport land use plan, or where such a plan*
24 *has not been adopted, within two miles of a public airport or public use airport, would the*
25 *project result in a safety hazard for people residing or working in the project area?*

26 The Revised Project's potential to create a safety hazard for people residing or
27 working in the Revised Project area as a result of being located within an airport
28 land use plan or, where such a plan has not been adopted, within two miles of a

1 public airport or public use airport is discussed on pages 4-51 through 4-53 of the
2 Revised Focused DEIR. The site, located approximately two miles northwest of the
3 March Air Reserve Base (ARB), is within the Airport Influence Policy Area II.
4 Because the March ARB does not have an Airport Master Plan, the Riverside
5 County Airport Land Use Commission utilizes compatibility guidelines set forth in
6 the current Riverside County Airport Land Use Plan. The Revised Project site is
7 located within Area II of the Riverside County Airport Land Use Plan. According
8 to the Riverside County Airport Land Use Plan, Area II guidelines allow for
9 commercial development as proposed by the Revised Project and therefore the
10 development is consistent with the Riverside County Airport land Use Plan. The
11 potential impacts of the Revised Project relative to an airport land use plan would
12 be similar to or less than those identified for the Original Project (i.e., less than
13 significant) including the adjacent MJPA Brown Street property.

14 *Impact HHM-6. Private Air Strips*

15 **Threshold:** *For a Project located within the vicinity of a private airstrip, would the Project*
16 *result in a safety hazard for people residing or working in the Project area?*

17 The Revised Project's potential to create a hazard due to its proximity to private air
18 strips is discussed on page 4-53 of the Revised Focused DEIR. There are no private
19 airstrips or helipads within the immediate vicinity of the Revised Project site, and
20 the there is no plan to develop any such facilities in proximity to the Revised
21 Project site. Accordingly, implementation of the Revised Project, similar to the
22 Original Project, will not result in a safety hazard for people residing or working in
23 the Revised Project site, including the adjacent MJPA Brown Street property, and
24 no mitigation is required.

25 *Impact HHM-7. Adopted Emergency Response Plans or Emergency Evacuation Plans.*

26 **Threshold:** *Project construction and implementation would not impair implementation of,*
27 *or physically interfere with an adopted emergency response plan or evacuation plan.*
28

1 The Revised Project's potential to impair implementation of or physically interfere
2 with an adopted emergency response plan or emergency evacuation plan is
3 discussed on page 4-53 of the Revised Focused DEIR. The Revised Project's site
4 plan meets the County Fire Department's emergency access requirements regarding
5 the length of a cul-de-sac street for emergency vehicles. In addition, construction of
6 project-related improvements along the south side of Alessandro Boulevard will be
7 short-term and is not expected to significantly impact traffic or safety along
8 Alessandro Boulevard. As discussed in the Traffic section, the Revised Project
9 would not create a substantial number of truck trips that would interfere with any
10 key emergency evacuation plans or routes. Therefore, the Revised Project will have
11 less than significant impacts regarding emergency access, response, or evacuation
12 and no mitigation is required. This is the same level of impact as the Original
13 Project.

14 *Impact HHM-8. Wildland Fires*

15 The Revised Project's potential to expose people or structures to a significant risk
16 of loss, injury, or death involving wildland fires is discussed on page 4-53 of the
17 Revised Focused DEIR. The Project site is not located within or adjacent to the
18 "Wildfire Susceptible Area" as depicted in the Riverside County Integrated Project,
19 Figure S-11. Therefore, the Revised Project site, including the MJPB Brown Street
20 property, similar to the Original Project, will not create significant impacts related
21 to wildland fire hazards and no mitigation is required.

22 *Cumulative Impacts.*

23 The Revised Focused Draft EIR determined that cumulative impacts associated
24 with impacts from hazards and hazardous materials were the same as those
25 identified in the Original EIR. Each development project is required to mitigate its
26 own potential project-level impacts related to hazards and hazardous materials,
27 including the Original and Revised Projects, therefore, cumulative impacts would
28 be less than significant.

2. Mitigation Measures.

HHM-1a: (Original and Revised EIR): Stained soils, as identified in Phase 1 Environmental Site Assessment (ESA), shall be removed prior to any ground-disturbing activities. The removal process shall be in compliance with the County hazardous materials removal/handling regulatory guidelines and work will be performed to the satisfaction of the County Environmental Health staff.

HHM-5a (Original EIR): Prior to issuance of occupancy permits, information on users, uses, and use of hazardous materials within the Project Site will be transmitted to the MJP for review. The County Planning, Environmental Health, and/or Fire Departments shall have authority to modify any use or occupancy permits to restrict or preclude uses that involve materials that could cause a demonstrable hazard to March ARB flight activities.

HHM-5a: (Revised EIR): Prior to the issuance of occupancy permits, information on users, uses, and use of hazardous materials within the Project site will be transmitted to the MJP for review and comment. The County Planning, Environmental Health, and/or Fire Departments shall have authority to modify any use or occupancy permits to restrict or preclude uses that involve materials that could cause a demonstrable hazard to March ARB flight activities. The applicant shall comply with and certify to the County and MJP the following:

- a. No project facilities located within one-quarter miles of the existing school shall store, handle or use toxic or highly toxic gases as defined in the most currently adopted County fire code at quantities that exceed exempt amount as defined in the most currently adopted fire code.
- b. Facilities that store, handle or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities shall prepare risk management plans (RMP) for determination of risks to the community. The RMP shall be submitted to the March Air Reserve Base Civil Engineering Unit, and the March Joint Powers

Authority Planning Department, for review and comment prior to the Issuance of a Certificate of Occupancy by the County for future tenants of the project.

3. Findings.

With implementation of Mitigation Measure HHM-1a, Impact HHM-1 [Routine Transport, Use, or Disposal of Hazardous Waste] would be less than significant.

With implementation of Mitigation Measure HHM-5a, Impact HHM-5 [Located Within an Airport Land use Plan] would be less than significant. All other impacts are less than significant.

I. Hydrology and Water Quality

1. Impacts.

Impact HWQ-1. Violate Water Quality Standards

Threshold: *Project construction and implementation would not violate any water quality standards or waste discharge requirements with the implementation of mitigation nor would the Project otherwise substantially degrade water quality (refer to Project Resolution Attachment "B," Mitigation Monitoring and Reporting Program).*

Impact HWQ-1 is discussed on Revised Focused DEIR pages 4-56 and 4-57. Mitigation Measures HWQ-1a and HWQ-1b require compliance with the County's Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) requirements and would result in less than significant impacts to short-term and long-term water quality. Therefore, Revised Project impacts related to water quality standards would be less than significant, same as the Original Project.

Impacts HWQ-2. Deplete Groundwater Supplies

Threshold: *Project implementation would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.*

Impact HWQ-2 is discussed on Revised Focused DEIR page 4-58. The Revised Project site has shallow bedrock and exposed granitic rock outcroppings, so

1 infiltration in this area is relatively low. Therefore, potential impacts to
2 groundwater supplies or recharge are considered to be less than significant and no
3 mitigation is required. This is the same level of impact as the Original Project.

4 *Impact HWQ-3. Substantial Erosion or Siltation*

5 **Threshold:** *Project implementation would not result in substantial erosion or siltation on-*
6 *or off-site.*

7 Impact HWQ-3 is discussed on page 4-58 in the Revised Focused DEIR. The
8 Revised Project will result in an increase in surface runoff by increasing the amount
9 of impervious surfaces and decreasing the amount of permeable surfaces. This
10 lowers the infiltration rate through the Revised Project site, resulting in the
11 necessity for an on-site drainage system that is proposed as part of the Revised
12 Project. Therefore, potential impacts of the Revised Project on drainage patterns are
13 considered to be less than significant and no mitigation is required.

14 *Impact HWQ-4. Existing Drainage Pattern*

15 **Threshold:** *Project implementation would not substantially alter the existing drainage*
16 *pattern of the site or area.*

17 Impact HWQ-4 is discussed on Revised Focused DEIR pages 4-58 and 4-59. The
18 Revised Project does not involve any alterations to any streams or rivers. The
19 drainage report for the Revised Project includes the portion of the adjacent MIPA
20 property that will be needed for proposed Brown Street and related drainage
21 improvements and concludes that existing runoff from the Revised Project site will
22 be maintained at or below existing levels. Therefore, potential impacts of the
23 Project on drainage patterns are considered to be less than significant and no
24 mitigation is required. This is the same level of impact as the Original Project.

25 *Impact HWQ-5. Contribute to Runoff Water*

26 **Threshold:** *Project implementation would not substantially increase the rate or amount or*
27 *surface runoff in a manner that would result in flooding onsite or offsite; or create or*
28

1 contribute runoff water; which would exceed the capacity of existing or planned
2 stormwater drainage systems or provide substantial additional sources of polluted runoff.

3 Impact HWQ-5 is discussed on page 4-59 of the Revised Focused DEIR. The
4 Revised Project would increase the runoff flow due to the creation of additional
5 impervious surfaces on the Revised Project site. The Revised Project will be
6 required to maintain existing runoff from the Revised Project site at or below
7 existing levels through the construction and maintenance of two on-site detention
8 basins. The design of the drainage plan for the Revised Project keeps runoff from
9 the MJPAsite on MJPAsite property so there will be no increase in runoff volume or
10 velocity on the Revised Project site. The Revised Project will be required to
11 complete an NPDES permit, which will require the preparation of an SWPPP for
12 construction activities and a WQMP for ongoing activities. Therefore, the potential
13 impacts of the Revised Project relative to runoff water will be less than significant
14 and no mitigation is required. This is the same level of impact as the Original
15 Project.

16 *Impact HWQ-6. Place Housing Within a 100-Year Flood Zone*

17 **Threshold:** Project implementation would not place housing within a 100-year flood
18 hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate
19 Map or other flood hazard delineation map.

20 Impact HWQ-6 is discussed on Revised Focused DEIR page 4-59. The Revised
21 Project does not include the construction of residential uses within the Revised
22 Project site. The Revised Project site is not located within a 100-year floodplain or
23 other flood hazard delineation area. Similar to the Original Project, no impact will
24 occur and no mitigation is required.

25 *Impact HWQ-7. Structures Within a 100-Year Flood Zone*

26 **Threshold:** Project implementation would not place structures within a 100-year flood
27 hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate
28 Map or other flood hazard delineation map.

1 Impact HWQ-7 is discussed on Revised Focused DEIR page 4-59. The Revised
2 Project site is not within a 100-year flood hazard area according to the Federal
3 Emergency Management Agency (FEMA). Therefore, implementation of the
4 Revised Project would not result in the construction of improvements within a
5 flood hazard area that would impede or redirect flood flows and, similar to the
6 Original Project, impact will be less than significant.

