

02/19/16
06:59

Revised 12-1-15
Riverside County LMS
CONDITIONS OF APPROVAL

Page: 35

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 7 USE- SKR FEE CONDITION (cont.)

RECOMMND

A. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

60.PLANNING. 10 USE- FEE STATUS

RECOMMND

Prior to the issuance of grading permits for Plot Plan No. 25422, the Planning Department shall determine the status of the deposit based fees. If the fees are in a negative status, the permit holder shall pay the outstanding balance.

60.PLANNING. 16 USE - CULTURAL PRO / MONITOR

RECOMMND

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services. The Project Archaeologist (Cultural Resource Professional) shall develop a Cultural Resources Monitoring Plan which must be approved by the County Archaeologist prior to issuance of grading permits.

The Project Archaeologist shall be included in the pre-grade meetings to provide Construction Worker Cultural Resources Sensitivity Training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract and a wet-signed copy of the

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 36

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 16 USE - CULTURAL PRO / MONITOR (cont.) RECOMMND

Monitoring Plan to the Riverside County Planning Department to ensure compliance with this condition of approval.

60.PLANNING. 17 USE - PHASE IV REPORT RECOMMND

Prior To Grading Permit Final (Archaeological Monitoring/Phase IV Report Submittal): The developer/holder shall prompt the Project Archaeologist to submit one (1) wet-signed paper copy and (1) CD of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The County Archaeologist shall review the report to determine adequate compliance with the approved conditions of approval. Upon determining the report is adequate, the County Archaeologist shall clear this condition.

60.PLANNING. 18 USE - NATIVE MONITOR RECOMMND

Prior to the issuance of grading permits, the developer/permit applicant shall enter into a contract and retain a Native American Monitor. The contract shall address the treatment and ultimate disposition of cultural resources which may include repatriation and/or curation in a Riverside County approved curation facility.

The Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Native American Monitor shall have the limited authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the appropriate Cultural Resources Professional such as an Archaeologist, Historic Archaeologist, Architectural Historian and/or Historian.

The developer/permit applicant shall submit a fully executed copy of the contract to the County Archaeologist to ensure compliance with this condition of approval. Upon

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 37

Page: 37

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 18

USE - NATIVE MONITOR (cont.)

RECOMMND

verification, the Archaeologist shall clear this condition.

NOTE:

1)The Cultural Resources Professional is responsible for implementing mitigation and standard professional practices for cultural resources. The Professional shall coordinate with the County, developer/permit applicant and Native American Monitors throughout the process.

2)Native American monitoring does not replace any required Cultural Resources monitoring, but rather serves as a supplement for coordination and advisory purposes for all groups' interests only.

3)The developer/permit applicant shall not be required to further pursue any agreement for special interest monitoring of this project if after 60 days from the initial attempt to secure an agreement the developer/permit applicant, through demonstrable good faith effort, has been unable to secure said agreement from the Native American Monitors. A good faith effort shall consist of no less than 3 written attempts from the developer/permit applicant to the tribe to secure the required special interest monitoring agreement and appropriate e-mail and telephone contact attempts. Documentation of the effort made to secure the agreement shall be submitted to the County Archaeologist for review and consideration.

4)Should repatriation be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to the Riverside County Archaeologist. Should curation be preferred, the developer/permit applicant is responsible for all costs.

This agreement shall not modify any condition of approval or mitigation measure.

60.PLANNING. 19

USE- MM AQ-1G

RECOMMND

Prior to the issuance of a grading permit, the developer will provide documentation to the County indicating that workers will carpool to the greatest extent practical. Workers will be informed in writing and a letter placed on file at the County documenting the extent of carpooling anticipated.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 38

PLOT PLAN: TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60. PLANNING. 20

USE- MM AQ-1M

RECOMMND

Prior to issuance of a grading permit, the general contractor for the project shall prepare and file a Dust Control Plan with the County that complies with South Coast Air Quality Management District Rule 403 and requires the following during excavation and construction as appropriate:

"Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).

"Water active sites at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving.)

"Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.

"Pave construction access roads at least 100 feet onto the site from the main road.

"Control traffic speeds within the property to 15 mph or less.

60. PLANNING. 22

USE- MM CR-2A

RECOMMND

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 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.

60. PLANNING. 23

USE- MM CR-2B

RECOMMND

The Project Archaeologist must create a mitigation-monitoring plan prior to earthmoving in 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

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 39

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 23 USE- MM CR-2B (cont.)

RECOMMND

artifacts are considered sacred items by one or more Native American tribes.

60.PLANNING. 24 USE- MM HHM-1A

RECOMMND

Stained soils, as identified in Phase I Environmental Site Assessment (ESA), shall be removed to 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.

60.PLANNING. 25 USE- MM HWQ-1A

RECOMMND

Prior to the issuance of grading permits for any portion or phase of the project, the applicant shall submit to and receive County approval of a Storm Water Pollution Prevention Plan and Grading Plan that identify specific actions and BMPs to prevent stormwater pollution from construction sources. The plans shall identify a practical sequence for site restoration, Best Management Practices implementation, contingency measures, responsible parties, and agency contacts. The applicant shall include conditions in construction contracts requiring the plans to be implemented and shall have the ability to enforce the requirement through fines and other penalties. The 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.

60.PLANNING. 26 USE- MM N-4A

RECOMMND

Prior to grading permit issuance, the project applicant shall submit a Construction Noise Mitigation Plan to the County for review and approval. The plan shall depict the location of construction equipment and describe how noise would be mitigated through methods such as, but not limited

02/19/16
06:59

EMD Riverside County LMS
CONDITIONS OF APPROVAL

Page: 40

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 26 USE- MM N-4A (cont.)

RECOMMND

to, locating stationary noise-generating equipment (such as pumps and generators), as far as possible from nearby noise-sensitive receptors. Where practicable, noise-generating equipment will be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul, trucks and trailers. Onsite noise sources located less than 200 feet from noise-sensitive receptors will be equipped with noise-reducing engine housings. Portable acoustic barriers able to attenuate at least 6 dB will be placed around noise-generating equipment located within 200 feet of residences. Water tanks and equipment storage, staging, and warm-up areas will be located as far from noise-sensitive receptors as reasonably possible. The noise attenuation measures identified in the plan shall be incorporated into the project as conditions of approval of the grading and construction plans as appropriate. Any rock crushing equipment must be located within Lot 3, preferably as far from existing residences as possible, to minimize noise impacts. Rock crushing equipment can only be operated on weekdays between 9 am and 4 pm to further reduce noise impacts on residents.

60.PLANNING. 27 USE- MM T-1E

RECOMMND

Prior to grading permit issuance, the developer shall provide construction plans for road sight distance at the Project Access. Plans shall be reviewed by the County, with respect to California Department of Transportation/County of Riverside standards in conjunction with the preparation of final grading, landscaping, and street improvement plans. The developer shall provide evidence to the County that construction plans were reviewed and approved.

60.PLANNING. 28 USE - ARTIFACT DISPOSITION

RECOMMND

Prior to Issuance of Grading Permits:
The landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) including all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. This shall include any and all artifacts collected during any previous archaeological investigations. The applicant shall relinquish the artifacts through one or more of the following methods and provide the Riverside County Archaeologist with evidence of same.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 41

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 28

USE - ARTIFACT DISPOSITION (cont.)

RECOMMND

a. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe or band. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources and approved by the Riverside County Archaeologist.

b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards pursuant to 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

c. If more than one Native American Group is involved with the project and cannot come to an agreement between themselves as to the disposition of cultural resources, the landowner(s) shall contact the Riverside County Archaeologist regarding this matter and then proceed with the cultural resources being curated at the Western Science Center.

Note: Should reburial of collected cultural resources be preferred, it shall not occur until after the Phase IV monitoring report has been submitted to and approved by the Riverside County Archaeologist. The developer/permit applicant is responsible for all costs associated with reburial and all costs associated with curation should that disposition method be employed. All methods of disposition shall be described in the Phase IV monitoring report.

60.PLANNING. 29

USE - MM CR-2G

RECOMMND

Prior to the issuance of grading permits, the project applicant and the Pechanga Tribe and Soboba Tribes shall prepare a Preservation and Maintenance Plan for the long-term care and maintenance of CA-RIV-5457 and any associated cultural features. The plan shall indicate, at a minimum, the specific areas to be included in and excluded from long-term maintenance; prohibited activities; methods of preservation to be employed (fencing, vegetative deterrence, etc.); the entity(s) responsible for the long-term maintenance; maintenance scheduling and notification; appropriate avoidance protocols; monitoring by the Tribes and compensation for services; and necessary

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 42

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.PLANNING. 29 USE - MM CR-2G (cont.)

RECOMMND

emergency protocols. The project manager/landowner shall submit a fully executed copy of the plan to the County to ensure compliance with this mitigation measure.

60.PLANNING. 30 USE - MM GS-2A

RECOMMND

Refer to the mitigation measures MM HWQ 1a- and HWQ 1-b (See DEIR section 4.8 Hydrology and Water Quality), and all other applicable water quality standards and requirements.

TRANS DEPARTMENT

60.TRANS. 1 USE - PRIOR TO ROAD CONSTRUCT

RECOMMND

Prior to road construction, survey monuments including centerline monuments, tie points, property corners and benchmarks shall be located and tied out and corner records filed with the County Surveyor pursuant to Section 8771 of the Business & Professions Code. Survey points destroyed during construction shall be reset, and a second corner record filed for those points prior to completion and acceptance of the improvements.

60.TRANS. 2 USE - SUBMIT GRADING PLAN

RECOMMND

When you submit a grading plan to the Department of Building and Safety, two sets of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit.

Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee.

Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA

Standard plan check turnaround time is 10 working days.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 43

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 3

USE - TRUCK ROUTING STUDY

RECOMMND

The project proponent shall provide a Truck Routing Study to the Transportation Department. The scope of the study is to identify the truck routes to and from PP25422 and to discourage trucks from traveling on Alessandro Boulevard west of the project or as approved by the Transportation Department.

60.TRANS. 4

USE - SUBMIT WQMP AND PLANS

RECOMMND

The project specific Final WQMP, improvement plans, grading plans, final map, Environmental Constraint Sheet, BMP improvement plans and any other necessary documentation along with supporting hydrologic and hydraulic calculations shall be submitted to the Transportation Department for review and approval. The Final WQMP and plans must receive Transportation Department approval prior to the issuance of grading permits. All submittals shall be date stamped by a registered engineer.

1. For the Final WQMP, Infiltration testing performed for the proposed Infiltration Basins on this project needs to meet the Infiltration Testing requirements identified in Appendix A of the Riverside County Low Impact Development BMP Design Handbook.
2. The Preparer shall address any final comments from County of Riverside.
3. The Applicant shall provide the County with two original copies of the WQMP, "wet signed" and sealed by the Applicant's Engineer. The Applicant shall "wet sign" the Project Owner's Certification and include the Notary Acknowledgement page in the WQMP. Additionally, the preparer shall "wet sign" and "stamp" the Preparer's Certification page in the WQMP.
4. The Applicant shall provide two digital copies on CD of the Final WQMP documents.
5. The Applicant shall provide the original "wet signed" copy of the County's Maintenance Agreement to be included with the WQMP.

60.TRANS. 5

USE - WQMP MAINT DETERMINATION

RECOMMND

The project proponent shall contact the Transportation Department to determine the appropriate entity that will maintain the BMPs identified in the project specific WQMP. This determination shall be documented in the project specific WQMP. The project proponent shall begin the

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 44

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

60. PRIOR TO GRADING PRMT ISSUANCE

60.TRANS. 5 USE - WQMP MAINT DETERMINATION (cont.) RECOMMND

process of establishing the maintenance entity identified
in the approved project specific WQMP.

70. PRIOR TO GRADING FINAL INSPECT

EPD DEPARTMENT

70.EPD. 1 EPD - MBTA REPORT RECOMMND

Prior to final grading permit inspection the biologist who
conducted the MBTA survey prior to grading must submit a
written report that provides the results of the survey
along with describing any avoidance or impact minimization
measures employed to protect avian species.

TRANS DEPARTMENT

70.TRANS. 1 USE - IMPLEMENT WQMP RECOMMND

All structural BMPs described in the project-specific WQMP
shall be constructed and installed in conformance with
approved plans and specifications. It shall be
demonstrated that the applicant is prepared to implement
all non-structural BMPs described in the approved project
specific WQMP and that copies of the approved
project-specific WQMP are available for the future
owners/occupants.

70.TRANS. 2 USE - ESTABLISH MAINT ENTITY RECOMMND

The project proponent shall begin the process of
establishing the maintenance entity identified in the
approved project specific WQMP.

80. PRIOR TO BLDG PRMT ISSUANCE

BS GRADE DEPARTMENT

80.BS GRADE. 1 USE - NO B/PMT W/O G/PMT RECOMMND

Prior to the issuance of any building permit, the property
owner shall obtain a grading permit and/or approval to
construct from the Building and Safety Department.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 45

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.BS GRADE. 2

USE - ROUGH GRADE APPROVAL

RECOMMND

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

1.Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.

2.Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.

3.Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.

4.Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E HEALTH DEPARTMENT

80.E HEALTH. 1

USE - WATER/SEWER WILL SERVE

RECOMMND

A "will-serve" letter from the appropriate water and sewer company/district shall be submitted to the Department of Environmental Health along with the filing fee in effect at the time of submittal.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 46

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

PLANNING DEPARTMENT

80.PLANNING. 3 USE- CONFORM TO ELEVATIONS

RECOMMND

Elevations of all buildings and structures submitted for building plan check approval shall be in substantial conformance with the elevations shown on APPROVED EXHIBIT B.

80.PLANNING. 4 USE- CONFORM TO FLOOR PLANS

RECOMMND

Floor plans shall be in substantial conformance with that shown on APPROVED EXHIBIT C.

80.PLANNING. 5 USE - ROOF EQUIPMENT SHIELDING

RECOMMND

Roof mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

80.PLANNING. 11 USE - PLANS SHOWING BIKE RACKS

RECOMMND

Bike rack spaces or bike lockers shall be shown on the project's parking and landscaping plan submitted to the Planning Department for approval.

80.PLANNING. 18 USE - LIGHTING PLANS

RECOMMND

All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Department of Building and Safety for plan check approval and shall comply with the requirements of Riverside County Ordinance No. 655 and the Riverside County Comprehensive General Plan.

80.PLANNING. 19 USE- FEE STATUS

RECOMMND

Prior to issuance of building permits for Plot Plan No. 25422, the Planning Department shall determine the status of the deposit based fees for project. If the case fees are in a negative state, the permit holder shall pay the outstanding balance.

80.PLANNING. 20 USE- MM AQ-1J

RECOMMND

Documentation of compliance with the following measures shall be provided to the Riverside County Planning Department and Building Official for review and approval

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 47

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 20 USE- MM AQ-1J (cont.)

RECOMMND

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 portions of warehouse 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.

ii)The Project shall provide material recycling including, but not limited to, mixed paper and cardboard, consistent with County programs/requirements.

iii)The Project shall allow natural lighting to the extent practical to help reduce or minimize the use of internal electrical illumination.

80.PLANNING. 21 USE- MM AQ-1N

RECOMMND

Prior to the issuance of a building permit for each phase, the project developer shall require by contract specifications that contractors shall utilize power poles or clean-fuel generators for electrical construction equipment. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the County.

80.PLANNING. 22 USE- MM GS-3A

RECOMMND

The developer shall implement the grading recommendations identified in the Preliminary Geotechnical Report (2007) and any subsequent geotechnical investigations approved by the County Geologist. Prior to the commencement of building construction, the applicant shall retain a qualified engineer to design foundations adequate to support the project structures where necessary, based on the recommendations of the Preliminary Geotechnical Report (2007) or any subsequent geotechnical investigations approved by the County Geologist. Settlement analysis shall be performed once the structural design loads and foundation system geometry have been defined for each building. This condition shall apply to any improvements made on the adjacent MJPA property as appropriate.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 48

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 23

USE- MM T-1A

RECOMMND

Prior to building permit issuance, the applicant shall be responsible for the following improvements:

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, two through lanes, one striped out for future use, one right turn lane.

"Southbound: No improvements. Current adjacent project is constructing improvements.

"Eastbound: No new improvements; One left turn lane, two through lanes, and one through/right turn currently provided.

"Westbound: One left turn lane; Exiting improvements will remain and include three through lanes, and 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.

80.PLANNING. 24

USE- MM T-1B

RECOMMND

Prior to building permit issuance, the applicant shall dedicate 50-foot half-width Secondary right-of-way along the Project frontage of Brown Street from Alessandro Boulevard to the southern Project boundary. The applicant shall construct the Brown Street approach to Alessandro Boulevard to its full Secondary intersection cross-section width. Prior to issuance of building certificate of occupancy, the applicant shall construct Brown Street from south of Alessandro Boulevard intersection improvements to the southern boundary of the Project as a half-section width as an Industrial Collector plus a painted median and a northbound travel lane including landscaping and parkway improvements in conjunction with development. The applicant shall make an appropriate transition from the Secondary cross-section at the Alessandro Boulevard intersection improvements to the Industrial Collector cross-section.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 49

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.PLANNING. 25 USE- MM T-1C

RECOMMND

Prior to building permit issuance, the developer shall construct landscape and sidewalk improvements along Alessandro Boulevard from the west Project boundary to San Gorgonio Drive/Brown Street per the direction of the county Landscape Architect. Landscaping will conform to Riverside County's updated water efficient landscape ordinance.

80.PLANNING. 26 USE- MM T-1G

RECOMMND

Prior to building permit issuance, the developer shall participate in the phased construction of off-site traffic signals within the study area through payment of traffic signal mitigation fees on a per square foot basis. The traffic signals within the study area at buildout should specifically include an inter-connect of the traffic signals to function in a coordinated system.

80.PLANNING. 27 USE - MM AQ-II

RECOMMND

As described in the Leadership in Energy and Environmental Design (LEED) for New Construction, Version 2.2 Rating System, the Project shall comply with LEED Silver requirements and implement the following activities 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 issuance of building permit(s) and approval of the following features shall be confirmed by the County Building Official prior to certificate of occupancy.

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

TRANS DEPARTMENT

80.TRANS. 1 USE - R-O-W DEDICATION 1

RECOMMND

Sufficient public street right-of-way, all applicable agreements and/or dedications shall be submitted and approved by the Director of Transportation for the right-of-way of Brown Street.

Right-of-way for Brown Street shall be conveyed for public use to provide for a 60' part-width to 100' full-width

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 50

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 1 USE - R-O-W DEDICATION 1 (cont.) RECOMMND
right-of-way.

80.TRANS. 2 USE - CORNER CUT-BACK I RECOMMND

All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit ' C' of the Countywide Design Guidelines.

80.TRANS. 3 USE-ANNEX L&LMD/OTHER DIST RECOMMND

Prior to the issuance of a building permit, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated by contacting the Transportation Department at (951)955-6767, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division. Said annexation should include the following:

- (1) Landscaping.
- (2) Streetlights.
- (3) Traffic signal included in 90.TRANS.12 condition of approval.
- (4) Street sweeping.

For street lighting, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following:

- (1) Completed Transportation Department application.
- (2) Appropriate fees for annexation.
- (3) (2) sets of street lighting plans approved by Transportation Department.
- (4) "Streetlight Authorization" form from SCE, IID or other electric provider.

02/19/16
06:59

2018/10/10 - Riverside County LMS
CONDITIONS OF APPROVAL

Page: 51

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 4 USE - LIGHTING PLAN

RECOMMND

A separate streetlight plan is required for this project. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Chart found in Specification Section 22 of Ordinance 461. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No. 1000 or No. 1001. For projects within Imperial Irrigation District (IID) use IID's pole standard.

80.TRANS. 5 USE - LANDSCAPING/TRAIL

RECOMMND

Landscaping within public road right-of-way shall comply with Transportation Department standards, Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859 and shall require approval by the Transportation Department.

Landscaping plans shall be designed within Alessandro Boulevard and Brown Street and submitted to the Transportation Department. Landscaping plans shall be submitted on standard County plan sheet format (24" x 36"). Landscaping plans shall be submitted with the street improvement plans.

80.TRANS. 6 USE - TUMF CREDIT AGREEMENT

RECOMMND

If the applicant/developer is constructing a "TUMF" facility as a condition of approval for this project and will be seeking "TUMF" credits and/or reimbursements for the "TUMF" improvements built with this project, the applicant shall enter into a "TUMF Improvement and Credit Agreement" with the Transportation Department prior to the first building permit issuance as directed by the Director of Transportation. Please contact (951) 955-6800 for additional information.

80.TRANS. 7 USE - UTILITY PLAN

RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 52

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 7 USE - UTILITY PLAN (cont.)

RECOMMND

describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

80.TRANS. 8 USE - TS/DESIGN

RECOMMND

The project proponent shall be responsible for the design of traffic signals at the intersections of:

NONE

with fee credit eligibility

San Gorgonio Drive/Brown Street (NS) at Alessandro Boulevard (EW) (Signal Modification)

with no credit given for Traffic Signal Mitigation Fees
or as approved by the Transportation Department.

Installation of the signal shall be per 90.TRANS.12.

80.TRANS. 9 USE - TS/GEOMETRICS

RECOMMND

The intersection of San Gorgonio Drive/Brown Street and Alessandro Boulevard shall provide the following geometrics:

Northbound: One left-turn lane, one through, one right-turn lane with overlap
Southbound: One left-turn lane, one shared through/right-turn lane
Eastbound: One left-turn lane, two through lanes, one shared through/right-turn lane
Westbound: One left-turn lane, three through lanes, one right-turn lane

The intersection of I-215 freeway northbound ramps and Alessandro Boulevard shall provide the following geometrics.

Northbound: Two left-turn lanes, one right-turn lane
Southbound: NA

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 53

PLOT PLAN: TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 9

USE - TS/GEOMETRICS (cont.)

RECOMMND

Eastbound: One left-turn lane, three through lanes
Westbound: Two through lanes, one shared
through/right-turn lane

or as approved by the Transportation Department.

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

If any of the proposed improvements are found to be infeasible, the applicant will be required to provide alternative feasible improvements to achieve levels of service satisfactory to the County.

80.TRANS. 10

USE - RIV. TRANSIT AUTHORITY

RECOMMND

The land divider shall comply with the Riverside Transit Authority recommendations as outlined in their letter dated July 31, 2007.

80.TRANS. 12

USE - LC LANDSCAPE PLOT PLAN

RECOMMND

Prior to issuance of building permits, the developer/permit holder shall file a Landscaping Minor Plot Plan Application to the Riverside County Transportation Department for review and approval along with the current fee. The landscaping plans shall be in conformance with the APPROVED EXHIBITS; in compliance with Ordinance No. 348, Section 18.12; Ordinance No. 859; and, be prepared consistent with the County of Riverside Guide to California Friendly Landscaping. At minimum, plans shall include the following components:

- 1) Landscape and irrigation working drawings "stamped" by a California certified landscape architect;
 - 2) Weather based controllers and necessary components to eliminate water waste;
 - 3) A copy of the "stamped" approved grading plans; and,
 - 4) Emphasis on native and drought tolerant species.
- When applicable, plans shall include the following components:

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 54

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 12

USE - LC LANDSCAPE PLOT PLAN (cont.)

RECOMMND

- 1)Identification of all common/open space areas;
- 2)Natural open space areas and those regulated/conserved by the prevailing MSHCP;
- 3)Shading plans for projects that include parking lots/areas;
- 4)The use of canopy trees (24" box or greater) within the parking areas;
- 5)Landscaping plans for slopes exceeding 3 feet in height;
- 6)Landscaping and irrigation plans associated with entry monuments. All monument locations and dimensions shall be provided on the plan; and/or,
- 7)If this is a phased development, then a copy of the approved phasing plan shall be submitted for reference.

NOTE:

- 1)Landscaping plans for areas within the road right-of-way shall be submitted for review and approval by the Transportation Department only.
- 2)When the Landscaping Plot Plan is located within a special district such as Valley-Wide Recreation and Park District, Jurupa Community Services District, Coachella Valley Water District, a County Service Area (CSA) or other maintenance district, the developer/permit holder shall submit plans for review to the appropriate special district for simultaneous review. The permit holder shall show evidence to the Transportation Department that the subject District has approved said plans.

As part of the plan check review process and request for condition clearance, the developer/permit holder shall show proof of the approved landscaping plot plan by providing the Plot Plan number. The Transportation department shall verify the landscape route is approved and the Plot Plan is in TENTAPPR status. Upon verification of compliance with this condition and the APPROVED EXHIBITS, the Transportation Department shall clear this condition.

80.TRANS. 13

USE - LC LANDSCAPE SECURITIES

RECOMMND

Prior to the issuance of building permits, the developer/permit holder shall submit an estimate to replace plantings, irrigation systems, ornamental landscape elements, walls and/or fences, in amounts to be approved by the Riverside County Transportation Department, Landscape Division. Once the Transportation Department has approved the estimate, the developer/permit holder shall submit the estimate to the Riverside County Department of Building and

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 55

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 13

USE - LC LANDSCAPE SECURITIES (cont.)

RECOMMND

Safety who will then provide the developer/permit holder with the requisite forms. The required forms shall be completed and submitted to Building and Safety for processing and review in conjunction with County Counsel. Upon determination of compliance, the Department of Building and Safety shall clear this condition.

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

NOTE:

A cash security shall be required when the estimated cost is \$2,500.00 or less. It is highly encouraged to allow adequate time to ensure that securities are in place. The performance security shall be released following a successful completion of the One Year Post-Establishment Inspection, and the inspection report confirms that the planting and irrigation components are thriving and in good working order consistent with the approved landscaping plans.

80.TRANS. 14

USE - LC LNDSCPNG PROJ SPECIFC

RECOMMND

In addition to the requirements of the Landscape and Irrigation Plan submittal, the following project specific conditions shall be imposed:

1. Project shall comply with the latest version of Ord. 859.3 or later with an ETo of .50, or less. Project shall comply with the latest State Model Water Efficient Landscape Ordinance. Project shall comply with the local servicing water purveyor/district/company landscape requirements including those related to recycled water.
2. Project shall prepare water use calculations as outlined in Ord 589.3 or latest version.
3. Project shall use point source irrigation type, except as needed within stormwater BMP areas as noted in an

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 56

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.TRANS. 14

USE - LC LNDSCPNG PROJ SPECIFC (cont.)

RECOMMND

approved WQMP document.