7 *Impact HWQ-8. Dam or Levee Failure*

8 **Threshold:** *Project implementation would not expose people or structures to a significant*
9 *risk of loss, injury or death involving flooding, including flooding as a result of the failure*
10 *of a levee or dam.*

11 Impact HWQ-8 is discussed on Revised Focused DEIR page 4-60. The Revised
12 Project site is within 10 miles of approximately 10 dams in the region. The two
13 closest dams with similar or higher elevations than the site are Perris Dam, 1,560
14 ft., and Box Springs Dam, 1,680 ft. According to Figure 5-10, Dam Failure
15 Inundation Zones (RivCo 2003a), the Revised Project site is located in an area
16 classified as having zero risk of being inundated from floodwaters from a dam
17 failure. Therefore, potential dam failure impacts upon individuals/property or the
18 Revised Project site will be less than significant. This is the same level of impact as
19 the Original Project.

20 *Impact HWQ-9. Inundation by seiche, tsunami, or mudflow*

21 **Threshold:** *Project implementation would not be subject to inundation by seiche, tsunami,*
22 *or mudflow.*

23 Impact HWQ-9 is discussed on Revised Focused DEIR page 4-50. The Revised
24 Project site is not located near the coastline of the Pacific Ocean, or near any large
25 continental bodies of water. Therefore, implementation of the Revised Project will
26 not result in impacts related to a tsunami. Due to the Project site's distance from
27 Lake Matthews and Lake Perris, the Revised Project will not be subject to impacts
28 associated with a seiche. The Revised Project site and its surroundings vicinity is

1 relatively flat. The nearest topographic relief to the Project site is approximately 10
2 miles north of the Project site. Therefore, the potential for mudflow affecting the
3 Project site is not substantial, and the impact will be less than significant and no
4 mitigation is required.

5 *Cumulative Impacts.*

6 New development is required to have grassy swales, detention basins, or other
7 improvements to treat “first flush” urban pollutants. As growth continues, there
8 may be cumulatively considerable impacts to water resources, mainly flood control
9 and water quality. The Original EIR determined that implementation of the
10 proposed mitigation measures would reduce water quality impacts to less than
11 significant levels. In many ways, the Revised Project is similar to the Original
12 Project and will have two detention basins that will help control not only runoff but
13 water quality. Furthermore, compliance with the Santa Ana MS4 NPDES
14 requirements will help ensure cumulative impacts related to water quality remain
15 less than significant. Therefore, with mitigation measures imposed, the Revised
16 Project would not cause cumulative watershed and water quality impacts for the
17 region and its proportion of potential impacts is not cumulatively considerable.

18 2. Mitigation Measures.

19 **HWQ-1a:** (Original and Revised EIR): Prior to the issuance of grading permits for
20 any portion or phase of the Proposed Project, the Project applicant shall submit to
21 and receive County approval of a Storm Water Pollution Prevention Plan (SWPPP)
22 and Grading Plan that identify specific actions and Best Management Practices
23 (BMPs) to prevent storm water pollution from construction sources. The plans shall
24 identify a practical sequence for site restoration, BMP implementation, contingency
25 measures, responsible parties, and agency contacts. The applicant shall include
26 conditions in construction contracts requiring the plans to be implemented and shall
27 have the ability to enforce the requirement through fines and other penalties. The
28 plans shall incorporate control measures in the following categories:

- Soil stabilization practices;
- Sediment and runoff control practices;
- Monitoring protocols; and
- Waste management and disposal control practices.

Once approved by the County, the applicant's contractor shall be responsible, throughout the duration of the Project for installing, constructing, inspecting, and maintaining the control measures included in the Storm Water Pollution Prevention Plan and Grading Plan.

HWQ-1b: (Original and Revised EIR): Prior to final building inspection for any portion or phase of the Project, the applicant shall receive County approval of a Water Quality Management Plan (WQMP) that identifies specific long-term actions and Best Management Practices to prevent storm water pollution from ongoing site operations. The Water Quality Management Plan shall identify a practical sequence for BMP implementation, contingency measures, responsible parties, and agency contacts. The County and the applicant shall enforce the requirement through fines and other penalties, as necessary.

Once approved by the County, the applicant shall be responsible throughout the duration of the Project for installing, constructing, inspecting, and maintaining the control measures included in the Water Quality Management Plan.

The Water Quality Management Plan shall identify potential pollutant sources that could affect the quality of storm water discharges from the Project site. Control practices shall include those that effectively treat target pollutants in stormwater discharges anticipated from the Project site. To protect receiving water quality, the Water Quality Management Plan shall include, but is not limited to, the following elements:

- Permanent erosion control measures such as detention basins, inlet protection, and temporary revegetation or other groundcover that shall be employed for disturbed areas after initial construction is finished.

- No disturbed surfaces will be left without erosion control measures in place during the winter and spring months (September 30 – March 30).
- Sediment shall be retained on site by a system of sediment basins, traps, or other appropriate measures. Of critical importance is the protection of existing catch basins that eventually drain to Sycamore Canyon.
- The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the Project site to prevent, eliminate, or reduce discharge of materials to storm drains.
- Best Management Practices performance and effectiveness shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (inadvertent petroleum release) is required to determine adequacy of the measure.

3. Findings.

With implementation of Mitigation Measures HWQ-1a and HWQ-1b, Impact HWQ-1 [Violate Water Quality Standards] would be less than significant. All other impacts are less than significant.

J. Land Use and Planning

1. Impacts.

Impact LUP-1. Divide Established Community

Threshold: *The Project would not divide any established communities.*

Impact LUP-1 is discussed on Revised Focused DEIR page 4-64. The Revised Project will be constructed on vacant, undeveloped land. The Revised Project site does not consist of any established communities. A residential neighborhood exists along Gem Lane, the western boundary of the Revised Project site. However, the remaining land adjacent to the Revised Project site is either undeveloped (south and east) or developed as a roadway. Therefore the Revised Project does not have the

1 potential to divide an established community, so this impact, similar to the Original
2 Project, is less than significant and no mitigation is required.

3 *Impact LUP-2. Conflict With Applicable Land Use Policies*

4 **Threshold:** *The Project would not conflict with any applicable land use plan, policy, or*
5 *regulation of an agency with jurisdiction over the Project (including but not limited to the*
6 *general plan, specific plan, local coastal program, or zoning ordinance) adopted for the*
7 *purpose of avoiding or mitigating an environmental effect.*

8 Impact LUP-2 is discussed on Revised Focused DEIR page 4-64. The Revised
9 Project site is within an unincorporated area in the County of Riverside, and
10 therefore, it is subject to the County's General Plan goals and policies. The site is
11 designated as Light Industrial (LI) under the foundation component of Community
12 Development in the General Plan. This designation allows for a variety of uses
13 including industrial, manufacturing, service, and commercial. The Revised Project
14 is consistent with the existing General Plan (Light Industrial or LI) and zoning
15 classifications of the site (Industrial Park or IP). Therefore, similar to the Original
16 Project, no significant land use or planning impacts are expected from
17 implementation of the Revised Project and no mitigation is required.

18 *Impact LUP-3. Consistency with Applicable Habitat Conservation Plan*

19 **Threshold:** *The Project would not conflict with any applicable habitat conservation plan*
20 *or natural community conservation plan.*

21 Impact LUP-3 is discussed on Revised Focused DEIR page 4-64. The planned
22 construction of Brown Street and related drainage improvements will create a
23 permanent boundary between project development and the Private Conservation
24 Land immediately east of the Revised Project site. No significant land use impacts
25 to either MJPA or the Center for Natural Lands Management, the organization that
26 manages the Private Conservation Area, are expected to result from these
27 improvements. The Private Conservation Easement will incrementally increase
28 SKR habitat around the Revised Project site and provide a connection between the

SKR inhabiting Sycamore Canyon and those inhabiting the MJPA preserve lands. Therefore, similar to the Original Project, no significant land use or planning impacts related to conservation plans are expected from implementation of the Revised Project.

Cumulative Impacts.

The Revised Focused Draft EIR determined that cumulative impacts associated with land use and planning were the same as those identified in the Original EIR. Each development project is required to mitigate its own potential project-level planning and land use impacts, and the Original and Revised Projects were found to have less than significant land use and planning impacts. For this reason, cumulative impacts would be less than significant.

2. Mitigation.

No mitigation is required.

3. Finding.

All land use and planning impacts are less than significant.

K. Mineral Resources

1. Impacts.

Impact MR-1. Loss of Known Mineral Resource

Threshold: *Project implementation would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.*

Impact MR-1 is discussed on Revised Focused DEIR page 4-65. Similar to the Original Project, the Revised Project, including the MJPA Brown Street improvements, would develop essentially the entire project site, so impacts to known mineral resources would be the same as those identified in the Original EIR (i.e., less than significant) and no mitigation is required.

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1 *Impact MR-2. Loss of Mineral Site*

2 ***Threshold:*** *Project construction and implementation would not result in the loss of*
3 *availability of a locally-important mineral resource recovery site delineated in the local*
4 *general plan, specific plan, or other land use plan.*

5 Impact MR-2 is discussed on Revised Focused DEIR page 4-66. The underlying
6 geology and soils of the MIPA property is similar to that of the Original Project site
7 (i.e., shallow topsoil and colluvium underlain by relatively shallow granitic
8 bedrock). Similar to the Original Project, the Revised Project, including the MIPA
9 Brown Street improvements, would develop essentially the entire Revised Project
10 site, except for the approximately 6.69-acre, 200-foot wide conservation easement
11 along the western border, so impacts would be the same as those identified in the
12 Original EIR (i.e., less than significant) and no mitigation is required.

13 *Cumulative Impacts.*

14 The Revised Focused Draft EIR determined that cumulative impacts associated
15 with mineral resources were the same as those identified in the Original EIR. For
16 this reason, cumulative impacts would be less than significant.

17 2. Mitigation.

18 No mitigation is required.

19 3. Finding.

20 All impacts to mineral resources are less than significant.

21 L. Noise

22 1. Impacts.

23 *Impact N-1. Noise in Excess of Standards*

24 ***Threshold:*** *Project construction and implementation would not expose people to or*
25 *generate noise levels in excess of standards established in the local general plan or noise*
26 *ordinance, or applicable standards of other agencies.*

27 Impact N-1 is discussed on pages 4-68 through 4-70 in the Revised Focused DEIR.
28 The trip generation assessment (Appendix E) determined that the Revised Project

1 would generate only a third of the total vehicular trips (in Passenger Car
2 Equivalentents or PCEs) than the Original Project so it is likely the Revised Project,
3 including the MJPB Brown Street improvements, would have substantially less
4 impact on land uses along truck routes serving the project, and would also be less
5 than significant as the noise impacts of the Original Project were determined to be
6 less than significant.

7 *Impact N-2. Groundborne Vibration*

8 **Threshold:** *Would the project result in the exposure of persons to or generation of*
9 *excessive ground-borne vibration or ground-borne noise levels?*

10 Impact N-2 is discussed on page 4-70 in the Revised Focused DEIR. During
11 construction, there will be a significant amount of fill importation and leveling. The
12 nearest sensitive receptor to the proposed project construction is over 200 feet to
13 the west. Vibration decreases the further away the receptor gets from the source.
14 Considering the distance of the nearest sensitive receptor to the potential vibration
15 source (50 feet), the vibration experienced at that location would be well below 80
16 VdB. Further, impacts at the site of the closest sensitive receptor are unlikely to be
17 sustained during the entire construction period, but rather only during the time that
18 heavy construction equipment is operating in the immediate vicinity, or when rock-
19 crushing activities are ongoing. Construction on the site will also be required to
20 abide by the Riverside County Noise Ordinance (see Ordinance 847). Brown Street
21 is on the east side of the Project while the residences are west of the site,
22 representing a separation of over 1,200 feet. Therefore, the impact of the Revised
23 Project, including the MJPB Brown Street improvements, will be less than
24 significant and no mitigation is required. This is the same conclusion that was
25 determined by the analysis of the Original Project.

26 *Impact N-3. Permanent Increase in Ambient Noise Levels*

27 **Threshold:** *Project implementation would result in a substantial permanent increase in*
28 *ambient noise levels in the project vicinity and would expose persons to (or result in) noise*

1 *levels in excess of standards established in the local general plan or noise ordinance, or*
2 *applicable standards of other agencies.*

3 Impact N-3 is discussed on page 4-70 in the Revised Focused DEIR. As outlined
4 above under Impact N-1, the Revised Project will not result in significant short-
5 term or long-term increases in ambient noise levels as long as the recommended
6 mitigation is implemented. This is the same conclusion that was determined by the
7 analysis of the Original Project (i.e., less than significant with no mitigation
8 needed).

9 *Impact N-4. Periodic Increase in Ambient Noise Levels*

10 ***Threshold:*** *Project construction would not result in periodic ambient noise impacts that*
11 *may exceed County noise standards with the implementation of mitigation measures (refer*
12 *to Project Resolution Attachment "B," Mitigation Monitoring and Reporting Program).*

13 Impact N-4 is discussed on pages 4-70 and 4-71 in the Revised Focused DEIR. A
14 supplemental noise assessment was prepared for the Revised Project for the
15 possible use of an on-site rock crushing facility. The rock crushing machinery
16 would be at least 880 feet from the closest sensitive receptor. The assessment
17 indicates that rock crushing would result in noise levels of 62 dBA L_{max} and 51.4
18 dBA L_{eq} under worst-case conditions while it is more likely noise levels would be
19 59 dBA L_{max} and 48.4 dBA L_{eq} , all of which are within County noise requirements
20 and therefore do not constitute a significant impact. This activity was not identified
21 in the Original EIR.

22 The noise study for the Original DEIR estimated the maximum construction noise
23 from the Original Project would be during grading and would equal 81 dbA at 150
24 feet. The Revised Project now has a private conservation easement along the
25 western side of Building 1 so grading would be over 250 feet from the closest
26 residence, further reducing potential noise impacts. Assuming maximum noise
27 levels of 90 dB at 50 feet during grading or construction, maximum noise levels
28 would be less than 70 dB during daytime hours and would not occur during

1 evenings. This anticipated noise level would be within the County's 75 dBA and 70
2 dBA L_{max} for daytime and nighttime stationary source noise levels, respectively.

3 The Revised Project noise levels, including activities associated with the MJP
4 Brown Street improvements would be equivalent to or less than those of the
5 Original Project since the estimated operational traffic for the Revised Project
6 would be 80 percent less than the Original Project. Therefore, the Revised Project
7 would have roadway noise level impacts equal to or less than those of the Original
8 Project (i.e., less than significant after implementation of mitigation N-4a).

9 *Impact N-5. Public Airport Land Use Plan.*

10 **Threshold:** *For a project located within an airport land use plan or, where such a plan*
11 *has not been adopted, within two miles of a public airport or public use airport, would the*
12 *project expose people residing or working in the project area to excessive noise levels?*

13 Impact N-5 is discussed on the Revised Focused DEIR pages 4-71 and 4-72. The
14 Revised Project site, including the MJP Property, is located eight miles southeast
15 of the Riverside Municipal Airport and is beyond the airport's 60 dBA CNEL noise
16 contour. The Project site is located two miles northwest of March ARB and the site
17 is within the Airport Influence Policy Safety Area II. Because, March ARB does
18 not have an Airport Master Plan, the Riverside County Airport Land Use
19 Commission utilizes compatibility guidelines set forth in the current Riverside
20 County Airport Land Use Plan. According to the Riverside County Airport Land
21 Use Plan, Area II guidelines allow for light industrial development as contemplated
22 by the Revised Project. Therefore, the development is consistent with the Riverside
23 County Airport Land Use Plan.

24 The Project site is located within the 60 dBA CNEL noise contour for March ARB.
25 However, the County noise ordinance has the threshold of 70 dBA, which is
26 applicable for the Project site. Therefore, there will not be a significant noise
27 impacts to the on-site people within the Project site because of the proximity of
28 March ARB and no mitigation is required. The Revised Project site is in the same

1 location as the Original Project; therefore, the potential impacts of the Revised
2 Project relative to airport land use plans will be similar for those identified for the
3 Original Project (i.e., less than significant) and no mitigation is required.

4 *Impact N-6. Private Airstrip*

5 **Threshold:** *For a Project within the vicinity of a private airstrip, would the Project expose*
6 *people residing or working in the Project area to excessive noise levels?*

7 Impact N-6 is discussed on the Revised Focused DEIR, page 4-72. There are no
8 private airstrips in the Project vicinity, including the MJPA property. The nearest
9 private airstrip, Flabob Airport is located 8 miles northwest of the Project site. The
10 site is beyond the airport's 60 dBA CNEL noise contour. Therefore, the impacts
11 from a private airstrip would be less than significant. The Revised Project site is in
12 the same location as the Original Project; therefore, the potential impacts of the
13 Revised Project relative to private airstrips will be similar to those identified for the
14 Original Project (i.e., less than significant) and no mitigation is required.

15 *Cumulative Impacts.*

16 According to the Original EIR, construction would be temporary so ambient noise
17 levels would not experience a permanent increase and, therefore, no cumulatively
18 considerable noise impacts would occur. The Revised Project would result in
19 construction and operational vibration but they would not exceed significance
20 thresholds at the nearest noise-sensitive land uses (the residences west of the
21 project site). Therefore, potential noise impacts would not be cumulatively
22 considerable. Vehicular trips generated by the Project would not cause ambient
23 noise levels along any affected roadway segments to exceed acceptable noise
24 standards under opening year or build-out conditions. The Revised Focused DEIR
25 also evaluated potential noise impacts of 24/7 warehouse operation and a temporary
26 rock crushing facility in Lot 3 and found its noise impacts to be less than
27 significant. Therefore, the Revised Project would not have a cumulative
28 considerable impact related to increased ambient noise levels on nearby roadways.

1 As long as future development within the project area conforms to the County's
2 building standards and noise ordinance, cumulative impacts related to noise will be
3 less than significant. This conclusion applies to both the Original Project and to the
4 Revised Project. Therefore, the Revised Project would not have a cumulative
5 considerable impact related to increased ambient noise levels at surrounding land
6 uses.

7 2. Mitigation.

8 **N-4a** (Original EIR): Prior to grading permit issuance, the Project applicant shall
9 submit a Construction Noise Mitigation Plan to the County for review and
10 approval. The plan shall depict the location of construction equipment and describe
11 how noise would be mitigated through methods such as, but not limited to, locating
12 stationary noise-generating equipment (such as pumps and generators), as far as
13 possible from nearby noise-sensitive receptors. Where practicable, noise-generating
14 equipment will be shielded from nearby noise-generating equipment will be
15 shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as
16 structures or haul, trucks and trailers. Onsite noise sources located less than 200
17 feet from noise-sensitive receptors will be equipped with noise-reducing engine
18 housings. Portable acoustic barriers able to attenuate at least 6 dB will be placed
19 around noise-generating equipment located within 200 feet of residences. Water
20 tanks and equipment storage, staging, and warm-up areas will be located as far
21 from noise-sensitive receptors as reasonably possible. The noise attenuation
22 measures identified in the plan shall be incorporated into the proposed Project.

23 **N-4a:** (Revised EIR): Prior to grading permit issuance, the project applicant shall
24 submit a Construction Noise Mitigation Plan to the County for review and
25 approval. The plan shall depict the location of construction equipment and describe
26 how noise would be mitigated through methods such as, but not limited to, locating
27 stationary noise-generating equipment (such as pumps and generators) as far as
28 possible from nearby noise-sensitive receptors. Where practicable, noise-generating

1 equipment will be shielded from nearby noise-sensitive receptors by noise-
2 attenuating buffers, such as structures or haul trucks and trailers. On-site noise
3 sources located less than 200 feet from noise-sensitive receptors will be equipped
4 with noise-reducing engine housings. Portable acoustic barriers able to attenuate at
5 least 6 dB will be placed around noise-generating equipment located within 200
6 feet of residences. Water tanks and equipment storage, staging, and warm-up areas
7 will be located as far from noise-sensitive receptors as reasonably possible. The
8 noise attenuation measures identified in the plan shall be incorporated into the
9 project as conditions of approval of the grading and construction plans as
10 appropriate. Any rock-crushing equipment must be located within Lot 3, preferably
11 as far from existing residences as possible, to minimize noise impacts. Rock-
12 crushing equipment can only be operated on weekdays between 9 a.m. and 4 p.m.
13 to further reduce noise impacts on residents.

14 **N-4b:** (Original and Revised EIR): During construction, all equipment shall utilize
15 noise reduction features (e.g., mufflers, engine shrouds, etc.) that are no less
16 effective than those originally installed by the manufacturer.

17 3. Findings.

18 Implementation of the additional mitigation measures controlling rock-crushing
19 and warehouse operations will ensure that potential noise impacts do not exceed
20 County noise standards. With implementation of Revised Mitigation Measures N-
21 4a and N-4b, Impact N-4 [Periodic Increase in Ambient Noise Levels] would be a
22 less than significant impact. All other impacts are less than significant.

23 M. Population and Housing

24 1. Impacts.

25 *Impact P-1. Population Growth*

26 **Threshold:** *Would the project induce substantial population growth in an area either*
27 *directly or indirectly?*
28

1 Impact P-1 is discussed in the Revised DEIR on page 4-76. The Revised Project
2 would not construct any new housing or add any new population, either directly or
3 indirectly. The Revised Project is consistent with County zoning and land use
4 designations, so population and housing projections would not be negatively
5 affected by development of the Revised Project, either directly or indirectly.
6 Therefore, the Revised Project would still not have any significant impacts on
7 population or housing, and no mitigation is needed or recommended.

8 *Impact P-2. Displace Housing*

9 **Threshold:** *Would the project displace substantial numbers of existing housing,*
10 *necessitating the construction of replacement housing elsewhere?*

11 Impact P-2 is discussed in the Revised DEIR on page 4-76. The Revised Project
12 would not construct any new housing or add any new population, either directly or
13 indirectly. The Revised Project is consistent with County zoning and land use
14 designations, so population and housing projections would not be negatively
15 affected by development of the Revised Project, and is not expected to create a
16 need to build replacement housing. Therefore, the Revised Project would still not
17 have any significant impacts on population or housing, and no mitigation is needed
18 or recommended.