4. Trees shall be hydrozoned separately.

5. Hydroseeding is not permitted in stormwater BMP areas, container stock will be required.

6. Project shall use County standard details for which the application is available in County Standard Detail Format.

7. Monuments, boulders, and fan palms shall be located outside the County Maintained Road Right-of-Way.

8. Plant species noted in MSHCP documents shall not be used if MSHCP areas are adjacent to the project.

WASTE DEPARTMENT

80.WASTE. 1

USE - WASTE RECYCLE PLAN (WRP)

RECOMMND

Prior to building permit issuance, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

80.WASTE. 2

USE - RECYCLNG COLLECTION PLAN

RECOMMND

Prior to issuance of a building permit, the applicant shall submit three (3) copies of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources, and shall show the location of and access to the collection area for recyclable materials, along with its dimensions and construction detail, including elevation/farade, construction materials

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 57

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

80. PRIOR TO BLDG PRMT ISSUANCE

80.WASTE. 2 USE - RECYCLNG COLLECTION PLAN (cont.) RECOMMND

and signage. The plot plan shall clearly indicate how the trash and recycling enclosures shall be accessed by the hauler.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 USE - WQMP BMP INSPECTION RECOMMND

Prior to final building inspection, the applicant shall obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications. The Building and Safety Department must inspect and approve the completed WQMP treatment control BMPs for your project before a building final can be obtained.

90.BS GRADE. 2 USE - WQMP BMP CERT REQ'D RECOMMND

Prior to final building inspection, the applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

90.BS GRADE. 3 USE - BMP GPS COORDINATES RECOMMND

Prior to final building inspection, the applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

90.BS GRADE. 4 USE - BMP REGISTRATION RECOMMND

Prior to final building inspection, the applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

02/19/16 Page: 58

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 5 USE - WQMP ANNUAL INSP FEE

RECOMMND

Prior to final building inspection, the applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

90.BS GRADE. 6 USE - REQ'D GRADING INSP'S

RECOMMND

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1.Sub-grade inspection prior to base placement.
- 2.Base inspection prior to paving.
- 3.Precise grade inspection of entire permit area.
 - a.Inspection of Final Paving
 - b.Precise Grade Inspection
 - c.Inspection of completed onsite storm drain facilities
 - d.Inspection of the WQMP treatment control BMPs

90.BS GRADE. 7 USE - PRECISE GRDG APPROVAL

RECOMMND

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1.Requesting and obtaining approval of all required grading inspections.
- 2.Submitting a "Wet Signed" copy of the Soils Compaction Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
- 3.Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
- 4.Submitting a "Wet Signed" copy of the Precise (Final)

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 59

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 7 USE - PRECISE GRDG APPROVAL (cont.)

RECOMMND

Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

5.Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

6.Submitting a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the Water Quality Management Plan treatment control BMPs have been installed in accordance with the approved WQMP.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

PLANNING DEPARTMENT

90.PLANNING. 3 USE- PARKING PAVING MATERIAL

RECOMMND

A minimum of 576 parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete or concrete to current standards as approved by the Department of Building and Safety.

90.PLANNING. 4 USE- ACCESSIBLE PARKING

RECOMMND

A minimum of 16 accessible parking space[s] for persons with disabilities shall be provided as shown on APPROVED EXHIBIT A. Each parking space reserved for persons with disabilities shall be identified by a permanently affixed reflectorized sign constructed of porcelain on steel, beaded text or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade, or centered at a minimum height of 36 inches from the parking space finished grade, ground, or sidewalk. A sign shall also be posted in a conspicuous place, at each entrance to the off-street parking facility, not less than 17 inches by 22 inches, clearly and conspicuously stating

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 60

PLOT PLAN: TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 4 USE- ACCESSIBLE PARKING (cont.)

RECOMMND

the following:

"Unauthorized vehicles not displaying distinguishing placards or license plates issued for physically handicapped persons may be towed away at owner's expense. Towed vehicles may be reclaimed at ____ or by telephoning ____."

In addition to the above requirements, the surface of each parking space shall have a surface identification sign duplicating the symbol of accessibility in blue paint of at least 3 square feet in size.

90.PLANNING. 8 USE - ROOF EQUIPMENT SHIELDING

RECOMMND

Roof-mounted equipment shall be shielded from ground view. Screening material shall be subject to Planning Department approval.

90.PLANNING. 11 USE - UTILITIES UNDERGROUND

RECOMMND

All utilities, except electrical lines rated 33 kV or greater, shall be installed underground. If the permittee provides to the Department of Building and Safety and the Planning Department a definitive statement from the utility provider refusing to allow underground installation of the utilities they provide, this condition shall be null and void with respect to that utility.

90.PLANNING. 12 USE - CURBS ALONG PLANTERS

RECOMMND

A six inch high curb with a twelve (12) inch wide walkway shall be constructed along planters on end stalls adjacent to automobile parking areas. Public parking areas shall be designed with permanent curb, bumper, or wheel stop or similar device so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas.

90.PLANNING. 15 USE- TRASH ENCLOSURES

RECOMMND

(6) trash enclosures which are adequate to enclose a minimum of (12) bins shall be located as shown on the APPROVED EXHIBIT A, and shall be constructed prior to the issuance of occupancy permits. The enclosure(s) shall be a minimum of six (6) feet in height and shall be made with masonry block and a solid gate which screens the

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 61

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 15 USE- TRASH ENCLOSURES (cont.)

RECOMMND

bins from external view. Additional enclosed area for collection of recyclable materials shall be located within, near or adjacent to each trash and rubbish disposal area. The recycling collection area shall be a minimum of fifty percent (50%) of the area provided for the trash/rubbish enclosure(s) or as approved by the Riverside County Waste Management Department. All recycling bins shall be labeled with the universal recycling symbol and with signage indicating to the users the type of material to be deposited in each bin.

90.PLANNING. 18 USE - REMOVE OUTDOOR ADVERTISE

RECOMMND

All existing outdoor advertising displays, signs or billboards shall be removed.

90.PLANNING. 19 USE- WALL & FENCE LOCATIONS

RECOMMND

Wall and/or fence locations shall be in conformance with APPROVED EXHIBIT W.

90.PLANNING. 23 USE- SKR FEE CONDITION

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection, whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 663, which generally requires the payment of the appropriate fee set forth in that ordinance.

The amount of the fee required to be paid may vary, depending upon a variety of factors, including the type of development application submitted and the applicability of any fee reduction or exemption provisions contained in Riverside County Ordinance No. 663. Said fee shall be calculated on the approved development project which is anticipated to be 54.39 acres (gross) in accordance with APPROVED EXHIBIT A. If the development is subsequently revised, this acreage amount may be modified in order to reflect the revised development project acreage amount. In the event Riverside County Ordinance No. 663 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 663 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 62

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 24 USE - CONDITION COMPLIANCE

RECOMMND

The Department of Building and Safety shall verify that the Development Standards of this approval and all other preceding conditions have been complied with prior to any use allowed by this permit.

90.PLANNING. 28 USE - ORD NO. 659 (DIF)

RECOMMND

Prior to the issuance of either a certificate of occupancy or prior to building permit final inspection, the applicant shall comply with the provisions of Riverside County Ordinance No. 659, which requires the payment of the appropriate fee set forth in the Ordinance. Riverside County Ordinance No. 659 has been established to set forth policies, regulations and fees related to the funding and installation of facilities and the acquisition of open space and habitat necessary to address the direct and cumulative environmental effects generated by new development project described and defined in this Ordinance, and it establishes the authorized uses of the fees collected.

The amount of the fee for commercial or industrial development shall be calculated on the basis of the "Project Area," as defined in the Ordinance, which shall mean the net area, measured in acres, from the adjacent road right-of-way to the limits of the project development. The Project Area for Plot Plan No. 25422 has been calculated to be 43.67 net acres.

In the event Riverside County Ordinance No. 659 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 659 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 29 USE - ADDITIONAL REQ SIGNAGE

RECOMMND

PRIOR TO THE ISSUANCE OF BUILDING PERMITS the applicant shall install signage at all truck exits from the facility explain the nearby locations for food, lodging and entertainment using paths that avoid residential neighborhoods.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 63

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 30 USE- ORD 810 O S FEE (2)

RECOMMND

Prior to the issuance of a certificate of occupancy, or upon building permit final inspection prior to use or occupancy for cases without final inspection or certificate of occupancy (such as an SMP)], whichever comes first, the applicant shall comply with the provisions of Riverside County Ordinance No. 810, which requires the payment of the appropriate fee set forth in the Ordinance. The amount of the fee will be based on the "Project Area" as defined in the Ordinance and the aforementioned Condition of Approval. The Project Area for Plot Plan No. 25422 is calculated to be 43.67 net acres. In the event Riverside County Ordinance No. 810 is rescinded, this condition will no longer be applicable. However, should Riverside County Ordinance No. 810 be rescinded and superseded by a subsequent mitigation fee ordinance, payment of the appropriate fee set forth in that ordinance shall be required.

90.PLANNING. 31 USE- MM HHM-5A

RECOMMND

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 MJPFA 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.

90.PLANNING. 32 USE- MM HWQ-1B

RECOMMND

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 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 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

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 64

Page: 64

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 32

USE- MM HWQ-1B (cont.)

RECOMMND

pollutant sources that could affect the quality of stormwater 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 ground cover 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 onsite 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.

A new drainage study was prepared for the Revised Project, but it still indicates that the mitigation measures recommended for the Original Project are still necessary to help protect water quality. Therefore, the Revised Focused DEIR incorporates these same mitigation measures.

90.PLANNING. 33

USE- MM T-1D

RECOMMND

Prior to final building inspection, the developer shall provide sufficient on-site parking to meet the County of Riverside parking code requirements.

90.PLANNING. 34

USE- MM T-1F

RECOMMND

Prior to final building inspection, the developer shall implement on-site traffic signing and striping in conjunction with detailed construction plans for the

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 65

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.PLANNING. 34 USE- MM T-1F (cont.)

RECOMMND

project.

TRANS DEPARTMENT

90.TRANS. 1 USE - OFF-SITE INFO

RECOMMND

The off-site rights-of-way required for said access road shall be accepted to vest title in the name of the public if not already accepted.

90.TRANS. 2 USE - WRCOG TUMF

RECOMMND

Prior to the issuance of an occupancy permit, the project proponent shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 824.

90.TRANS. 3 USE STREETLIGHT AUTHORIZATION

RECOMMND

Prior to OCCUPANCY, the project proponent shall submit to Transportation Department Permits the following:

1. "Streetlight Authorization" form approved by L&LMD No. 89-1-C Administrator.
2. Letter establishing interim energy account from SCE, IID or other electric provider.

90.TRANS. 4 USE - STREETLIGHTS INSTALL

RECOMMND

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinances 460 and 461. For projects within IID use IID's pole standard.

Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed.

It shall be the responsibility of the developer to ensure that streetlights are energized along the streets associated with this development where the developer is seeking Building Final Inspection (Occupancy).

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 66

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 5

USE - DEDICATION SL1

RECOMMND

Brown Street shall be improved with 56 foot full-width AC pavement and 6" concrete curb and gutter within the 78' full-width dedicated right-of-way in accordance with County Standard No. 111. (56'/78')

NOTE: 1. A 6' sidewalk shall be constructed adjacent to curb line within the 11' parkway.

2. Provide an island to prevent trucks from making a left turn on the northbound approach of Brown Street at Alessandro Boulevard. It shall be located 25' from curb return. Trucks shall be prohibited from making left turns, however, passenger cars will be allowed.

90.TRANS. 6

USE - EXISTING MAINTAINED SL1

RECOMMND

Alessandro Boulevard along project boundary is a paved County maintained road designated as an Urban Aterial and shall be improved with 8" concrete curb and gutter located 55 feet from centerline, and match up asphalt concrete paving; reconstruction; or resurfacing of existing paving as determined by the Transportation Department within the 67 foot half-width dedicated right-of-way in accordance with County Standard No. 91. (55'/67') (Modified for reduced parking from 21' to 12'.)

NOTE: 1. A 6' sidewalk shall be constructed adjacent to curb line within a 12' parkway.

2. Provide an island to prevent trucks from making a right turn at the eastbound approach of Alessandro Boulevard onto Brown Street. It shall be located 12' from curb return or as approved by the City and County of Riverside Fire departments. Trucks shall be prohibited from making right turns, however, passenger cars will be allowed.

90.TRANS. 7

USE - UTILITY INSTALL

RECOMMND

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 67

PLOT PLAN: TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 7 USE - UTILITY INSTALL (cont.)

RECOMMND

poles offsite in each direction of the project site.

A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

90.TRANS. 8 USE-ANNEX L&LMD/OTHER DIST

RECOMMND

Prior to issuance of an occupancy permit, the project proponent shall complete annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated, and/or any other maintenance district approved by the Transportation Department or by processing and filing a 'Landscape Maintenance Agreement' through the Transportation Department Plan Check Division for continuous maintenance within public road rights-of-way, in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859. Said annexation should include the following:

- (1) Landscaping.
- (2) Streetlights.
- (3) Traffic signal included in 90.TRANS.12 condition of approval.
- (4) Street sweeping.

90.TRANS. 9 USE - IMP PLANS

RECOMMND

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the limit of construction at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

NOTE: Before you prepare the street improvement plan(s), please review the Street Improvement Plan Policies and Guidelines from the Transportation Department Web site: <http://rctlma.org/trans/General-Information/Pamphlets-Brochures>

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 68

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 10 USE - LANDSCAPING

RECOMMND

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, (or within easements adjacent to the public rights-of-way), in accordance with Ordinance 461, Comprehensive Landscaping Guidelines & Standards, and Ordinance 859.

Landscaping will be improved within Alessandro Boulevard and Brown Street.