19 *Impact P-3. Displace People*

20 **Threshold:** *Would the project displace substantial numbers of people, necessitating the*
21 *construction of replacement housing elsewhere?*

22 Impact P-3 is discussed in the Revised DEIR on page 4-76. The Revised Project
23 would not construct any new housing or add any new population, either directly or
24 indirectly. The Revised Project is consistent with County zoning and land use
25 designations, so population and housing projections would not be negatively
26 affected by development of the Revised Project. The majority of the new
27 employees would be anticipated to come from the existing area. The Revised
28 Project is not the type that would lead to greater development of the area nor create

1 an enticement for greater numbers of people to relocate to-or to move away from-
2 the area. Therefore, the Revised Project would still not have any significant impacts
3 on population or housing, and no mitigation is needed or recommended.

4 *Cumulative Impacts.*

5 The Revised Focused Draft EIR determined that cumulative impacts associated
6 with population and housing were the same as those identified in the Original EIR
7 (i.e., less than significant and no mitigation needed). Both the Original and Revised
8 Projects were determined to have less than significant impacts related to housing
9 and population as they would make no contributions to either, so they would not
10 make any significant contributions to housing or population in the surrounding
11 area. For this reason, cumulative impacts would be less than significant.

12 2. Mitigation.

13 No mitigation is required.

14 3. Findings.

15 As was concluded in the Original EIR, all impacts for the Revised Project are less
16 than significant.

17 N. Public Services

18 1. Impacts.

19 *Impact PSR-1. Fire Protection Facilities*

20 ***Threshold:*** *Project implementation would result in impacts to fire protection services.*

21 Impact PSR-1 is discussed on pages 4-78 and 4-79 of the Revised Focused DEIR.
22 The Original DEIR indicated the site was within a 5-minute response time from
23 Fire Station No. 6, and the Revised Project would have a similar response time
24 since they are at the same location. Therefore, the Revised Project will create an
25 equal or reduced demand for fire protection services compared to the Original
26 Project. The developer of the Revised Project is required to pay existing
27 Development Impact Fees (DIFs) for anticipated fire protection service impacts. To
28

1 ensure impacts to fire protection facilities are reduced to less than significant,
2 Mitigation Measure PSR-1 is required.

3 *Impact PSR-2. Police Protection Facilities*

4 ***Threshold:*** *Project implementation would result in impacts to police protection services.*

5 Impact PSR-2 is discussed on page 4-79 of the Revised Focused DEIR. The
6 Original DEIR indicated that the closest County law enforcement services available
7 to the Project site are located at the Perris Station. This would be the same for the
8 Revised Project. The Revised Project proposes different land uses than the Original
9 Project, but they are light industrial in nature (i.e., warehousing) and are not
10 expected to result in significant increases in the need for police protection services
11 compared to those of the Original Project. Although the Revised Project has 13
12 percent more developed area than the Original Project, the Original Project
13 contained retail commercial uses and a fast food restaurant, which are open at night
14 and can attract the public to an otherwise deserted industrial site, possibly
15 increasing the need for police (i.e., County Sheriff) services. Therefore, the Revised
16 Project will create an equal or reduced demand for police protection services
17 compared to the Original Project. The developer of the Revised Project is required
18 to pay existing DIFs for anticipated police protection service impacts. The Revised
19 Project would provide DIFs to the County of Riverside for capital improvements to
20 the Sheriff's Department facilities. These fees would be used to fund
21 improvements/construction of land, equipment, and facilities. The impact fees
22 would lower the impact of the Revised Project to a less than significant level.

23 *Impact PSR-3. School Facilities*

24 ***Threshold:*** *Project implementation would result in impacts to school facilities.*

25 Impact PSR-3 is discussed on page 4-79 of the Revised Focused DEIR. Both the
26 Original Project and Revised Project were non-residential in nature so they would
27 be expected to only generate a minimal number of additional students for local
28 schools. The Revised Project would be required to pay the applicable non-

1 residential school impact fee to the Moreno Valley Unified School District
2 (MVUSD), which is considered full mitigation of potential school impacts under
3 CEQA. No significant impact to schools would occur.

4 *Impact PSR-4. Park Land; Impact PSR-5. Trails; Impact PSR-7. Recreational Facilities*

5 **Thresholds:** *Project implementation would result in a need for: new or physical altered*
6 *parks, safety improvements to local or regional trails, and new or physically altered*
7 *recreational facilities.*

8 Impacts PSR-4, PSR-5, and PSR-7 are discussed on page 4-80 of the Revised
9 Focused DEIR. The Original DEIR indicated the Original Project is served by the
10 County of Riverside Recreation and Parks Department. This agency would also
11 serve the Revised Project. The Revised Project would result in an incremental
12 increase in the demand for existing park facilities and trails, but these impacts are
13 not expected to be significant due to the nature of the project (i.e., non-residential),
14 and payment of the County's DIFs for parks and trails is expected to ensure that
15 project impacts will be less than significant in this regard.

16 *Impact PSR-6. Government Facilities*

17 **Threshold:** *Project implementation would result in a need for new or physically altered*
18 *government facilities.*

19 Impact PSR-6 is discussed on Revised Focused DEIR page 4-80. The Original
20 DEIR indicated the Original Project is served by the County of Riverside. This
21 agency would also serve the Revised Project. The Revised Project would result in
22 an incremental increase in the demand for existing government services and
23 facilities, but these impacts are not expected to be significant due to the nature of
24 the project (i.e., non-residential), and payment of the County's DIFs for various
25 governmental services is expected to ensure that project impacts will be less than
26 significant in this regard.

27 ///

28 ///

1 *Cumulative Impacts.*

2 The Revised Focused DEIR determined that cumulative impacts associated with
3 public services were the same as those identified in the Original EIR (i.e., the
4 Project would not generate any need for any additional government services or
5 facilities, so it would not make a substantial contribution to any significant
6 cumulative impacts relative to other government facilities or services). For this
7 reason, cumulative impacts would be less than significant.

8 2. Mitigation.

9 **PSR-1:** (Revised EIR): Prior to issuance of building permits, the Riverside County
10 Fire Department shall notify the developer if a development agreement is required
11 to help fund improvements to the regional integrated fire protection response
12 system that are in addition to those of the Development Impact Fee (DIF) program.
13 This notification shall demonstrate a nexus and rough proportionality for any
14 additional mitigation specifically required by the Alessandro Commerce Centre
15 Project. In no case will the additional mitigation cost for new facilities and/or
16 equipment exceed the proportion of Project square footage to the standard
17 identified in the Riverside County Fire Protection Master Plan (currently one new
18 station per 3.5 million square feet of new commercial/industrial development).

19 3. Findings.

20 Implementation of Mitigation Measure PSR-1 would reduce Impact PSR-1 [Fire
21 Protection Facilities] to less than significant levels. All other public facility impacts
22 are considered less than significant.

23 O. Transportation/Traffic

24 1. Impacts.

25 *Impact T-1. Increase in Traffic*

26 **Threshold:** *Would the project cause an increase in traffic, which is substantial in relation*
27 *to the existing traffic load and capacity of the street system?*

1 Impact T-1 is discussed on Revised Focused DEIR pages 4-84 through 4-86. A trip
2 generation comparison was conducted of the Original vs. the Revised Project by
3 Kunzman Associates in September 2014. The analysis determined that the Revised
4 Project would generate only 1,797 total trips (PCE) compared to 8,953 PCE trips
5 for the Original Project, a reduction of almost 80 percent. Therefore, actual project-
6 related impacts on local intersections and roadways would be substantially less
7 under the Revised Project.

8 Due to the substantial reduction in traffic from the Revised Project compared to the
9 Original Project it is concluded that the Revised Project would have less than
10 significant impacts on area traffic, including the three intersections identified in the
11 Original DEIR, and no mitigation is required. This is a different conclusion than
12 was reached in the Original DEIR regarding traffic impacts.

13 However, in an abundance of caution, the mitigation measures adopted for the
14 Original Project (T-1a through T-1g) are included as a part of the Revised Project,
15 including the proposed MJPA Brown Street improvements. This represents a less
16 than significant impact.

17 *Impact T-2. Level of Service*

18 ***Threshold:*** *Would project implementation exceed, either individually or cumulatively, a*
19 *level of service standard established by the county congestion management agency for*
20 *designated roads or highways?*

21 Impact T-2 is discussed on Revised Focused DEIR page 4-86. Impacts to level of
22 service standards established by the County Congestion Management Agency by
23 the Original Project were potentially significant. According to the new trip
24 generation comparison for the Revised Project, the overall trips from the project
25 would be reduced by almost 80 percent. Therefore, actual project-related impacts
26 on local intersections and roadways would be proportionally less.

1 The less than significant conclusion of the Revised Project for this section is
2 different than the potentially significant conclusion set forth in the Original EIR for
3 the Original Project and impacts are actually decreased for the Revised Project.

4 *Impact T-3. Air Traffic Pattern*

5 **Threshold:** *The project will not result in a change in air traffic patterns.*

6 Impact T-3 is discussed on Revised Focused DEIR page 4-86. The employee
7 density of the Revised Project is less than that of the Original Project since the
8 Revised Project proposes only warehouse uses and does not include retail or office
9 uses, which have higher employee densities. Therefore, potential impacts of the
10 project relative to the March ARB Airport Influence Area are less than significant
11 under the Revised Project, including the MIPA Brown Street improvements,
12 similar to the Original Project. The Revised Project will not result in a change to air
13 traffic patterns.

14 *Impact T-4. Hazards Due to Design Features*

15 **Threshold:** *Construction of the Project would not substantially increase hazards due to a*
16 *design feature.*

17 Impact T-4 is discussed on Revised Focused DEIR page 4-86. The Revised Project
18 is directly accessible from Alessandro Boulevard, and both the Original and
19 Revised Projects required improvements to Brown Street, which will improve
20 emergency access to the site. Both Alessandro Boulevard and Brown Street will
21 have linear alignments so no new road hazards are expected from these
22 improvements. Therefore, as was the case for the Original Project, impacts are less
23 than significant and no mitigation is required.

24 *Impact T-5. Inadequate Emergency Access*

25 **Threshold:** *Construction of the Project would not result in inadequate emergency access.*

26 Impact T-5 is discussed on pages 4-86 and 4-87 in the Revised Focused DEIR. The
27 Revised Project is directly accessible from Alessandro Boulevard, and both the
28 Original and Revised Projects' required improvements to Brown Street, which will

1 improve emergency access to the site. Brown Street meets the emergency access
2 requirements of the County Fire Department. The Revised Project will also not
3 interfere with any emergency roadways or cause undue traffic delays during
4 construction or operations on existing roadways that would create any impacts
5 related to emergency access. Therefore, as was the case for the Original Project,
6 impacts are less than significant and no mitigation is required.