90.TRANS. 11 USE - SIGNING & STRIPING

RECOMMND

A signing and striping plan is required for this project. The project proponent shall be responsible for any additional paving and/or striping removal caused by the striping plan or as approved by the Director of Transportation.

90.TRANS. 12 USE - TS/INSTALLATION

RECOMMND

The project proponent shall be responsible for the construction and installation of traffic signals at the following locations:

NONE

with fee credit eligibility

San Gorgonio Drive/Brown Street (NS) at Alessandro Boulevard (EW) (Signal Modification)

with no credit given for Traffic Signal Mitigation Fees
or as approved by the Transportation Department.

90.TRANS. 13 USE - PROJECT'S SHARE

RECOMMND

The applicant shall pay the County \$136,500 as the project's share of improvements along Alessandro Boulevard, including a CCTV camera at the intersection of Alessandro Boulevard/Brown Street/San Gorgonio Drive, the construction of an easebound right-turn lane on Alessandro Boulevard between Sycamore Canyon Drive and the I-215 southbound ramp terminal, and the installation of the fiberoptic cable between Barton Street and the I-215 southbound ramp terminal or as approved by the Director Transportation.

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 69

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 14 USE - IMPLEMENT WQMP

RECOMMND

All structural BMPs described in the project-specific WQMP shall be constructed and installed in conformance with approved plans and specifications. It shall be demonstrated that the applicant is prepared to implement all non-structural BMPs described in the approved project specific WQMP and that copies of the approved project-specific WQMP are available for the future owners/occupants.

90.TRANS. 15 USE - BMP MAINT AND INSPECTION

RECOMMND

The BMP maintenance plan shall contain provisions for all treatment controlled BMPs to be inspected, and if required, cleaned no later than October 15 each year. Required documentation shall identify the entity that will inspect and maintain all structural BMPs within the project boundaries. A copy of all necessary documentation shall be submitted to the Transportation Department for review and approval prior to the issuance of occupancy permits.

90.TRANS. 16 USE - FACILITY COMPLETION

RECOMMND

The Transportation Department will not release occupancy permits prior to the Transportation Department's acceptance of the drainage system for operation and maintenance.

90.TRANS. 17 USE - LC LNDS CP INSPECT DEPOST

RECOMMND

Prior to building permit final inspection, the developer/permit holder shall file an Inspection Request Form and deposit sufficient funds to cover the costs of the Pre-Installation, the Installation, and One Year Post-Establishment landscape inspections. In the event that an open landscape case is not available, then the applicant shall open a FEE ONLY case to conduct inspections. The deposit required for landscape inspections shall be determined by the Riverside County Landscape Division. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 18 USE LNDS CP INSPECTN RQRMTS

RECOMMND

The permit holder's (or on-site representative) landscape architect is responsible for preparing the landscaping and irrigation plans and shall arrange for an installation

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 70

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 18

USE LNDSCPE INSPCTN RQRMNTS (cont.)

RECOMMND

inspection with the Transportation Department at least five (5) working days prior to the installation of any landscape or irrigation components.

Upon successful completion of the installation inspection, the applicant will arrange for a 6th-month installation inspection at least five (5) working days prior to the final building inspection or issuance of the occupancy permit, whichever occurs first, and comply with the Transportation Department's (80.TRANS) condition entitled "USE-LANDSCAPING SECURITY" and (90.TRANS) condition entitled "LANDSCAPE INSPECTION DEPOSIT." Upon successful completion of the installation inspection, the County Transportation Department's landscape inspector and the permit holder's landscape architect (or on-site representative) shall execute a Landscape Certificate of Completion that shall be submitted to the Transportation Department and the Department of Building and Safety. The Transportation Department shall clear this condition upon determination of compliance.

90.TRANS. 19

USE - LC COMPLY W/ LNDSCP/ IRR

RECOMMND

The developer/permit holder shall coordinate with their designated landscape representative and the Riverside County Transportation Department's landscape inspector to ensure all landscape planting and irrigation systems have been installed in accordance with APPROVED EXHIBITS, landscaping, irrigation, and shading plans. The Transportation Department will ensure that all landscaping is healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order. The developer/permit holder's designated landscape representative and the Riverside County Transportation Department's landscape inspector shall determine compliance with this condition and execute a Landscape Certificate of Completion. Upon determination of compliance, the Transportation Department shall clear this condition.

WASTE DEPARTMENT

90.WASTE. 1

USE - WASTE REPORTING FORM

RECOMMND

Prior to building final inspection, evidence (i.e., receipts or other types of verification) to demonstrate

02/19/16
06:59

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 71

PLOT PLAN:TRANSMITTED Case #: PP25422

Parcel: 297-080-010

90. PRIOR TO BLDG FINAL INSPECTION

90.WASTE. 1

USE - WASTE REPORTING FORM (cont.)

RECOMMND

project compliance with the approved Waste Reporting Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

90.WASTE. 2

USE - RECYCLNG COLLECTION AREA

RECOMMND

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plan, as approved and stamped by the Riverside County Department of Waste Resources, and as verified by the Riverside County Building and Safety Department through site inspection.

LAND DEVELOPMENT COMMITTEE/
DEVELOPMENT REVIEW TEAM
INITIAL CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

DATE: September 6, 2013

TO:

Riv. Co. Transportation Dept.
Riv. Co. Environmental Health Dept.
Riv. Co. Public Health Dept. Industrial Hygiene
Riv. Co. Flood Control District
Riv. Co. Fire Department
Riv. Co. Building & Safety – Grading
Riv. Co. Building & Safety – Plan Check
Regional Parks & Open Space District
Riv. Co. Environmental Programs Division
P.D. Geology Section

P.D. Landscaping Section
P.D. Archaeology Section
Riverside Transit Agency
Riv. Co. Sheriff's Dept.
Riv. Co. Waste Management Dept.
Riv. Co. EDA-Fast Track
Riv. Co. Airport Land Use Commission-John Guerin
March Air Reserve Base
1st District Supervisor
1st District Planning Commissioner

City of Riverside
Eastern Municipal Water District
Southern California Edison
Southern California Gas Co.
Regional Water Quality Control Board – Santa Ana
Air Quality Control District- South Coast
California Department of Fish and Game
U.S. Fish and Wildlife Service
March Joint Powers Authority- Grace Williams

PLOT PLAN NO. 25422, ENVIRONMENTAL IMPACT REPORT NO. 537 – EA41468 – 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: The Plot Plan proposes an industrial development comprised of 3 buildings totaling 918,150 square feet. The Revised Draft Screencheck EIR studies the impacts of the project. **Note: This project was previously approved as Plot Plan 22925. A subsequent law suit required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. The project has changed layout and the number of structures. Impacts are generally reduced by the new design. An EIR was previously done for the site, EIR510, which was also vacated. A new revised Focused EIR has been drafted building on the previous EIR510. The new EIR will build on the previous studies, so your department should consider both the original technical studies and the revised technical studies. As a part of your review, please clearly indicate what kind of revised study your department will need (if not provided), assuming we can still use the previous studies as a base, from PP22925. – APN(s): 297-080-007, 008, 009, 010.**

Please review the attached map(s) and/or exhibit(s) for the above-described project. This case is scheduled for a **LDC meeting on September 26, 2013**. All LDC/DRT Members please have draft conditions in the Land Management System on or before the above date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **Matt Straite**, Project Planner, at (951) 955-8631 or email at mstraite@rctlma.org / **MAILSTOP# 1070**.

Public Hearing Path: DH: ☒ PC: ☐ BOS: ☐

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

LAND DEVELOPMENT COMMITTEE
2ND CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

DATE: October 29, 2014

TO

Riv. Co. Transportation Dept.
Riv. Co. Environmental Health Dept.
Riv. Co. Fire Dept.

Riv. Co. Building & Safety – Grading
Riv. Co. Parks & Open Space District
Riv. Co. Environmental Programs Dept.

P.D. Geology Section-D. Jones
P.D. Landscaping Section-Mark Hughes
P.D. Archaeology Section-Heather Thomson

PLOT PLAN NO. 25422 AMENDED NO. 1 ENVIRONMENTAL IMPACT REPORT NO. 537 – EA41468 –
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) (0.43 Floor Area Ratio) – Location: southerly of Alessandro Boulevard, easterly of Gem Lane, and westerly of Brown Street – 54.53 gross acres - Zoning: Industrial Park (I-P) - **REQUEST:** The **Plot Plan** proposes to develop 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 3 will be designated for general or multi-tenant warehousing and will occupy 216,440 square feet. The project will also include 581 parking spaces and two detention basins. The Draft Screencheck EIR studies the environmental impacts of the proposed project. **Note:** **This project was previously approved as Plot Plan 22925. A subsequent law suit required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. The project has changed layout and the number of structures. Impacts are generally reduced by the new design. An EIR was previously done for the site, EIR510, which was also vacated. A new revised Focused EIR has been drafted building on the previous EIR510. The new EIR will build on the previous studies, so your department should consider both the original technical studies and the revised technical studies. As a part of your review, please clearly indicate what kind of revised study your department will need (if not provided), assuming we can still use the previous studies as a base, from PP22925. – APN(s): 297-080-007, 008, 009, 010.**

Routes in LMS have only been added for those departments that previously required corrections (denials). We are still requesting that your department review the attached map(s) and/or exhibit(s) for the above-described project. **If your department is not provided a route line, but you elect to provide comments (denial to the route) you may add a route for your department.** Otherwise please assure your files reflect this stamped version of the document and review any conditions accordingly. This case is scheduled for a **LDC comment on November 20, 2014.** All LDC Members please have draft conditions in the Land Management System on or before the above date. If it is determined that the attached map(s) and/or exhibit(s) are not acceptable, please have corrections in the system and DENY the routing on or before the above date. Once the route is complete, and the approval screen is approved with or without corrections, the case can be scheduled for a public hearing. Please keep ahold of this exhibit for your files as it supersedes previously transmitted exhibits. The following departments received a route on this project:

Transportation, Environmental Health, Building & Safety Grading, EPD, Geology, Archaeology, Parks, Landscaping

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

All other transmitted entities, please have your comments, questions and recommendations to the Planning Department on or before the above date. Your comments/recommendations/conditions are requested so that they may be incorporated in the staff report for this particular case.

Should you have any questions regarding this project, please do not hesitate to contact **Matt Straite**, Contract Planner, at (951) 955-8631 or email at mstraite@rctlma.org / **MAILSTOP# 1070**.

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.

LAND DEVELOPMENT COMMITTEE
3rd CASE TRANSMITTAL
RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE
P.O. Box 1409
Riverside, CA 92502-1409

DATE: April 17, 2015

TO

Riv. Co. Transportation Dept.
Riv. Co. Fire Dept.

Riv. Co. Building & Safety – Grading
Riv. Co. Environmental Programs Dept.

P.D. Landscaping Section-Mark Hughes

PLOT PLAN NO. 25422 AMENDED NO. 1 (with new date of 4-17-15) – EA41468 – 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) (0.43 Floor Area Ratio) – Location: southerly of Alessandro Boulevard, easterly of Gem Lane, and westerly of Brown Street – 54.53 gross acres - Zoning: Industrial Park (I-P) - **REQUEST:** The **Plot Plan** proposes to develop 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 3 will be designated for general or multi-tenant warehousing and will occupy 216,440 square feet. The project will also include 581 parking spaces and two detention basins. The Draft Screencheck EIR studies the environmental impacts of the proposed project. **Note:** This project was previously approved as Plot Plan 22925. A subsequent law suit required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. The project has changed layout and the number of structures. Impacts are generally reduced by the new design. **The attached exhibits are only slightly revised to address trans concerns and have NOT been given a new route or LDC date. They have the same AMD number as the previous route but with a new date to differentiate them from the previous transmittal. Please review and UPDATE your existing route as required.**

Routes in LMS have only been added for those departments that previously required corrections (denials).

Should you have any questions regarding this project, please do not hesitate to contact **Matt Straite**, Contract Planner, at (951) 955-8631 or email at mstraite@rctlma.org / MAILSTOP# 1070.

COMMENTS:

DATE: _____ SIGNATURE: _____

PLEASE PRINT NAME AND TITLE: _____

TELEPHONE: _____

If you do not include this transmittal in your response, please include a reference to the case number and project planner's name. Thank you.



AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR

Simon Housman
Rancho Mirage

March 16, 2016

Mr. Matt Straite, Project Planner
County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside CA 92501
(VIA HAND DELIVERY)

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

John Lyon
Riverside

Glen Holmes
Hemet

Greg Pettis
Cathedral City

Steve Manos
Lake Elsinore

STAFF

Director
Ed Cooper

John Guerin
Paul Rull
Russell Brady
Barbara Santos

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

www.rcaluc.org

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1179MA16

Related File No.: PP25422 (Plot Plan)

APNs: 297-080-007 through 297-080-010

Dear Mr. Straite:

On March 10, 2016, the Riverside County Airport Land Use Commission (ALUC) found County of Riverside Case No. PP25422 (Plot Plan), a proposal to develop two industrial (predominantly warehousing) buildings totaling 814,630 square feet on 54.4 gross acres located southerly of Alessandro Boulevard, easterly of Gem Lane and Camino Del Sol, westerly of a straight-line southerly extension of San Gorgonio Drive, and westerly of Meridian Parkway, **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, subject to the following conditions:

CONDITIONS:

1. Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.

- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Wastewater management facilities, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, incinerators, and other hazards to flight.
 - (f) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, places of assembly, restaurants, aboveground storage or manufacturing of hazardous or flammable materials, and noise sensitive outdoor nonresidential uses.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an aviation easement to March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
 4. The attached notice shall be given to all prospective purchasers of the property and tenants of the buildings. While not required, the applicant and its successors-in-interest are encouraged to provide a copy of said notice to employees who would regularly be working at this location.
 5. The proposed detention basin(s) on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the detention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees that produce seeds, fruits, or berries.
 6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
 7. Office area within Building 1 shall be limited to no more than 15,000 square feet in any single-acre (210'x210') area. Further ALUC review is required if proposed office area through any initial or subsequent tenant improvements result in more than 15,000 square feet. ALUC would review the amount and location of the office area and other use areas within the building to determine whether such future proposals comply with the Compatibility Zone B1 average and single-acre criteria.
 8. Zoned fire sprinkler systems shall be required throughout Building 1 located within Compatibility Zone B1.
 9. Office space must have sound attenuation features sufficient to reduce interior noise levels from exterior aviation-related sources to no more than CNEL 45 dB. The County of Riverside shall require an acoustical study to ensure compliance with this requirement.
 10. **The Federal Aviation Administration has conducted aeronautical studies of the proposed structures (Aeronautical Study Nos. 2016-AWP-1130-OE and 2016-AWP-1133) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and/or lighting for aviation safety are accomplished on a voluntary basis, such marking and/or lighting (if any)**

shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

11. The maximum height of the proposed northerly Building 1 shall not exceed 47 feet above ground level, and the maximum elevation of the proposed structure (including all roof-mounted equipment, if any) at top point shall not exceed 1678 feet above mean sea level. The maximum height of the proposed southerly Building 2 shall not exceed 42 feet above ground level, and the maximum elevation of the proposed structure (including all roof-mounted equipment, if any) at top point shall not exceed 1684 feet above mean sea level.
12. The specific coordinates, height, and top point elevation of the proposed structures shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration: provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
13. Temporary construction equipment used during actual construction of the structures shall not exceed the height of the structures, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
14. Within five (5) days after construction of the structures reaches its greatest height, FAA Form 7460-2 (Part II). Notice of Actual Construction or Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for instructions.) This requirement is also applicable in the event the project is abandoned or a decision is made not to construct the structures.

Condition Nos. 10 through 14 were added at the Airport Land Use Commission meeting.

If you have any questions, please contact Paul Rull, Urban Regional Planner IV, at (951) 955-6893, or John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, ALUC Director

PR/JG

Attachment: Notice of Airport in Vicinity
Aeronautical Study Nos. 2016-AWP-1130-OE and 2016-AWP-1133-OE

cc: Amstar-Kaliber, LLC (applicant)
Blackridge, Tom Simmons (representative)
James Thomson (surrounding property owner)
Patricia Laurman (surrounding property owner)
Gary Gosliga, Airport Manager, March Inland Port Airport Authority
Denise Hauser or Sonia Pierce, March Air Reserve Base
ALUC Case File



CENTER for BIOLOGICAL DIVERSITY

DATE

AGENCY
ADDRESS
Phone:

Re: Settlement Agreement resolving *Center for Biological Diversity, et al. v. County of Riverside, et al.*, Riverside County Superior Court Case No. RIC10009105

To Whom It May Concern:

This letter recognizes that the conservation groups involved in the case *Center for Biological Diversity, et al. v. County of Riverside, et al.*, Riverside County Superior Court Case No. RIC10009105 support the settlement agreement resolving the aforementioned case and do not oppose the project as it has been revised by Amstar pursuant to the settlement agreement.

The conservation groups find that the settlement agreement provides several substantial benefits to the environment in relation to the previously approved project including the following:

- Setting aside a conservation area on the western edge of the project site that will be restored with native vegetation, minimize invasive species, and provide for wildlife movement across the conservation area;
- Taking substantial steps to allow for north-south wildlife movement between the protected Sycamore Canyon Wilderness Park and March Stephens' Kangaroo Rat Preserve;
- Designing an on-site detention basin to benefit water quality that also maximizes native habitat value in the existing riparian areas;
- Relying upon green building and increased energy efficiency principals for the project;
- Reducing the project's edge effects by minimizing night lighting, noise, and human disturbance on adjacent open spaces and wildlife, and prohibiting the use of harmful plants identified in local conservation plans.

The conservation groups appreciate the opportunity to voice our support for the settlement agreement resolving the case above and the steps that Amstar has taken to improve the project design.

Sincerely,

Error! Main Document Only. Alaska • Arizona • California • Florida • Minnesota • Nevada • New

Error! Main Document Only. Jonathan Evans, Toxics and Endangered Species Campaign Director & Staff Attorney

351 California St., Ste. 600 • San Francisco, CA 94104
tel: (415) 436-9682 x 318 fax: (415) 436.9683 email: jevans@biologicaldiversity.org
www.BiologicalDiversity.org

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

TITLE: CENTER FOR BIOLOGICAL DIVERSITY, et al. v. COUNTY OF RIVERSIDE, et al.	DATE & DEPT: 12/08/11 D10	NUMBER: RIC10009105
COUNSEL: None present	REPORTER: None	
PROCEEDING: STATEMENT OF DECISION		

STATEMENT OF DECISION

Petitioners, Center for Biological Diversity, San Bernardino Valley Audubon Society and Friends of Riverside's Hills (petitioners) challenge respondent, County of Riverside's (County) approvals made in conjunction with the Alessandro Commerce Centre Project (hereafter referred to as the Project), a 54-acre business development, proposed by real parties in interest, Amstar/Kaliber LLC, Amstar Group and Reed Property Group (real parties), in unincorporated Riverside County.¹ The Project calls for the construction of 8 large commercial and industrial warehouses and office buildings, with 1,784 parking spaces and associated roads and infrastructure. The remaining 40 percent of the project (974,727 sq. ft.) is to be graded and landscaped. The site is immediately south of Alessandro Blvd., north of March Air Reserve Base and 1/2 mile west of the I-215. There is residential development to the west, commercial development to the northeast, and a proposed development to the north, but otherwise much of the surrounding land is undeveloped open space. Immediately adjacent to the southwest, south and east is an area once designated as the March SKR Preserve, which is still being managed by the Center for Natural Lands Management as a wildlife preserve benefiting biological

¹ The County and real parties filed a joint opposition to the petitioner. Accordingly, where this statement of decision refers to both County and real parties, they will be referred to as respondents.

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 1 of 11 Page(s)

resources, including the Stephens Kangaroo Rat (SKR). Across Alessandro Blvd. to the northwest is City of Riverside's Sycamore Canyon Wilderness Park and the state-owned Sycamore Canyon Ecological Reserve, managed for wildlife species and used for passive public recreation and enjoyment.

The Project site is within the jurisdiction of two regional Habitat Conservation Plans, the SKR HCP, and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). It is also located within the South Coast Air Basin, within the jurisdiction of the South Coast AQMD.

On June 24, 2008, the County issued an Initial Study and Notice of Preparation of a Draft EIR for the Project. Following comments, County released the Draft EIR on January 15, 2009. It found the Project's impact on biological resources less than significant because of the Project's consistency with the SKR HCP and other local policies and ordinances, including the MSHCP. That finding was based in part on the March SKR Preserve having been traded out of the SKR HCP in exchange for another site in the Potrero Valley (Badlands area) between San Jacinto and Beaumont, and the release of the Reserve for development (AR 400). The DEIR stated that the Property was, however, within the boundaries of County's HCP Fee Area and the appropriate mitigation fee was required. The DEIR also acknowledged the Project would result in significant air quality impacts which would remain significant even after mitigation measures have been implemented. There would also be significant greenhouse gas emissions and climate change impacts, and cumulative impacts to traffic, water supply, and energy resources.

During the DEIR comment period, Petitioners, the Regional Water Board, the Attorney General's Office, and the South Coast AQMD submitted numerous comments and mitigation measures. County adopted some additional measures in the June 2009 Final EIR, which was certified by the Riverside County Planning Director on August 24, 2009. Petitioners and the

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 2 of 11 Page(s)

Sierra Club filed an administrative appeal, asking the Planning Commission to either deny or stay the Project and the EIR. On September 30, 2009, the Planning Commission certified the EIR, and a second administrative appeal was filed on October 28, 2009, to the County Board of Supervisors. A subsequent meeting was held with the involved parties, the U.S. Fish and Wildlife Service, and the Riverside County Habitat Conservation Authority, but the dispute was not resolved. On April 20, 2010, the Board of Supervisors filed two Notices of Determination and certified the Final EIR. The instant Petition was filed May 12, 2010, alleging four causes of action:

- (1) Violation of CEQA (EIR Does Not Comply with CEQA);
- (2) Violation of CEQA (Failure to Recirculate EIR);
- (3) Violation of Subdivision Map Act and State Planning and Zoning Law;
- (4) Violation of County Ordinances Nos. 663, 663.10.

Petitioners argue that the EIR fails to adequately describe the environmental setting for the Project because it fails to acknowledge or discuss the impacts on the adjacent March SKR Preserve and the nearby Sycamore Canyon Ecological Reserve; that the EIR fails to comply with Riverside County Ordinances 663 and 663.10 (permitting the payment of mitigation fees under the SKR HCP), because such requires review to determine if on-site mitigation is appropriate; that although the EIR acknowledges the Project's significant greenhouse gas impacts, the County improperly rejected on-site solar panels as mitigation and the proposed greenhouse mitigation measures that were adopted are vague and unenforceable, and that the EIR fails to analyze the Project's energy consumption and conservation efforts as required under CEQA Guidelines Appendix F.

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 3 of 11 Page(s)

DISCUSSION

The petition is granted as to the 1st cause of action for the reasons set forth below and denied as to the 4th cause of action. As acknowledged at hearing, Petitioners did not address the 2nd and 3rd causes of action, and the Court therefore deems them abandoned and waived (*Opdyk vs. California Horse Racing Board* (1995) 34 Cal. App. 4th 1826, 1830, fn. 4).

Administrative Record and Evidence:

Petitioners lodged the certified administrative record. In addition, both petitioners and respondents filed requests for judicial notice of portions of the 2003 Multiple Species Habitat Conservation Plan (MSHCP). Both requests indicate all parties previously agreed the MSHCP was an appropriate part of the AR but was omitted due to its extensive size. Based on that representation, the Court grants the requests and takes judicial notice of those MSHCP documents.

Respondents also request the Court take judicial notice of letters dated December 29, 2003, and May 22, 2006, from the United States Fish and Wildlife Service and the California Department of Fish and Game, and a SKR Reserve Map published by Riverside County Habitat Conservation Agency, concerning the Potrero land exchange with the March SKR Preserve. Petitioners do not object to Respondents' Request, and in turn request judicial notice of an April 22, 2010, Settlement Agreement with the United States Fish and Wildlife Service, rescinding the prior approval of the release of the March SKR Preserve for commercial development and eliminating unlimited take of the SKR. Although respondents filed an Objection to that Request, it was later withdrawn at the hearing. The Court therefore grants both parties' requests for judicial notice.

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 4 of 11 Page(s)

First Cause of Action for Violation of CEQA

STANDARD OF REVIEW

"In reviewing an agency's compliance with CEQA in the course of its legislative or quasi-legislative actions, the courts' inquiry 'shall extend only to whether there was a prejudicial abuse of discretion.' Such an abuse is established 'if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence.'" (*Vineyard Area Citizens For Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Ca.4th 412, 426-427, internal citations omitted.)

When plaintiffs challenge CEQA decisions, reviewing courts generally will defer to the agency's substantive judgments while requiring strict compliance with procedures required by law. Courts must not overturn an agency's discretionary decisions and substitute their own opinions as to what constitutes wise public policy. (*El Dorado Union High School Dist. V. City of Placerville* (1983) 144 Cal. App.3d 123, 130.) "The court does not pass upon the correctness of the EIR's environmental conclusions, but only upon its sufficiency as an informative document." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal. App.3d 185, 189.)

"A court may not set aside an agency's approval of an EIR on the ground that an opposite conclusion would have been equally or more reasonable. A court's task is not to weigh conflicting evidence and determine who has the better argument when the dispute is whether adverse effects have been mitigated or could be better mitigated. We have neither the resources nor scientific expertise to engage in such analysis, even if the statutorily prescribed standard of review permitted us to do so. Our limited function is consistent with the principle that 'The purpose of CEQA is not to generate paper, but to compel government at all levels to make decisions with environmental consequences in mind. CEQA does not, indeed cannot, guarantee that these decisions will always be those which favor environmental considerations.'" (*Laurel*

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 5 of 11 Page(s)

Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 393.) In applying the substantial evidence standard, the reviewing court must resolve reasonable doubt in favor of the administrative findings. Substantial evidence consists of "enough relevant information and reasonable inferences from this information that a fair argument can be made to support the agency's conclusion, even though other conclusions might also be reached." (*Laurel Heights, supra*, 47 Cal.3d, at pp. 392-393.)