7 *Impact T-6. Alternative Transportation*

8 ***Threshold:*** *Construction of the Project would conflict with adopted policies, plans, or*
9 *programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease*
10 *the performance of safety of such facilities.*

11 Impact T-6 is discussed on page 4-87 in the Revised Focused DEIR. The Revised
12 Project will provide all improvements regarding alternative transportation, such as
13 bicycle racks, as required by the County during its development review process and
14 as required as part of the State Green Building Code. The site is adjacent to
15 Alessandro Boulevard, which supports several regional bus routes. If the Riverside
16 County Transportation Authority requires a bus stop adjacent to the Project site, it
17 will be provided as part of the County's development review process. Therefore,
18 similar to the Original Project, impacts of the Revised Project, including the MJP
19 Brown Street improvements, are less than significant and no mitigation is required.

20 *Cumulative Impacts.*

21 The Original EIR concluded that traffic generated by the Original Project, as well
22 as other future projects, would make cumulatively considerable contributions to
23 regional transportation and circulation impacts. However, the Revised Project will
24 have substantially reduced project specific trip generation and less than significant
25 project traffic compared to the Original Project. Therefore, the Revised Project, in
26 combination with future projects, will not result in any cumulatively considerable
27 impacts to transportation with previous project level mitigation measures. This is a
28 different conclusion than was reached for the Original Project in the Original EIR.

2. Mitigation.

T-1a: (Original EIR): Prior to building permit issuance, the applicant shall be responsible for the following improvements:

- The intersection of the Project Access (NS) at Alessandro Boulevard (EW) shall provide the following geometrics:
 - Northbound: One right turn lane – stop control. SB: N/A
 - Eastbound: Two through lanes, one shared through/right turn lane.
 - Westbound: Three through lanes.
- The intersection of the San Gorgonio Drive/Brown Street (north-south) at Alessandro Boulevard (east-west) shall provide the following geometrics:
 - Northbound: One left-turn lane, one through lane, one right turn lane with overlap.
 - Southbound: One left turn lane, one shared through/right turn lane.
 - Eastbound: One left turn lane, one striped out are for a future left turn lane, two through lanes, one shared through/right turn lane.
 - Westbound: Two left turn lanes, three through lanes, one right turn lane.

Prior to building permit issuance, the applicant shall pay applicable TUMF and other fees as mitigation for impacts at the following intersections:

- Trautwein Road (north-south) and Alessandro Boulevard (east-west):
 - Construct an additional northbound left-turn lane.
- I-215 Northbound Ramps (north-south) and Alessandro Boulevard (east-west):
 - Restripe existing shared left-turn/right-turn lane to an exclusive left-turn lane.

T-1b: (Original EIR and Revised EIR): Prior to building permit issuance, the applicant shall dedicate a 50-foot half-width Secondary right-of-way along the Project frontage of Brown Street from Alessandro Boulevard to the southern

1 Project boundary. The applicant shall construct the Brown Street approach to
2 Alessandro Boulevard to its full Secondary intersection cross-section width. Prior
3 to building permit issuance, the applicant shall construct Brown Street from south
4 of Alessandro Boulevard intersection improvements to the southern boundary of
5 the Project as a half-section width as an Industrial Collector plus a painted median
6 and a northbound travel lane including landscaping and parkway improvements in
7 conjunction with development. The applicant shall make an appropriate transition
8 from the Secondary cross-section at the Alessandro Boulevard intersection
9 improvements to the Industrial Collector cross-section.

10 **T-1c:** (Original EIR): Prior to building permit issuance, the developer shall
11 construct landscape and sidewalk improvements along Alessandro Boulevard from
12 the west Project boundary to San Gorgonio Drive/Brown Street per the direction of
13 the county Landscape Architect. Landscaping will conform to Riverside County's
14 updated water-efficient landscape ordinance.

15 **T-1c:** (Revised EIR): Prior to building permit issuance, the developer shall
16 construct Alessandro Boulevard from the west Project boundary to San Gorgonio
17 Drive/Brown Street at its ultimate half-section width as an Urban Arterial (152 foot
18 right-of-way) including landscaping and parkway improvements in conjunction
19 with development.

20 **T-1d:** (Original and Revised EIR): Prior to final building inspection, the developer
21 shall provide sufficient on-site parking to meet the County of Riverside parking
22 code requirements.

23 **T-1e:** (Original and Revised EIR): Prior to grading permit issuance, the developer
24 shall provide construction plans for road sight distance at the Project Access. Plans
25 shall be reviewed by the County, with respect to California Department of
26 Transportation/County of Riverside standards in conjunction with the preparation
27 of final grading, landscaping, and street improvement plans. The developer shall
28

1 provide evidence to the County that construction plans were reviewed and
2 approved.

3 **T-1f:** (Original and Revised EIR): Prior to final building inspection, the developer
4 shall implement on-site traffic signing and striping in conjunction with detailed
5 construction plans for the Proposed Project.

6 **T-1g:** (Original and Revised EIR): Prior to building permit issuance, the developer
7 shall participate in the phased construction of off-site traffic signals within the
8 study area through payment of traffic signal mitigation fees on a per square foot
9 basis. The traffic signals within the study area at buildout should specifically
10 include an inter-connect of the traffic signals to function in a coordinated system.

11 3. Findings.

12 With Implementation of Mitigation Measures T-1a through T-1g Impact T-1 [Increase
13 in Traffic] would be reduced to less than significant. All other impacts are considered
14 less than significant.

15 P. Utilities and Service Systems

16 1. Impacts.

17 *Impact U-1. Wastewater Treatment Capacity*

18 **Threshold:** *Operation of the proposed Project would not result in impacts to wastewater*
19 *treatment capacity or requirements.*

20 Impact U-1 is discussed on Revised Focused DEIR pages 4-90 and 4-91. Using the
21 same factors that were used in the Original DEIR, it is estimated the Revised
22 Project will have 534 employees so its daily wastewater generation will be 53,400
23 gallons or 19.5 million gallons per year. This is less than 0.7 percent of the plant's
24 excess capacity above the average peak flow. Because the existing wastewater
25 treatment capacity is sufficient for the Proposed Project as well as other
26 contemplated projects, the Proposed Project implementation will not necessitate the
27 construction of a new wastewater treatment facility. Like the Original Project, the
28 Revised Project will have no significant impact so no mitigation is required.

1 *Impact U-2. New/expanded Wastewater Treatment Facilities*

2 **Threshold:** *Operation of the proposed Project would not result in the need for new or*
3 *expanded wastewater treatment or storm sewer facilities and infrastructure.*

4 Impact U-2 is discussed on Revised Focused DEIR page 4-91. The Revised Project
5 would have 13 percent more development in terms of square footage compared to
6 the Original Project but would have only 534 employees since all of its uses would
7 now be warehousing. The Revised Project would therefore consume 106,800
8 gallons of water per day or 39 million gallons per year, equal to 120 acre-feet per
9 year. The Western Municipal Water District has indicated reclaimed water is now
10 available to this project for landscape irrigation, which was not available at the time
11 the Original Project was processed. Since landscaping consumes at least 75 percent
12 of industrial property water, using reclaimed water for the landscaping would
13 reduce the use of potable water to 26,700 gallons of potable water per day
14 compared to 260,000 gallons per day for the Original Project. This would be a
15 reduction of 90 percent, which is well in excess of the latest State Department of
16 Water Resources drought reduction guidelines for urban areas (i.e., maximum 36
17 percent). This is a substantial reduction in potable water use compared to the
18 Original Project, which would have required approximately 291.27 acre-feet per
19 year.

20 Since the Revised Project would use up to 90 percent less potable water than the
21 Original Project, the Revised Project would have sufficient water supply and no
22 regional water improvements would be needed to serve the project. Therefore, the
23 Revised Project will not have significant impacts on water infrastructure and no
24 mitigation is required. This conclusion is similar to the one reached for the Original
25 Project in the Original EIR.

26 *Impact U-3. Storm Water Drainage*

27 **Threshold:** *Operation of the proposed Project would not result in the construction of new*
28 *storm water drainage facilities or expansion of existing facilities.*

1 Impact U-3 is discussed on Revised Focused DEIR page 4-92. Development of the
2 Revised Project will result in increased storm water flows off the site. The
3 infiltration of the presently undeveloped site will be decreased by the construction
4 of the Revised Project and approximately 60 percent of the site will be covered by
5 impervious surfaces. The Revised Project design will accommodate this increase in
6 storm water with the implementation of two detention basins. New developments
7 within the Santa Ana Watershed region must mitigate their post-construction water
8 quality impacts by complying with Section 6 of the Drainage Area Management
9 Plan (DAMP). The Project may also require coverage under the SWRCB NPDES
10 permit General Permit for Storm Water Discharges Associated with Construction
11 Activity (Construction Activity General Permit), since the Proposed Project will
12 disturb more than one acre of land. Therefore, since the development would abide
13 by all applicable storm water regulations, the impacts relating to capital
14 improvements of storm water facilities will be less than significant, and no
15 mitigation is required. This is a similar impact compared to the Original Project.

16 *Impacts U-4. Energy Conservation*

17 ***Threshold:*** *Operation of the proposed Project would not result in conflict with the State*
18 *CEQA Guidelines Appendix F regarding energy conservation.*

19 Impact U-4 is discussed on Revised Focused DEIR pages 4-92 through 4-96.
20 Development of the Revised Project will result in increased consumption of energy
21 in the form of electricity, natural gas, and vehicular fuels. The Revised Project
22 construction would consume approximately 239,375 gallons of fuel. All diesel-
23 fueled construction vehicles used for the project will meet the latest emissions
24 standards and idling will be minimized. This will improve construction fuel
25 efficiency. The development associated with proposed project would also be
26 required to utilize diesel construction equipment that complies with Tier 3-level
27 emissions standards during all construction phases. The use of Tier-3 off-road
28 engines would not only reduce exhaust emissions, but would also improve the fuel

1 economy of the equipment fleet. Therefore, it is expected that construction fuel
2 consumption associated with the Revised Project would not be any more
3 inefficient, wasteful, or unnecessary than other similar development projects of this
4 nature.

5 The operation of the Revised Project is estimated to consume approximately 5,730
6 gallons of fuel daily. The Revised Project would not result in any unusual
7 characteristics that would result in excessive long-term operational fuel
8 consumption. The project is located in close proximity to existing bus transit stops.
9 The Riverside Transit Agency (RTA) provides bus service within the general
10 project area. The proximity of the project site to existing transit and to neighboring
11 residential uses could reduce the number of trips to and from the project site. Fuel
12 consumption associated with vehicle trips generated by the Revised Project would
13 not be considered inefficient, wasteful, or unnecessary in comparison to other
14 similar developments in the region.

15 Mitigation Measures AQ-1i and AQ-1j require the Revised Project to meet LEED
16 building standards including energy conservation. Furthermore, the County
17 requires new development to meet or exceed the State Green Building Code
18 standards for water and energy conservation, including installation of ENERGY
19 STAR appliances, installation of lighting that uses an average of 5 percent less
20 energy than conventional lighting, and use of low-VOC paints. The Revised Project
21 would be expected to demand less than 1 million kilowatt hours (kWh) of
22 electricity per year and approximately 1 billion British Thermal units (BTU) of
23 natural gas per year. The Revised Project would incorporate several water, energy,
24 solid waste, and land use efficiency measures through compliance with various
25 County development requirements. Therefore, the Revised Project would not be
26 considered inefficient, wasteful, or unnecessary in comparison to other similar light
27 industrial development within the region, and impacts would remain at less than
28 significant levels.

1 *Cumulative Impacts.*

2 The Original EIR concluded that the project would contribute to long-term
3 cumulative water supply impacts, and that regional condition has been exacerbated
4 by the extensive drought conditions throughout California in recent years.
5 However, the Revised EIR determined that the Revised Project would use 90
6 percent less water than anticipated for the Original Project, and the Revised Project
7 can take advantage of reclaimed water for landscape irrigation. The reduction to
8 26,700 gallons per day for the Revised Project equates to only 0.0819 acre-feet of
9 water per day, which is approximately 29.89 acre-feet of potable water per year.
10 This is a substantial reduction in potable water use compared to the Original
11 Project, which would have required approximately 291.27 acre-feet per year.
12 Therefore, the Revised Project is not expected to make a significant contribution to
13 cumulative water supply impacts for the region. This is a different conclusion than
14 was reached for the Original Project in the Original EIR.

15 2. Mitigation.

16 Impact U-4 would be reduced to less than significant levels by implementation of
17 the air quality mitigation measures AQ-1i and AQ-1j. The rest of the impacts
18 would be less than significant and no mitigation is required.

19 3. Findings.

20 All impacts are less than significant.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, as authorized by Public
22 Resources Code Section 21081(a)(1) and State CEQA Guidelines sections 15091 and 15092, the EIR is
23 required to identify the significant impacts that cannot be reduced to a less than significant level through
24 mitigation measures. All applicable regulatory requirements and feasible mitigation measures to reduce
25 environmental impacts have been considered and are applied as conditions of Project approval, yet the
26 following impacts to Air Quality [AQ-1; AQMP Consistency], Air Quality [AQ-2: Violate Air Quality
27 Standards], Air Quality [AQ-3: Criteria Pollutant Emissions], Cumulative Air Quality , and Cumulative
28 Greenhouse Gas Emissions cannot be fully mitigated and will be only partially avoided or lessened by the

mitigation measures hereinafter specified; a statement of overriding considerations is therefore included herein.

A. Air Quality

1. Impacts.

Impact AQ-1. AQMP Consistency Analysis

Threshold: *Implementation of the Project would not conflict with or obstruct implementation of the applicable air quality plan with the implementation of mitigation measures (refer to Project Resolution Attachment "B," Mitigation Monitoring and Reporting Program).*

Impact AQ-1 is discussed on Revised Focused DEIR page 4-12. The Air Quality Management Plan (AQMP) for the South Coast Air Basin is based on regional growth projections developed by the Southern California Association of Governments (SCAG). The Revised Project is a warehousing project that meets the "regionally significant" project criteria under CEQA; therefore, it meets the SCAG's Intergovernmental Review (IGR) criteria. The proposed land use is consistent with the General Plan and zoning designations for the project site (Light Industrial); therefore, the project is consistent with SCAG growth projections that are the basis of the AQMP and so is consistent with the AQMP in this regard.

However, the Revised Project would still exceed daily NO_x emission thresholds established by the SCAQMD even with the reduced emissions after mitigation. Therefore, both the Original Project and Revised Project would have significant and unavoidable impacts relative to the AQMP.

Impact AQ-2. Violate Air Quality Standards

Threshold: *Project construction and implementation would violate air quality standard or contribute substantially to an existing or projected air quality violation.*

Impact AQ-2 is discussed on pages 4-12 through 4-16 of the Revised Focused DEIR. Construction emission impacts of the Revised Project would be reduced compared to the impacts from the Original Project. The construction emissions for

1 the Original Project were projected to be significant and unavoidable because they
2 exceeded the daily SCAQMD threshold for Volatile Organic Compounds (VOC).
3 In contrast, construction emissions of the Revised Project would not exceed any
4 daily SCAQMD thresholds, so its short-term impacts would be less than significant
5 (i.e., reduced impacts from those of the Original Project).

6 Operational emissions for the Original Project were projected to exceed the
7 SCAQMD daily thresholds for Reactive Organic Gases (ROG, reported as VOC at
8 that time), NO_x, CO, and PM₁₀. By comparison, the Revised Project would only be
9 significant for NO_x using the most current CalEEMod software. Therefore, the
10 Revised Project's emissions will be significant for operational emissions for NO_x
11 only, and ROG, CO, and PM₁₀ will no longer represent significant regional air
12 quality impacts.

13 *Impact AQ-3. Criteria Pollutant Emissions*

14 ***Threshold:*** *Project construction and operation would result in a cumulatively*
15 *considerable net increase of any criteria pollutant for which the project region is non-*
16 *attainment under an applicable federal or state ambient air quality standard.*

17 Impact AQ-3 is discussed on page 4-16 of the Revised Focused DEIR. As
18 described in the preceding Impact AQ-2 analysis, long-term air pollutant emissions
19 from the Revised Project will still be significant for NO_x, which is a criteria air
20 pollutant for which the region is in non-attainment, so mitigation is required.
21 Mitigation Measures AQ-1a through AQ-1n will substantially reduce long-term
22 project emissions for NO_x, but will not reduce them to less than significant levels.
23 Therefore, impacts related to this issue are considered significant. This is the same
24 conclusion as reached in the Original EIR for the Original Project except that the
25 Original Project was also significant for VOC (now reported as ROG).

26 *Cumulative Impacts.*

27 The analysis area for evaluation of cumulative impacts to air quality includes the
28 South Coast Air Basin, which is identical to the boundaries of the SCAQMD. The

Original EIR concluded that project emissions of VOC, NO_x, CO, and PM₁₀ may contribute to the background concentration of ozone and cumulatively cause health effects. The Revised Project could result in a significant cumulative contribution of NO_x to the basin. This project-level impact was determined to be significant, and it also represents a cumulatively considerable air quality impact for both the Original and the Revised Project.

2. Mitigation.

AQ-1a: All diesel-powered construction equipment in use in excess of 50 horsepower shall meet the Tier 4 emission standards. Diesel haul trucks shall meet EPA 2010 emission requirements. If the developer can demonstrate to the County that 2010 vehicles are not readily available within a 50-mile radius of the project, trucks meeting the EPA 2007 model year NO_x emission requirements may be used at the discretion of the County.

AQ-1b: Construction equipment will be properly maintained at an off-site location; maintenance shall include proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on- site during construction.

AQ-1c: As a matter of law, all construction equipment, whether or not it is used for this Project, is required to meet State of California emissions requirements, which are administered by the California Air Resources Board. Specifically, all off-road diesel-fueled vehicles will comply with Sections 2449, 2449.1, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, California Code of Regulations. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or to limit equipment idling to less than 5 minutes.

- 1 AQ-1d Prior to Project construction, the Project proponent will provide a
2 traffic control plan that will require:
- 3 • Construction parking to be configured such that traffic
4 interference is minimized;
 - 5 • Dedicated turn lanes for movement of construction trucks
6 and equipment on and off site;
 - 7 • Schedule construction activities that affect traffic flow on the
8 arterial system to off-peak hours to the extent practicable;
 - 9 • Reroute construction trucks away from congested streets or
10 sensitive receptor areas; and
 - 11 • Improve traffic flow by temporary signal synchronization if
12 possible.
- 13 AQ-1e: The developer shall use low Volatile Organic Compound-content
14 paints and require painting to be applied using either high volume
15 low-pressure spray equipment or by hand application.
- 16 AQ-1f: Grading activities shall be limited to no more than 5 acres per day of
17 disturbed area.
- 18 AQ-1g: Prior to the issuance of a grading permit, the developer will provide
19 documentation to the County indicating that workers will carpool to
20 the greatest extent practical. Workers will be informed in writing
21 and a letter placed on file at the County documenting the extent of
22 carpooling anticipated.
- 23 AQ-1h: Install wheel washers where vehicles enter and exit the construction
24 site onto paved roads or wash off trucks and any equipment leaving
25 the site each trip.
- 26 AQ-1i: As described in the Leadership in Energy and Environmental Design
27 (LEED) for New Construction, Version 2.2 Rating System, the
28 Project shall comply with LEED Silver requirements and implement

1 the following activities consistent with County requirements.
2 Documentation of compliance with this measure shall be provided to
3 the Riverside County Planning Department and Building Official for
4 review and approval prior to issuance of building permit(s) and
5 approval of the following features shall be confirmed by the County
6 Building Official prior to certificate of occupancy.

- 7 i) SS Credit 7.2 - Use roofing materials having a Solar
8 Reflectivity Index (SRI) equal to or greater than 78 for a
9 minimum of 75 percent of the roof surface.

10 AQ-1j: Documentation of compliance with the following measures shall be
11 provided to the Riverside County Planning Department and Building
12 Official for review and approval prior to issuance of building
13 permit(s) and approval of features shall be confirmed by the County
14 Building Official prior to certificate of occupancy.

- 15 i) The Project shall install solar water heating for the office
16 portions of warehouse buildings to the extent practical, as
17 determined by the County.
18 ii) The Project shall recycle construction debris to the extent
19 practical, consistent with County requirements/programs.
20 iii) The Project shall provide material recycling including, but
21 not limited to, mixed paper and cardboard, consistent with
22 County programs/requirements.
23 iv) The Project shall allow natural lighting to the extent practical
24 to help reduce or minimize the use of internal electrical
25 illumination.
26 v) The Project shall not provide refrigerated warehouse space
27 or demonstrate that emissions from onsite warehousing will
28

not exceed the limits identified in the EIR including any proposed refrigeration.

- vi) Each warehouse building will provide two electric vehicle charging stations in conjunction with the office uses of each building.

AQ-1k: As described in the LEED for new construction, Version 2.2 Rating System, the Project shall comply with the following activities and as consistent with County requirements. Documentation of compliance with this measure shall be provided to the Riverside County Planning Department and Building Official for review and approval prior to the issuance of building permit(s) and approval of features shall be confirmed by the County Building Official prior to certificate of occupancy.

AQ-1l: Documentation of compliance with the following measures shall be provided to the Riverside County Planning Department and Building Official for review and approval prior to issuance of building permit(s) and approval of features shall be confirmed by the County Building Official prior to certificate of occupancy.

- i) The Project shall install solar water heating for the office buildings to the extent practical, as determined by the County.
- ii) The Project shall recycle construction debris to the extent practical, consistent with County requirements/programs.
- iii) The Project shall provide material recycling including, but not limited to, mixed paper and cardboard, consistent with County programs/requirements.
- iv) The Project shall allow natural lighting to the extent practical to help reduce or minimize the use of internal electrical illumination.

1 AQ-1m: Project proponent shall designate a person(s) to act as a community liaison
2 concerning issues related to PM10 fugitive dust.

3 AQ-1n: Street sweeping shall be accomplished as needed to remove soil transport to
4 adjacent areas; sweeping shall require use of equipment certified under
5 SCAQMD Rule 1186.1.