THE ENVIRONMENTAL SETTING OF THE PROJECT

Guidelines §15125(a) provides that an EIR must include a description of the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published, from both a local and regional perspective. "The environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. In using the word 'normally,' §15125(a) necessarily contemplates that physical conditions at other points in time may constitute the appropriate baseline or environmental setting." (*Cherry Valley Pass Acres & Neighbors vs. City of Beaumont* (2010) 190 Cal.App.4th 316, 336). "Neither CEQA nor the CEQA Guidelines mandates a uniform, inflexible rule for determination of the existing conditions baseline: rather, an agency enjoys the discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence." (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 328.) The EIR describes the existing conditions as including undeveloped land that is under the March Joint Powers Authority to the south and east (AR 336). It states that the SKR Reserve has been modified with the addition of the Potrero Site and the release of the March Air Base Management Area for development (AR 399). The May 22, 2006, joint letter from the U.S. Fish and Wildlife

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 6 of 11 Page(s)

Service and California Department of Fish & Game confirmed that with the Wildlife Agencies' approval of the core reserve exchange on December 29, 2003, the former MARB SKR Management Area was no longer a core reserve under the Long-term HCP and was subject to authorized incidental take of SKR in unlimited amounts outside of core reserves within the boundary of the Long-term HCP.

As such, the Preserve legally did not exist at the time the notice of preparation was published. The SKR HCP expressly considered that the Preserve could be released for development and would no longer be part of the SKR HCP (AR 4487-4488), and the environmental impacts were studied and reviewed in the SKR HCP and MSHCP EIRs. The EIR determined that those previous EIRS conducted the appropriate analyses on the impacts on both the onsite SKR and the adjacent Preserve and that no further analysis was required (AR 2302-2303). The Court finds that there is substantial evidence in the record to support the EIR's description of the surrounding physical conditions as they relate to the SKR, and denies the petition on that ground.

However, the Court also finds that the EIR's description of the surrounding physical conditions is otherwise improper. While the protections afforded the SKR may no longer legally exist, the record reflects that the Preserve property has nonetheless continued to exist since the Potrero swap-out. The Preserve property is owned by the March Joint Powers Authority and is managed by the Center for Natural Lands Management. The CNLM continues to provide various monitoring programs for various sensitive bird species such as least Bell's Vireo and burrowing owls (AR 8577). The Preserve property consists of 1,178 acres which includes grasslands, wetlands, and riparian habitats. Despite concerns and comments as to the Project's effects on these environmental and biological conditions, the EIR refused to recognize the need to address the Preserve property with regard to these features.

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 7 of 11 Page(s)

"When an EIR omits information, '[t]he relevant inquiry is whether there has been "a prejudicial abuse of discretion." The absence of information in an EIR "does not per se constitute a prejudicial abuse of discretion. A prejudicial abuse of discretion occurs if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process.'" (*Santa Monica Baykeeper v. City of Malibu* (2011) 193 Cal.App.4th 1538, 1558, internal citations omitted.)

By excluding the Preserve property from its description of the existing environmental setting, the EIR created an improper baseline and failed to adequately address or analyze Project impacts to these additional protected species and the wetlands and riparian conditions that exist on the Preserve site.

Accordingly, the court grants the petition on this ground.

COUNTY'S REJECTION ON ON-SITE SOLAR PANELS

Petitioners contend that County improperly rejected on-site solar panels as mitigation without providing any analysis or evidence to support its assertion that the on-site solar panels are not economically feasible. In response to suggested mitigation measures, County determined the solar panels were not feasible because the buildings were not of sufficient size to make the arrays economically feasible and capable of generating all of the project's electrical demand (as proposed by Petitioners). (AR 760, 2316). The Court finds there is substantial evidence in the record to support County's infeasibility findings (AR 8923, 8630, 8938, 9733-9734). Petitioner's own evidence establishes that solar power was not economically competitive with fossil fuels, and that there was no assurance that government incentives would continue to be available.

MITIGATION MEASURE MM-AQ-1L

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 8 of 11 Page(s)

Petitioners additionally argue that the proposed GHG mitigation measures listed in the EIR are vague and unenforceable, citing MM-AQ-11's provision for the installation of solar water heating and natural lighting "to the extent possible, as determined by the County" (AR 2319). The Court notes that this measure was added in response to Petitioners proposed mitigation measures, and was not included in the GHG reduction analysis (AR 861). Petitioner's Communities for a Better Environment vs. City of Richmond (2010) 184 Cal.App.4th 70 is clearly distinguishable in that it involved a handful of cursorily described mitigation measures for future consideration that might serve to mitigate the metric tons of emissions resulting from the project. Such is not the case here, where the EIR includes extensive mitigation measures and the reductions attributable to them. Given that the measures in MM-AQ-11 are structure-specific, COUNTY properly required that every practical effort be made to incorporate the measures in the building designs prior to the issuance of building permits, and for County Building Officials to confirm approval of the features before issuance of certificates of occupancy. Consistent with Sacramento Old City Assn. vs. City Council (1991) 229 Cal. App.3d 1011, 1028-1029, the Court finds no violation of CEQA concerning the MM-AQ-11 measures.

ANALYSIS OF ENERGY CONSUMPTION AND CONSERVATION EFFORTS

Lastly, petitioners argue that the EIR fails to provide the analysis of energy consumption and conservation efforts that is required. Pub. Res. C. §21103(b)(3) requires an EIR include a detailed statement setting forth mitigation measures proposed to minimize significant effects on the environment, including but not limited to measures to reduce the wasteful, inefficient and unnecessary consumption of energy. At the time the DEIR was prepared in 2009, CEQA Guidelines Appendix F stated that potentially significant energy implications of a project should be considered in an EIR. Here, the Environmental Assessment Form specifically found that the Project will have a less than significant impact or demand on utility infrastructure or service, and

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 9 of 11 Page(s)

will not conflict with existing policies, plans and programs related to utility consumption and conservation. (AR 677-678). There was no challenge to that determination. In discussing cumulative impacts, the EIR stated that, according to the County of Riverside General Plan, new development will increase the demand for natural gas and electricity and substantially contribute to a significant cumulative impact on the availability of both (AR 584). The EIR discussed the regulatory framework governing the project, including that the operation of the Project is required to comply with the mandatory requirements to Title 24 concerning energy efficient building design and to utilize energy conservation measures during operations (AR 588). The savings attributable to compliance with Title 24 are addressed at AR 538 and 562. No further analysis was required, and the EIR has sufficiently complied with CEQA in considering energy impacts.

SECOND AND THIRD CAUSES OF ACTION

As discussed above, Petitioners' failure to address these claims in the Opening Brief constitutes a waiver and the claims are denied.

FOURTH CAUSE OF ACTION FOR VIOLATION OF RCO 663, 663.10

Petitioners' challenge under the County's ordinances is based on their contention that the March SKR Preserve still exists. As discussed above, the Preserve did not legally exist at the relevant time and was no longer part of the SKR HCP. Riverside County Ordinance 663 provides each project shall be reviewed to determine the most appropriate course of action to ensure the survival of the species through one or more of the following: (1) on-site mitigation of impacts to the SKR, or (2) payment of the Mitigation Fee set by the Ordinance, or (3) any combination of the two. (AR 8477-8478). Here, the record reflects that SKR are likely on the project site and with that information County determined that payment of the mitigation fee was the appropriate mitigation measure. The Court finds no violation of County Ordinance 663.

DISPOSITION

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 10 of 11 Page(s)

The Petition is granted, in part, for the reasons set forth above. Petitioners are hereby directed to submit and serve a proposed judgment and proposed peremptory writ in conformity with this Statement of Decision. An OSC re: receipt of proposed judgment and peremptory writ is set for January 6, 2012, at 8:30 a.m. in Dept. 10. If the proposed judgment and writ are submitted to the court by that date, no appearance is required.

Sharon Waters, Judge
L. Hall (cmg), Clerk
Page 11 of 11 Page(s)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
4050 Main Street - 2nd Floor
Riverside, CA 92501
www.riverside.courts.ca.gov

CERTIFICATE OF MAILING

CENTER FOR BIOLOGICAL DIVERSITY

vs.

CASE NO. RIC10009105

COUNTY OF RIVERSIDE

TO: SHEPPARD, MULLIN, RICHTER & HAMPTON
650 TOWN CENTER DR
COSTA MESA CA 92626-1925

I certify that I am currently employed by the Superior Court of California, County of Riverside and I am not a party to this action or proceeding. In my capacity, I am familiar with the practices and procedures used in connection with the mailing of correspondence. Such correspondence is deposited in the outgoing mail of the Superior Court. Outgoing mail is delivered to and mailed by the United States Postal Service, postage prepaid, the same day in the ordinary course of business. I certify that I served a copy of the attached Statement of Decision on this date, by depositing said copy as stated above.

Court Executive Officer/Clerk

Dated: 12/09/11

by: LETICIA HALL, Deputy Clerk

SETTLEMENT AGREEMENT

PARTIES: This Settlement Agreement ("Agreement") is entered into by and between Amstar/Kaliber LLC, Amstar Group LLC, Reed Property Group, Inc., Kaliber Alessandro Manager, LLC, Kaliber Co-Investments, LLC, Reed Holdings, LLC, (collectively, "Amstar") on the one hand and the Center for Biological Diversity ("CBD"), San Bernardino Valley Audubon Society, and Friends of Riverside's Hills (collectively "Petitioners"), on the other hand. Amstar and Petitioners are sometimes referred to in this Agreement individually as a "Party" and collectively as the "Parties." Reed Property Group, Inc. was dissolved after the filing of the "Action" and is not a signatory to this Agreement. It is the intent of the Parties that this Agreement shall establish the terms of a full and complete settlement of all claims and actions raised in *Center for Biological Diversity, et al. v. County of Riverside, et al.*, Riverside County Superior Court Case No. RIC10009105 (the "Action"). The terms of this Agreement are intended to be the limit of the Parties' obligations.

1. **RECITALS:** This Agreement is made with reference to the following facts:

1.1 Whereas Amstar proposes to construct a non-residential project (uses may include any permitted use allowed in the existing zoning) on its approximately 54 acre property located immediately south of Alessandro Boulevard and west of Interstate 215 including all access and infrastructure appropriate for such construction including but not limited to obtaining access through Brown Street by way of easement or other legal instrument (the "Project" or the "Property").

1.2 Whereas Petitioners filed a Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief in Riverside Superior Court, Case No. RIC10009105 challenging Amstar's proposed commercial/industrial project as a violation of the California Environmental Quality Act, Subdivision Map Act, State Planning and Zoning Law, and a Riverside County Ordinance.

1.3 Whereas a Judgment and Peremptory Writ of Mandate was issued in favor of Petitioners in the Action invalidating the Environmental Impact Report and associated approvals.

1.4 Whereas, by entering into this Agreement, the Parties intend to resolve the Action.

2. **AGREEMENT:** In consideration of and in return for the promises and covenants made by all Parties to this Agreement, including the releases given by all Parties, the Parties agree as follows:

2.1 **Conservation Area:** Amstar plans to seek approvals for the Project from the County of Riverside which may require the issuance of discretionary permits ("Future Entitlements"). When Amstar makes such application, Amstar shall request a condition of approval from the County of Riverside (the "County") or other approving agency requiring a "no structures" area ("Conservation Area") on the western side of the Project site in accordance with the dimensions identified in the attached Exhibit A and shall take all necessary actions to include that condition of approval in any future entitlements sought on the Project site. When the Future

Entitlements are granted or issued by the regulating agency, the Conservation Area shall have zero square feet of intensity assigned to it and shall generally extend 200 feet east from the western boundary of the property, extending to 400 feet at the northern edge and 300 feet at the southern edge. To ensure that the County is aware of the requirements set forth in this Agreement, Amstar agrees to enter this Agreement into the record of application to be filed with the County. The exact dimensions of the "Conservation Area" are depicted in Exhibit "A" (hereinafter called the "Conservation Area"). To the extent there is any conflict between the written description provided in this paragraph and the attached Exhibit A, the area as shown in the shaded area of the attached Exhibit A, shall apply. Except as provided immediately below, the Conservation Area shall prohibit the construction of any man made surface structures including any and all buildings pavement types and roads, and all grading in the Conservation Area shall be limited to that allowed in Paragraph 2.2 of this Agreement. Surface improvements that would be permitted in the Conservation Area would be related to erosion control on the easterly edge of the Conservation Area and Amstar shall cooperate with regulating agencies to avoid or minimize any impact on the habitat value of the Conservation Area.

2.1.1 It is the desire of Petitioners that the Conservation Area function as wildlife habitat for sensitive species including, but not limited to, the Stephens' kangaroo rat. It is the further desire of Petitioners that the Conservation Area function as a wildlife corridor connecting the Sycamore Canyon Wilderness Area to the north of Alessandro Boulevard with the March Stephen's Kangaroo Rat Preserve managed by the Center for Natural Lands Management on land owned by the March JPA to the south of the Project site. Amstar agrees to take the steps set forth in this Agreement to facilitate that goal.

2.1.2 This agreement shall be binding upon successors, lessees and users of the Property and this agreement shall be recorded against the Property within sixty days of the execution and shall run with the land.

2.1.3 A permanent conservation easement shall be established and recorded for areas dedicated as the Conservation Area ("Conservation Easement"). The Conservation Easement will be established and recorded by Amstar within six (6) months after any Future Entitlements are obtained or by June 30, 2014, whichever is earlier and shall name Petitioners' designee as holder/grantee. The terms, standards, and goals of the Conservation Easement shall be modeled upon the language used for conservation easements under the Western Riverside County Multiple Species Habitat Conservation Plan. The Conservation Easement holder/grantee shall have the necessary organizational and fiscal capacity to ensure enforcement of the easement in perpetuity. Alternatively, the Conservation Area may be transferred in fee title to the Western Riverside County Regional Conservation Authority under section 2.4 of this agreement. Nothing in this paragraph should be construed as a precommitment to the granting of any right and is and will only be given and undertaken following the approval of the Future Entitlements and is conditional and dependent upon the issuance and/or approval of those Future Entitlements.

2.1.4 It is the desire of Petitioners that access by the public and urban predators such as cats and dogs shall be minimized to reduce the impacts to sensitive species and habitat in the Conservation Area. During the construction of the Project, Amstar agrees to install a gated wrought iron fence at the northern terminus of the Conservation Area in an east-west direction perpendicular to the Project and the residences. The gated wrought iron fence shall

include pickets with a minimum width of six (6) inches apart and the bottom of the fence shall be twelve (12) to sixteen (16) inches above the ground. Amstar agrees to install a 3-wire fence with a smooth bottom wire twelve (12) to sixteen (16) inches above the ground at the southern terminus of the Conservation Area in an east-west direction and perpendicular to the Project and the residences. Amstar agrees to install fencing on the western boundary of the Conservation Area and adjacent to the residential properties in a north-south direction that will prohibit access by the public and cats and dogs ("urban predators"). Subject to conflicting requirements imposed on the Project through the issuance of the Future Entitlements, Amstar agrees that it will make reasonable efforts to limit public and urban predator access from the Project site onto the Conservation Area. Included in these measures will be fencing on the Project site designed to minimize both human and urban predator access to the Conservation Area. The Parties acknowledge that any additional fencing on or in the Conservation Area (not including fencing between the Conservation Area and the Project site) shall be an Additional Measure as described in this paragraph. Additional Measures to minimize public access may also include, but are not limited to signs to reduce trespass and inform the public of the sensitive nature of the Conservation Area, locks on the gate to limit access to people authorized by the parties as authorized under this Agreement, and other measures viewed helpful to limit public access. With the exception of the fencing and gates described in this paragraph above, all of these additional measures may be taken by Petitioners, the Conservation Easement holder, or their designee 1) at their sole cost, 2) with the permission of Amstar which shall not be unreasonably withheld, 3) without impacting the security of the Amstar Project, and 4) with any and all permits required by law from any regulating agency.

2.1.5 Subject to the terms of this Agreement, Amstar agrees to cooperate in good faith with neighboring landowners and wildlife agencies to facilitate habitat management of the Conservation Area and the ability of wildlife to move within, across, to and from the Conservation Area.

2.2 **Grading of the Conservation Area:** Amstar shall have the right to grade the Conservation Area in accordance with entitlements and/or permits issued to Amstar for construction of the Project. Grading shall be done in a way to minimize impacts on the Conservation Area as much as reasonable without impacting Project design and shall attempt to maintain or mimic natural contours of the land consistent with Project design in the Conservation Area. In no event will the majority of the area be graded to a set of flat (level or sloping) surfaces without contour grading to mimic the natural landscape. Contour grading shall be utilized in the Conservation Area. The slope will not exceed 15% on the western 40 feet of the Conservation Area adjacent to the residential areas. The top six (6) inches of native top soil within the Conservation Area that are subject to grading shall be stockpiled and spread over the graded portion of the Conservation Area within six (6) months of stockpiling. Rock outcroppings existing onsite will be retained, relocated, or recreated onsite in the Conservation Area for the purpose of benefitting wildlife habitat. Any rock outcroppings within the Conservation Area that must be moved shall be not be subject to blasting or measures that create sharp edges or an unnatural angular appearance to the relocated outcrops. Any boulders relocated within the Conservation Area, and any boulders from the construction site placed by Amstar in the Conservation Area at Amstar's election, shall be placed on or near bedrock within the Conservation Area to create separate non-flammable, rocky islands to reduce fuel loads and increase fire safety near homes. In the event of conflicting requirements from the County regarding the retention of rock outcroppings the Parties will meet and confer to determine the

best method to retain rock outcroppings onsite to benefit wildlife habitat. Grading of the Conservation Area shall not be repeated after the initial grading for project construction has been completed. "Initial Grading" shall include all grading activities necessary to effectuate the Project regardless of whether grading is continuous as long as Amstar is in compliance with the conditions of approval for the discretionary permits sought by Amstar. Amstar shall conduct pre-grading surveys and relocations of sensitive, rare, or endangered wildlife.

2.2.1 Amstar shall pay for and complete a one-time restoration of any graded portions of the Conservation Area with native plants generally supportive of Stephens' kangaroo rat habitat including, but not limited to, the plants listed in Exhibit B. "Initial Grading" of the Conservation Area shall be completed within six (6) months of the commencement of grading in the Conservation Area. Restoration of any areas graded in the Conservation Area shall begin as soon as practicable after completion of the "Initial Grading" so as to coincide with the fall and winter rainy season and reach completion by January 20th of the following year. Restoration shall be completed within one year and may include a grow-kill cycle to reduce weeds during the first raining season if so included in the restoration plan (Exhibit B). Amstar agrees that it will make an adequate one-time restoration effort to achieve a 70% native plant cover (bird's eye view) with the recommended plant palette and a maximum of 10% cover by non-native plant species five (5) years after planting. Attached as Exhibit B to this Agreement is a list of restoration experts and minimum contract requirements for the restoration of the Conservation Area that are satisfactory to all Parties to this Agreement. By selecting a restoration expert from Exhibit B and satisfying all of the other provisions of this Agreement responsibility for maintenance, upkeep and success of the Conservation Area will transfer from Amstar to the Conservation Easement holder. The one time restoration shall be based on a site specific scientifically based revegetation plan from local native plant sources developed by a restoration expert chosen by Amstar from the list in Exhibit B with proven experience in successful revegetation of western Riverside County and coastal sage scrub and native grasslands. Amstar will work in good faith with the County to encourage consistency between the requirements of this Agreement and the Conditions of Approval imposed by the County. However, in the event that the County imposes conflicting requirements, the Parties agree that the provisions imposed by the County will prevail over the requirements set forth in this paragraph to the extent that the County requirements do not preclude effective restoration of Stephens' kangaroo rat habitat within the Conservation Area as contemplated by this Agreement.

2.3 **Maintenance of the Conservation Area:** After successful completion of the one-time restoration referred to in Section 2.2, Amstar shall have no further obligation to maintain the Conservation Area in any manner other than for purposes Amstar chooses, such as trash removal. Amstar and Petitioners shall in good faith negotiate a Cooperation Agreement which will provide that holder of the Conservation Easement described in paragraph 2.1.3 above may enter the Conservation Area for management and monitoring purposes to ensure that non-native invasive species are controlled, habitat for native species is maintained, and the rights for Amstar to enter the Conservation Area for trash removal and other related maintenance that does not hinder the habitat value of the Conservation Area. Amstar's obligations and duties to enter and/or maintain the Conservation Area is within the sole discretion of Amstar. The parties recognize that there may be a need to maintain the property to comply with requirements regarding fire prevention. After granting of the Conservation Easement the obligation to maintain the Conservation Area for fire prevention shall be the obligation solely of the holder of the Conservation Easement who shall indemnify and hold Amstar harmless for the actions of the

holder of the Conservation Easement in maintaining the property for fire prevention purposes. Amstar recognizes that the holder of the Conservation Easement will likely desire to use weed abatement/fire prevention techniques such as mowing, hand clearance, or grazing. Discing as a means of fire clearance will only be permitted if all other fire clearance methods or mechanisms are prohibited. Amstar will work in good faith with the County to encourage consistency between the requirements of this Agreement and the Conditions of Approval imposed by the County. In the event that the holder of the Conservation Easement fails to adequately maintain the Conservation Area to comply with weed abatement/fire prevention laws and regulations, it shall not be a violation of this Agreement if Amstar or its successor enters the property and takes actions as directed by a legal authority required to bring the Conservation Area into compliance with weed abatement/fire prevention requirements. If Amstar or its successors receive a notice of non-compliance with weed abatement/fire prevention requirements it will promptly notify the Conservation Easement holder to provide the Conservation Easement holder with a reasonable time to rectify the non-compliance prior to Amstar or its successors taking action.

2.4 **Transfer of Conservation Area:** In the event that Amstar takes action to create a separate parcel coterminous with the boundaries of Exhibit A, Amstar in its sole discretion may transfer ownership or control of the Conservation Area as a separate lot or as part of a lot as long as the obligations regarding the Conservation Area are simultaneously transferred, including the transfer of any obligations under this Agreement to the buyer or other transferee. Amstar or its successors agree that transfer of the Conservation Area to the Western Riverside County Regional Conservation Authority will not be unreasonably withheld.

2.5 **Construction of the Project:**

2.5.1 The Project will be constructed using lighting systems which will minimize impact to neighbors and be sensitive to the environment to minimize light leakage into areas set aside for the benefit of wildlife and open space. Night lighting shall be directed away from the Conservation Area and adjacent conservation areas to protect species within those areas from direct night lighting and shall treat the Conservation Area as a separate parcel for purposes of compliance with Riverside County ordinance 915. Shielding shall be incorporated in project designs to ensure ambient lighting in the Conservation Area and adjacent conservation areas is not increased beyond .5 footcandles adjacent to developed lots and to avoid direct artificial light on the Conservation Area and adjacent conservation areas. It is recognized that public street lighting may be subject to different requirements. In addition, to the extent permissible under local, state and federal law, the locations of fixtures would be selected based on desired angles of light and proximity to the Conservation Area. Devices that may be employed to directionally control light may include lenses, louvers, barn doors, and snoots. Beam patterns would be asymmetric with the light aimed at the road surface area.

2.5.2 Amstar will seek a condition of approval from the County of Riverside or other approving authority requiring that construction and operation of the Project shall minimize light leakage into the Conservation Area.

2.5.3 Amstar will not utilize any of the plants described MSHCP Table 6-2 (Plants That Should be Avoided Adjacent to the MSHCP Conservation Area) anywhere on the Project site. Only highly fire resistant landscaping and fire safe landscaping will be used within 100 feet of the Conservation Area on the Project site.

2.5.4 Proposed noise generating land uses affecting the Conservation Area or adjacent conservation areas shall incorporate techniques helpful to minimize the effects of noise on Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. Excluding all background noise sources, wildlife within the Conservation Area or adjacent conservation areas should not be subject to noise solely from the Project that would exceed residential noise standards as measured from the residential property line and excluding temporary noise impacts during project construction. Temporary noise impacts during Project construction shall be limited to that allowed under County regulations regarding construction.

2.5.5 Amstar will cooperate with Petitioners in the design of the Project's southern retention basin located in the vicinity of the border between Parcel 2 and Parcel 3 (as identified in Exhibit A). The southern retention basin will address water runoff from the property's Parcel 3 (as identified in Exhibit A) riparian areas and maximize native habitat value in the existing riparian areas. The cooperation on the design of the southern detention basins shall not unreasonably affect construction plans for the Project, or unreasonably increase Amstar's costs related to the southern detention basin.

2.5.6 Amstar will build the Project in accordance with LEED Silver standards, with the exception of standards, if any, that apply to impacts upon endangered species.

2.5.7 Petitioners desire that Brown Street on the eastern border of the Project site, Alessandro Boulevard on the northern border of the Project site, and in particular the intersection of Brown Street and Alessandro Boulevard, be designed to minimize impacts to wildlife movement to and from the neighboring Sycamore Canyon Wilderness Park. Amstar desires to obtain rights for the use of Brown Street, Alessandro Boulevard and Gem Lane to allow the full use of the Project site as allowed in the Future Entitlements. The rights sought by Amstar will be solely for the purpose of road access, drainage and uses ancillary to those purposes (such as curb and gutter, road widening and partial dedications) and may include but are not limited to easements, grading permits, rights of way or other legal rights or devices necessary for access and road expansion. Amstar agrees to help facilitate the desires of Petitioners as detailed in this paragraph and Petitioners agree to support and not oppose Amstar's efforts to perfect all access and road improvement work to allow development of the Project Site as allowed in the Future Entitlements.

2.6 **Petitioners Will Not Challenge Project:** As part of the Action, the Court has ordered the County to take certain actions regarding entitlement approval for the Project. Nothing in this Agreement has any impact upon or changes in any way that obligation. Once the County has undertaken those obligations, Petitioners agree that they will take no further actions of any kind regarding the Action except as ordered by the Court or required by law. Except as provided in this Agreement, Petitioners will not seek attorneys' fees, costs or any other kind of further relief from the Court in the Action.

Following the County's completion of the Court ordered obligations, Amstar intends to submit a modified land use application to the County for approval. The approvals sought from the County by Amstar may include, but are not limited to, zone changes, variances, General Plan Amendment, conditional use permits or any of several other land use permits or certifications that may be issued by the County. Approval by the County of that modified land use application

including certification of any supporting California Environmental Quality Act document or review shall constitute the Future Entitlement of the Project. It is also possible that in the future Amstar will seek further or additional changes to the approvals governing the use of the property.

In addition, these entitlements may include measures or conditions impacting neighboring properties, including but not limited to, road, drainage, and grading easements with any adjacent or nearby property owners. Petitioner CBD currently is involved in litigation with the March JPA over property adjoining the Project. Petitioners further agree that they will not file any letter, complaint, petition, or other paper or pleading challenging the Project before any government agency, administrative agency, public agency, court, or other public body, as long as the development or use is consistent with the terms of this Agreement.

Notwithstanding any proposed change of use sought or obtained in the Future Entitlements, as long as Amstar honors its obligations under the terms of this Agreement, Petitioners agree that they will not challenge or bring any form of a claim in any administrative proceeding, court action or any other proceeding regarding the Project including but not limited to the actions taken by the County as required by the Court in the Action, any application regarding Future Entitlement of the Project or any future applications regarding use of the Property. In addition, Petitioners agree that they will not solicit or encourage any party whether an individual, group or company of any kind to bring any claim or action regarding any approval of the Project. Notwithstanding the provisions of this paragraph, the Parties retain the right to enforce the terms of the Agreement in legal and administrative proceedings including requests for compliance with the terms of this agreement.