6 Findings.

7 All feasible mitigation has been adopted. As such, the Project has been modified to
8 avoid or lessen significant impacts; however, impacts related to AQMP consistency,
9 criteria pollutant emissions, violations to air quality standards, and cumulative air
10 quality impacts would remain significant and unavoidable.

11 B. Greenhouse Gas Emissions

12 1. Impacts.

13 *Cumulative Impacts.*

14 The Original EIR evaluated the Original Project relative to the goals of both AB 32
15 and the Governor's Executive Order S-3-5 and determined the project was
16 generally consistent with their guidance. The air quality mitigation proposed in the
17 Original EIR will incrementally reduce greenhouse gas emissions of the Revised
18 Project as well, and the Revised Project's greenhouse gas emissions will be slightly
19 over the 10,000-ton threshold suggested by the SCAQMD.

20 Using the most current evaluation criteria, the project is considered to have
21 significant cumulative impacts related to greenhouse gas emissions, in addition to
22 the original conclusion that project-level impacts are significant. While this is a
23 technical change in significance conclusions, this is NOT a new impact (i.e., the
24 project would not have substantially different greenhouse gas emissions than those
25 identified in the Original EIR), and no additional mitigation is proposed or
26 required. However, this is a different conclusion than was reached for the Original
27 Project in the Original EIR.
28

1 2. Mitigation.

2 No feasible mitigation available.

3 3. Findings.

4 No feasible mitigation is available. As such, the Project impacts from cumulative
5 greenhouse gas emissions would remain significant and unavoidable.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that State CEQA Guidelines
7 section 15126(g) requires an EIR to discuss how a proposed project could directly or indirectly lead to
8 economic, population, or housing growth. A project may be growth inducing if it removes obstacles to
9 growth, taxes community services facilities or encourages other activities which cause environmental
10 effects. The Project's potential to directly or indirectly lead to economic, population, or housing growth is
11 discussed on Revised Focused DEIR page 6-1 and is summarized herein:

12 A. The Original EIR determined that the project in a worst case scenario would potentially
13 directly induce growth by incrementally increasing the population in the unincorporated
14 area of the County of Riverside due to the project creating 1,300 jobs. However, under the
15 Revised Project, it is expected that this number in actuality will be substantially lower due
16 to the assumption that many of the employees will already reside in Riverside County. By
17 comparison, it is estimated the proposed Revised Project would generate a need for
18 approximately 534 employees, mainly warehouse workers, rather than a mix of retail,
19 office, and warehouse workers that would have been generated by the Original Project.
20 With the removal of office and retail uses and an increase only in employment for
21 industrial uses under the Revised Project, any potential for growth-inducing impacts is
22 minimal.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the EIR also discusses,
24 pursuant to State CEQA Guidelines sections 15126(c) and 15126.2(c), significant irreversible
25 environmental changes and provides in Revised Focused DEIR page 6-2 the following: Both the Original
26 and Revised Projects would not significantly consume agricultural resources due to the small size of land
27 identified as farmland of local importance and the proposed uses of the project site will be consistent with
28 the identified light industrial use of the site. Although the site will consume non-renewable resources

1 during construction and operation, construction impacts to nonrenewable resources would be short-term
2 and would be essentially the same for either the Original or Revised Project. The operation of the project
3 would also be required to comply with mandatory requirements of Title 24 concerning energy efficient
4 building design and to utilize energy conservation measures during operations of the facilities within the
5 Revised Project.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has considered the following
7 alternatives identified in Revised Focused EIR in light of the environmental impacts which cannot be
8 avoided or substantially lessened and has rejected those alternatives as failing to meet most of the
9 project's objectives, as failing to reduce or avoid the project's significant impacts or as infeasible for the
10 reasons hereinafter stated:

11 A. Pursuant to Public Resources Code Section 21002 and the State CEQA Guidelines section
12 15126.6(a), an EIR must assess a reasonable range of alternatives to the project action or
13 location. Section 15126.6(a) places emphasis on focusing on the discussion on alternatives
14 which provide opportunities for eliminating any significant adverse environmental
15 impacts, or reducing them to a level of insignificance, even if these alternatives would
16 impede to some degree the attainment of the project objectives, or would be more costly.
17 In this regard, the EIR must identify an environmentally superior alternative among other
18 alternatives. As with cumulative impacts, the discussion of alternatives is governed by the
19 "rule of reason." The EIR need not consider an alternative whose effect cannot be
20 reasonably ascertained, or does not contribute to an informed decision-making and public
21 participation process. The range of alternatives is defined by those alternatives, which
22 could feasibly attain the objectives of the project. As directed in State CEQA Guidelines
23 section 15126.6(c), an EIR shall include alternatives to the project that could feasibly
24 accomplish most of the basic objectives of the project.

25 B. The Project incorporates the following objectives:

- 26 1. Develop a vacant and underutilized lot in a unique and innovative way in order to
27 spur development and employment opportunity in the area.
28

2. Provide a light-scale industrial Project in the western portion of the County that would provide opportunities for a range of employment with transportation of goods and services.
3. Create a cohesive identity for the Project site, and provide a consistent Project theme, development standards and design guidelines that allow design flexibility to respond to market needs under the County's General Plan zone designation of Light Industrial (LI).
4. Provide a reasonable transition of land use from existing residential development on the west to planned industrial and business park uses on the east.
5. Be consistent with and implement the policies and goals of the County's General Plan, Development Code and development guidelines and policies.
6. Design and landscape the project to create an aesthetically pleasing industrial center.

As directed in State CEQA Guidelines section 15126.6(c), an EIR shall include alternatives to the project that could avoid or substantially reduce one or more of the significant effects. Because not all significant effects can be substantially reduced to a less-than-significant level either by adoption of mitigation measures, Project Design Features, existing regulations or by the standard conditions of approval, the following section considers the feasibility of the Project alternatives as compared to the proposed Project. As explained below, these findings describe and reject, for reasons documented in the Final EIR and summarized below, each one of the Project alternatives.

A. No Project – No Build Alternative:

1. The No Build Scenario assumes that the proposed Project would not occur, and the Project site would remain in its vacant condition. This alternative would eliminate all four significant air quality impacts and the cumulative traffic impacts relative to construction and operation of the proposed Project. However, this alternative does not achieve any of the objectives of the proposed Project.

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1 B. Reduced Density Alternative:

- 2 1. To reduce air quality impacts, this alternative would eliminate approximately
3 360,000 square feet of warehouse, distribution, office, and retail building space,
4 resulting in a total development of approximately 359,000 square feet of uses
5 similar in proportion and distribution. This alternative would eliminate
6 approximately half the buildings under the current proposed Project. The road
7 system would be similar to that of the proposed Project; however, there would be
8 additional open space between the buildings. It is not known what specific changes
9 this Project design would have on utility systems, but it is assumed the entire site
10 would still be developed for buildings or parking.
- 11 2. The reduced density alternative is likely to have reduced impacts related to long-
12 term uses of the Project site since it would allow the development of fewer
13 warehouse, distribution, office, and retail square-footage compared to the Proposed
14 Project (359,000 sq. ft vs 720,000 sq. ft or 50 percent less). Development of
15 warehouse, distribution, office, and retail uses under this alternative is similar in
16 nature to the proposed Project. This alternative would reduce air quality impacts
17 from grading and construction to less than significant levels, whereas the proposed
18 Project has significant and unavoidable impacts on air quality. Although the
19 proposed alternative will meet air quality thresholds, it does not meet the objectives
20 to the same degree as the proposed Project. This alternative may not contain
21 sufficient building space to fund needed infrastructure improvements.

22 C. Commercial Office Use Alternative:

- 23 1. To reduce air quality impacts, this alternative would have mainly commercial uses
24 (i.e., general office and office park) on the Project site. The proposed alternative
25 would include 100,000 square feet of general office space and 200,000 square feet
26 of office park, totaling approximately 300,000 square feet. The road system would
27 be similar to that of the proposed Project; however, it is not known what specific
28 impacts this Project design would have on utility systems.

1 2. Although commercial use impacts are similar to that of the proposed Project, the
2 commercial office use alternative would have fewer impacts related to long-term
3 uses of the Project site since it would allow the development of less square footage
4 (300,000 sq. ft. vs 720,000 sq. ft). This alternative would reduce air quality impacts
5 from grading and construction to less than significant levels, whereas the proposed
6 Project has significant and unavoidable impacts on air quality. Although the
7 proposed alternative will meet air quality thresholds, it does not meet the objectives
8 to the same degree as the proposed Project. This alternative may not contain
9 sufficient building space to find needed infrastructure improvements.

10 D. Revised Project Alternative:

11 1. The Revised Project is in a sense an alternative to the Original Project, but it has
12 received a much more robust analysis of potential environmental impacts as a
13 Revised Project in this Revised Focused DEIR. The Revised Focused DEIR
14 actually had reduced impacts and less significant impacts compared to the Original
15 Project, and did not identify any new or substantially different significant
16 environmental impacts of the Revised Project compared to the Original Project.
17 Therefore, there is no need for the Revised Focused EIR to examine any additional
18 or modified alternatives.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project will implement
20 applicable elements of the Riverside County General Plan as follows:

21 A. Land Use Element

22 The Revised Project does not include any General Plan or Zone Changes. The site is
23 designated as Light Industrial (LI) under the foundation component of Community
24 Development in the General Plan. This designation allows for a variety of uses including
25 industrial, manufacturing, service, and commercial. The Revised Project is consistent with
26 the existing General Plan (Light Industrial or LI) and zoning classifications of the site
27 (Industrial Park or IP). Therefore, the project is consistent with the land use element of the
28 County's General Plan.

1 B. Circulation Element

2 The Project will construct or contribute fees toward improvements of roadways and certain
3 intersections. As described above, the Project will implement mitigation measures that
4 address Project-specific and cumulative transportation and traffic impacts, and based
5 thereon, the Board of Supervisors finds that the Project is consistent with the General Plan.
6 In addition, the Revised Project would provide for a variety of transportation options. The
7 Project would provide streets, bike lanes and pedestrian trails that connect to an existing
8 street and trail network west of the Project site.

9 Analysis of applicable policies of the Circulation Element is presented in DEIR Table
10 IV.K-3 and concludes that the Project would not conflict with any applicable policies of
11 the General Plan. The proposed Project is consistent with the General Plan Circulation
12 Element, and is therefore consistent with the General Plan.

13 C. Multipurpose Open Space Element

14 The Multipurpose Open Space Element of the General Plan describes an open space
15 system which includes methods for the acquisition, maintenance, and operation of a variety
16 of open spaces. The County's open spaces are utilized for visual relief, natural resources
17 protection, habitat protection, recreational uses, and protection from natural hazards for
18 public health and safety. The northeastern portion of the Project site is proposed for open
19 space/conservation. This area contains habitat targeted by the MSHCP for preservation and
20 contributes to a regional wildlife linkage for various animal species. At least 127.2 acres
21 (37 percent of total site) are planned as Open Space-Conservation; of that acreage, 106.6
22 acres would be preserved in perpetuity as Open Space-Conservation Habitat. In addition,
23 an existing riparian corridor on the northwestern portion of the site would be preserved as
24 Open Space- Conservation Habitat.

25 With respect to cultural resources, Revised Focused Draft EIR pages IV.F-35 through
26 IV.F-40, include a description of the significance of the cultural sites. Pages IV.F-40
27 through IV.F-43 include a description of how impacts will be mitigated, as determined by
28 the significance of the cultural sites. In short, the Project as currently proposed, has no

1 potential to directly or indirectly affect the significance of the San Diego Aqueduct (CA-
2 RIV-8195H; 33-015734) and thus, no impact would occur. Consistent with the
3 recommendation in this comment, the area labeled "Avoided Cultural Resource" on the
4 land use map (on file with the County) must be avoided during the Project's construction
5 phase, as required by Mitigation Measure F-4. Furthermore, the proposed Project would
6 provide adequate on-site facilities to meet the local parkland and open space requirements
7 of Riverside County Ordinance 460, Section 10.35, and State Quimby Act requirements.
8 Analysis of applicable policies of the Multipurpose Open Space Element is presented in
9 Revised Focused DEIR Table IV.K-3 and concludes that the Project would not conflict
10 with any applicable policies of the General Plan.

11 The proposed Project is consistent with the General Plan's Multipurpose Open Space
12 Element, and is therefore consistent with the General Plan.

13 D. Safety Element

14 The Project complies with all applicable building codes, County Ordinances, and State and
15 federal laws. The Project complies with all applicable provisions of the Alquist-Priolo
16 Earthquake Fault Zoning Act, and as concluded by the Project geotechnical study, the
17 Project site is not subject to significant hazards associated with earthquake induced
18 liquefaction, landsliding, or settlement (assuming the implementation of mitigation). In
19 addition, the proposed Project would not be subject to flood or dam inundation. The
20 Project also would comply with all applicable standards for fire safety and be consistent
21 with the Riverside County Fire Protection Master Plan. Furthermore, Project impacts
22 associated with hazardous waste and materials on the Project site would be mitigated
23 below a level of significance, and the proposed Project would not conflict with any disaster
24 preparedness plans nor subject individuals to significant risk of loss, injury, or death
25 involving wildland fires, erosion, seismic activity, blowsand, or flooding.

26 Analysis of applicable policies of the Safety Element is presented in Revised Focused
27 DEIR Table IV.K-3 and concludes that the Project would not conflict with any applicable
28 policies of the General Plan.

1 The proposed Project is consistent with the General Plan Safety Element, and is therefore
2 consistent with the General Plan.

3 E. Noise Element

4 The Project's residential uses are not a noise-producing land use (other than associated
5 traffic). The Project provides buffering along the project boundaries to protect future
6 residents from other sources of noise through the use of open space, existing watercourses,
7 and recreational lands as community separators.

8 Construction activity would result in temporary increases in ambient noise levels in the
9 Project area on an intermittent basis. However, these noise levels would be mitigated
10 through compliance with County regulations governing construction noise. Mitigation
11 should reduce construction noise levels at nearby sensitive receptors to less than-
12 significance levels. Noise impact from stationary sources is considered significant but
13 mitigatable. Mobile noise levels at six offsite locations would increase ambient noise levels
14 to a "clearly unacceptable level." Vehicular noise would be mitigated to the extent feasible.
15 Analysis of applicable policies of the Noise Element is presented in Revised Focused
16 DEIR Table IV.K-3 and concludes that the Project would not conflict with applicable
17 policies of the General Plan.

18 The proposed Project is consistent with the General Plan Noise Element, and is therefore
19 consistent with the General Plan.

20 F. Air Quality Element

21 Not unlike other development projects in Riverside County, and as disclosed in the EIR
22 No. 441 for the General Plan, direct and cumulative impacts to air quality, despite all
23 feasible mitigation, would remain significant and unavoidable.

24 Further, the Project is required to implement mitigation measures intended to reduce direct
25 and cumulative air quality impacts to the greatest feasible extent.

26 Although the Project would have significant direct air quality impacts and its contribution
27 to air quality impacts would be cumulatively considerable, mitigation measures presented
28

1 would reduce those impacts to the greatest extent possible, in accordance with SCAQMD,
2 EPA, and CARB requirements.

3 Analysis of applicable policies of the Air Quality Element is presented in Revised Focused
4 DEIR Table IV.K-3 and concludes that the Project would not conflict with applicable
5 policies of the General Plan.

6 The proposed Project is consistent with the General Plan Air Quality Element, and is
7 therefore consistent with the General Plan Housing Element. The purpose of the General
8 Plan Housing Element is to meet the needs of existing and future residents in Riverside
9 County through the establishment of policies to guide County decision-making and to
10 establish an action plan to meet the County's housing goals in the next seven years.

11 G. Housing Element

12 The Project would further the goals of the General Plan Housing Element by reducing the
13 use of energy and water in residences and providing higher density residential units that
14 would contribute to meeting the County's housing needs. Although the land uses proposed
15 by the Project would require GPAs, there are no characteristics of the Project that would
16 inhibit the County's ability to achieve the goals set forth by the General Plan Housing
17 Element. Accordingly, the proposed Project would be consistent with the General Plan
18 Housing Element and General Plan.

19 H. Administration Element

20 The Administration Element contains information regarding the structure of the General
21 Plan as well as general planning principles and a statement regarding the vision for
22 Riverside County.

23 The General Plan Amendment proposed by the Project would be consistent with the
24 Administration Element policies governing Foundation Amendments, Technical
25 Amendments and Entitlement/Policy Amendments, as set forth in Resolution No. 2014-
26 228 incorporated herein by reference.

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1 I. Healthy Communities Element (March 23, 2011)

2 Most of the policies and goals of this element are related to residential or mixed use
3 communities or neighborhoods. The Revised Project is an industrial warehouse project and
4 very few of the goals or policies of this element apply to industrial projects. The only
5 related goal requires providing sidewalks and access to transit as applicable is HC 2.2. The
6 Revised Project will provide a sidewalk along the south side of Alessandro Boulevard
7 adjacent to the project site, and the Project will allow construction of a bus stop if required
8 by the County as part of the development review process. Therefore, the Revised Project is
9 consistent with the County's Healthy Communities Element.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Alessandro Commerce
11 Centre project is consistent with the Riverside County General Plan.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project is consistent with
13 the MSHCP and would not conflict with the conservation requirements of the MSHCP in that:

14 A. A discussion of the Project's consistency with the MSCHP and consistency with local
15 policies or ordinances protecting biological resources is included on Revised Focused
16 DEIR pages IV.E-64 through IV.E-77. Project consistency with the MSHCP conservation
17 goals for each of the Criteria Cells within which the Project site is located is discussed in
18 the Draft EIR.

19 B. The Regional Conservation Authority (RCA) completed their Joint Project Review and
20 stated by the RCA, "The project is consistent with both Criteria and Other Plan
21 requirements." (14-02-06-01).

22 C. Further, the Project is consistent with provisions of the County Code and objectives of the
23 MSHCP and SKR Mitigation Fees following implementation of mitigation measures.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors, pursuant to Public Resources Code
25 Section 20181(b) and the State CEQA Guidelines sections 15093 and 15043, that the Project has balanced
26 the "economic, legal, social, technological, and other benefits of the project" against the unavoidable
27 adverse environmental impacts related to regional air quality and consistency with regional operational
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emissions, consistency with the Air Quality Management Plan, and impacts related to greenhouse gas emissions associated with the Project as identified in the Revised Focused DEIR and FEIR.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project by adopting all feasible mitigation measures with respect thereto, and has determined that these unavoidable adverse environmental impacts may be considered “acceptable” due to the following specific considerations of the Project’s benefits outweighing the unavoidable adverse environmental impacts of the Project. Each of the following below-stated benefits of the Project is determined to be, unto itself and independent of the other Project benefits, a basis for overriding all identified unavoidable adverse environmental impacts and warranting approval of the Project:

- A. Increase in property tax revenue to the county in excess of \$500,000 minimum per year;
- B. Increase in property tax base by approximately \$40,000,000;
- C. New employment base of almost 600 full time workers;
- D. Setting aside of 6.69 acres of permanent endangered species habitat;
- E. Contributions to preserve biological resources in the region; and
- F. Regional roadway improvements to improve vehicular transportation efficiency.

BE IT FURTHER RESOLVED that the Board of Supervisors has reviewed and considered the information in the EIR. The EIR reflects the independent judgment of the County. The Board of Supervisors finds that Alessandro Commerce Centre Final EIR is an accurate and objective statement that complies with CEQA and that is incorporated herein by this reference. In response to comments from the public and other public agencies, some revision to the Revised Focused DEIR were incorporated into the Final EIR, as described in Section IV of the Final EIR. Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, the County finds the following:

- A. Factual corrections and minor changes have been set forth as clarifications and modifications to the Revised Focused DEIR;
- B. The factual corrections and minor changes to the Revised Focused DEIR are not substantial changes in the DEIR that would deprive the public of a meaningful opportunity

1 to comment on a substantial adverse environmental effect of the Project, a feasible way to
2 mitigate or avoid such an effect, or a feasible project alternative;

3 C. The factual corrections and minor changes to the Revised Focused DEIR will not result in
4 new significant environmental effects or substantially increase the severity of the
5 previously identified significant effects disclosed in the Revised Focused DEIR;

6 D. The factual corrections and minor changes in the Revised Focused DEIR will not involve
7 mitigation measures or alternatives that are considerably different from those analyzed in
8 the Revised Focused DEIR that would substantially reduce one or more significant effect
9 on the environment; and the factual corrections and minor changes to the Revised Focused
10 DEIR do not render the Revised Focused DEIR so fundamentally inadequate and
11 conclusory in nature that meaningful public review and comment would be precluded.
12 Thus, none of the conditions set forth in CEQA requiring recirculation of a Revised
13 Focused DEIR have been met. Incorporation of the factual corrections and minor changes
14 to the Revised Focused DEIR into the Revised Focused FEIR does not require the Revised
15 Focused FEIR to be circulated for public comment.

16 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** EIR No. 537,
17 **ADOPTS** the Mitigation Monitoring and Reporting Program attached as Attachment B hereto, and
18 **ADOPTS** the statement of overriding considerations. To the extent that there are inconsistencies between
19 the mitigation measures set forth in EIR No. 537 and those set forth in the Mitigation Monitoring and
20 Reporting Program, the latter shall control.

21 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Plot Plan No. 25422 on file
22 with the Clerk of the Board, including the final exhibits and related cases, is hereby **ADOPTED** for the
23 real property described and shown in Plot Plan No. 25422, and said real property shall be developed
24 substantially in accordance with Plot Plan No. 25422, unless an amendment to the plot plan is approved
25 by the appropriate hearing body.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Revised Focused EIR
27 shall be placed on file in the Office of the Clerk of the Board, Office of the Planning Director and Office
28 of the Building and Safety Director and that no applications for subdivision maps, conditional use permits

1 or other development approvals shall be accepted for real property described and shown in the plan,
2 unless such applications are substantially in accordance therewith.

3 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
4 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
5 Planning Department and that such documents are located at 4080 Lemon Street, Riverside, California,
6 92502.