2.7 **Attorneys' Fees:** Amstar will pay Petitioners \$50,000 within thirty (30) days of receipt of the Notice of Entry of Dismissal of the Action, and \$50,000 within thirty (30) days of receipt of Future Entitlements for the Project or by June 30, 2014 if Amstar fails to have an active development application pending before the County after June 30, 2014, whichever is earlier.

2.8 **Letter From Petitioners Regarding Project:** Petitioners will prepare a letter, at Amstar's request, stating that they support this Agreement and do not oppose the Project in the general form of Exhibit C attached. In the event that the attached letter is edited by Petitioners, Amstar may offer suggested additions or deletions to the letter and Petitioners will make a good faith effort to address and incorporate those suggested additions or deletions.

2.9 **Notices:** Any notice required pursuant to the terms of this Agreement shall be provided as follows:

For Amstar:

D. Scott Gibler
Amstar Group, LLC
1050 17th St., 23rd Floor
Denver, CO 80265

And with a copy to: Geoffrey K. Willis
Sheppard, Mullin, Richter & Hampton LLP
650 Town Center Drive, 4th Floor
Costa Mesa, CA 92626

For Petitioners: Center for Biological Diversity
351 California St, Suite 600
San Francisco, CA. 94104
Attn: Jonathan Evans

And with copies to: San Bernardino Valley Audubon Society
P.O. Box 10973
San Bernardino, CA 92423-0973
Attn: Drew Feldmann

Friends of Riverside's Hills
4477 Picacho Drive
Riverside, CA. 92507
Attn: Dr. Len Nunney

For Reed Property Group, Inc., Kaliber
Alessandro Manager, LLC, Kaliber Co-
Investments, LLC, Reed Holdings, LLC: Craig M. Reed
Reed Property Group
305 N. Harbor Blvd.
Suite 215
Fullerton, CA 92832

3. **MISCELLANEOUS:**

3.1 **Advice of Counsel:** The Parties have entered into this Agreement upon the legal advice of their attorneys, who are the attorneys of their choice. The terms of this Agreement have been completely read and explained by such attorneys, and such terms are fully understood and voluntarily accepted by each of the Parties.

3.2 **Entire Agreement:** This Agreement is the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreements and discussions. This Agreement may be amended only by an agreement in writing signed by all Parties.

3.3 **Severability:** Each provision of this Agreement is separate, distinct, and severable from the others. If any provision is held unenforceable, the rest of the Agreement shall be enforced to the greatest extent possible.

3.4 **Successors and Assigns:** This Agreement is binding upon and shall inure to the benefit of the Parties hereto and their agents, employees, representatives, administrators, attorneys, insurers, lenders, shareholders, owners, officers, directors, divisions, affiliates, partnerships, partners, joint venturers, parents, subsidiaries, and related corporations, assigns, heirs, and successors in interest, and each of them.

3.5 **No Presumption Against Drafting Party:** All Parties have cooperated in the drafting and preparation of this Agreement. Consequently, the interpretation of this Agreement shall not be construed against any Party.

3.6 **Verification of Compliance:** Any Party may request in writing that the other Parties provide verification of compliance with the terms of this Agreement, including attached Exhibits. The other Parties shall provide the requesting party with such verification within ninety (90) days of receipt of the request. Such verification shall be in writing and shall include a signed statement from a representative of the Parties, or their respective successors, as the case may be, that the Parties have fully complied with their obligations in this Agreement.

3.7 **Enforcement of Agreement:** At least 30 days prior to filing any motion to enforce this Agreement, the Party contemplating the motion must bring its claimed breach to the attention of the other Party, in writing, and make a good faith effort to resolve the dispute informally within 30 days thereafter. The parties agree that they will meet and confer (either telephonically or in-person) at the earliest possible time in a good-faith effort to resolve the claim before seeking relief from the Court. If the parties are unable to resolve the claim themselves, either party may seek relief from the Court.

3.8 **Choice of Forum and Applicable Law:** This Agreement is intended to be construed pursuant to the laws of the State of California, and each of the undersigned Parties agrees that the only proper venue for any action arising out of the breach of this Agreement or other document delivered pursuant to any provision hereof, shall be the Superior Court of California for the County of Riverside.

3.9 **Ability to Perform:** Each Party represents and warrants to each other Party that it has the ability to carry out the obligations assumed and promised hereunder, and is not presently aware of any pending event which would, or could, hamper, hinder, delay, or prevent its timely performance of said obligations.

3.10 **Further Acts and Amendments:** Each Party to this Agreement agrees to perform all further acts and execute all further documents necessary to carry out the intent and purposes of this Agreement.

3.11 **Section Headings:** The captions, subject, section and paragraph headings in this Agreement are included for convenience and reference only. They do not form a part hereof, and do not in any way modify, interpret, or reflect the intent of the Parties. Said headings shall not be used to construe or interpret any provision of this Agreement.

3.12 **Counterparts:** This Agreement may be executed in any number of counterparts, each of which shall be deemed one and the same instrument.

3.13 **Effective Date:** The effective date of this Agreement is the last date upon which it is executed by all Parties.

Dated: 9/13/12 Amstar/Kaliber LLC
By: [Signature]
Its: Authorized Representative

Dated: 9/13/12 Amstar Group LLC
By: [Signature]
Its: President

Dated: _____ Reed Property Group, Inc.
By: _____
Its: _____

Dated: _____ Kaliber Alessandro Manager, LLC
By: _____
Its: _____

Dated: _____ Kaliber Co-Investments, LLC
By: _____
Its: _____

Dated: _____ Reed Holdings, LLC

By: _____

Its: _____

Dated: _____ Center for Biological Diversity

By: _____

Its: _____

Dated: _____ San Bernardino Valley Audubon Society

By: _____

Its: _____

Dated: _____ Friends of Riverside's Hills

By: _____

Its: _____

Approved as to form and content:

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

By: _____
GEOFFREY K. WILLIS
Attorney for Amstar/Kaliber LLC, Amstar
Group LLC, and Reed Property Group, Inc.

CENTER FOR BIOLOGICAL DIVERSITY

By: _____

JONATHAN EVANS

**Attorney for the Center for Biological
Diversity, San Bernardino Valley Audubon
Society, and Friends of Riverside's Hills**

BEING A FIFTH OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE EAST ONE HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 4 WEST, E.M.

PDF GENERATED BY

JUNE 2004

51-46341-1

BASIS OF BEARINGS

THE BASIS OF BEARINGS IS BASED ON CALIFORNIA COORDINATE SYSTEM
NAD 83

ENGINEER'S STATEMENT

1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100
 101
 102
 103
 104
 105
 106
 107
 108
 109
 110
 111
 112
 113
 114
 115
 116
 117
 118
 119
 120
 121
 122
 123
 124
 125
 126
 127
 128
 129
 130
 131
 132
 133
 134
 135
 136
 137
 138
 139
 140
 141
 142
 143
 144
 145
 146
 147
 148
 149
 150
 151
 152
 153
 154
 155
 156
 157
 158
 159
 160
 161
 162
 163
 164
 165
 166
 167
 168
 169
 170
 171
 172
 173
 174
 175
 176
 177
 178
 179
 180
 181
 182
 183
 184
 185
 186
 187
 188
 189
 190
 191
 192
 193
 194
 195
 196
 197
 198
 199
 200
 201
 202
 203
 204
 205
 206
 207
 208
 209
 210
 211
 212
 213
 214
 215
 216
 217
 218
 219
 220
 221
 222
 223
 224
 225
 226
 227
 228
 229
 230
 231
 232
 233
 234
 235
 236
 237
 238
 239
 240
 241
 242
 243
 244
 245
 246
 247
 248
 249
 250
 251
 252
 253
 254
 255
 256
 257
 258
 259
 260
 261
 262
 263
 264
 265
 266
 267
 268
 269
 270
 271
 272
 273
 274
 275
 276
 277
 278
 279
 280
 281
 282
 283
 284
 285
 286
 287
 288
 289
 290
 291
 292
 293
 294
 295
 296
 297
 298
 299
 300
 301
 302
 303
 304
 305
 306
 307
 308
 309
 310
 311
 312
 313
 314
 315
 316
 317
 318
 319
 320
 321
 322
 323
 324
 325
 326
 327
 328
 329
 330
 331
 332
 333
 334
 335
 336
 337
 338
 339
 340
 341
 342
 343
 344
 345
 346
 347
 348
 349
 350
 351
 352
 353
 354
 355
 356
 357
 358
 359
 360
 361
 362
 363
 364
 365
 366
 367
 368
 369
 370
 371
 372
 373
 374
 375
 376
 377
 378
 379
 380
 381
 382
 383
 384
 385
 386
 387
 388
 389
 390
 391
 392
 393
 394
 395
 396
 397
 398
 399
 400
 401
 402
 403
 404
 405
 406
 407
 408
 409
 410
 411
 412
 413
 414
 415
 416
 417
 418
 419
 420
 421
 422
 423
 424
 425
 426
 427
 428
 429
 430
 431
 432
 433
 434
 435
 436
 437
 438
 439
 440
 441
 442
 443
 444
 445
 446
 447
 448
 449
 450
 451
 452
 453
 454
 455
 456
 457
 458
 459
 460
 461
 462
 463
 464
 465
 466
 467
 468
 469
 470
 471
 472
 473
 474
 475
 476
 477
 478
 479
 480
 481
 482
 483
 484
 485
 486
 487
 488
 489
 490
 491
 492
 493
 494
 495
 496
 497
 498
 499
 500
 501
 502
 503
 504
 505
 506
 507
 508
 509
 510
 511
 512
 513
 514
 515
 516
 517
 518
 519
 520
 521
 522
 523
 524
 525

NOBILIT A. STOKARD
101 2ND ST

647



ENGINEER'S NOTES

- [illegible]

OWNERSHIP

THE ESTATE OF JAMES H. IN THE LAND HEREINAFTER DESCRIBED OR
REFERRED TO COVERED BY CHARGED TITLE COMPANY PROLIFERITY
TITLE REPORT - NO. 081000424-714 - 4TH EDITION. DATED SEPTEMBER 21, 2007
A 507

TITLE TO THE ESTATE OR INTEREST AT THE DATE HEARD IS SETTED IN:

A-ONE 30 AND P-1-15 SIA HENNING AND WIFE, AS JOINT TENANTS, AS TO AN UNDIVIDED 1/5 INTEREST; NEIL JOHN SIA, A WIDOW, AS TO AN UNDIVIDED 1/5 INTEREST; EUGENE SIA AND WIFE, AS JOINT TENANTS, AS TO AN UNDIVIDED 1/5 INTEREST; LILLIE L. SIA, AS TRUSTEE OF SIAWYNN'S TRUSTS, A DIVISION OF THE JAMES L. SIA CHARITABLE TRUST, CREATED ON FEBRUARY 1, 1966 AS TO AN UNDIVIDED 1/5 INTEREST; AND NEILAN TEN ORIN AND HILARY MICHEN DANA, AS TRUSTEES OF THE SIA CHARITABLE TRUST, UNDER THE SIA FAMILY TRUST, DATED NOVEMBER 15, 1969, AS TO AN UNDIVIDED 1/5 INTEREST.

EASEMENT NOTES

RESISTANCE IN MALE MEMBERS TO CHICAGO TITLE COMPANY PRELIMINARY
 REPORT - MEMPHIS PD. 68-1000-454 - 4TH DIVISION - DATED SEPTEMBER 27, 1968

[illegible]

LEGAL DESCRIPTION

PARCELS 1, 2, 3 AND 4 OF PARCEL MAP NO. 17572, IN THE COUNTY OF
STEVENS, STATE OF CALIFORNIA; AS PER MAP FILED IN BOOK 137, PAGE
65, THIRTIETH (30) OF PARCEL MAPS OF STEVENS COUNTY RECORDS.

EXCEPT ONE-MAN/IF ALL MINERALS, INCLUDING, BUT NOT LIMITED TO, OIL
GAS AND OTHER HYDROCARBON SUBSTANCES (LITHIUM, BORON, PLUM, AND SO
BELONG THE SURFACE OF THE PROPERTY DESCRIBED HEREIN, AND VEGETATIVE
PLANT LIFE, MINERAL, AND HYDROCARBON SUBSTANCES, AND PROPERTY BELONG
TO THE PLANT, FROM OTHER PROPERTY) FOR THE PURPOSE OF PRODUCING,
EXTRACTING AND TAKING THEREFROM (OR FROM OTHER PROPERTY) ALL SUCH
MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, HEREIN
NOTED: THAT THE COVERED REACH SHALL NOT BE THE RIGHT OF ENTRY
TO THE SURFACE THEREOF, BUT PART THEREOF, AND THE RIGHT OF ENTRY
PLANT, AS DESCRIBED BY MINERAL, A. STELL, A MINERAL MAN, DESCRIBED
JANUARY 12, 1961.

LEGEND

- [illegible]

[illegible]

10-23

馬明 謝明 彭一政 謝明 謝明

Exhibit B

Section 1- Plant Palette for Conservation Area (based on floral inventories on and adjacent to the Project Site)

T = Tree

PS= Perennial Shrub

P = Perennial Non-shrub

A= Annual

Cupressaceae - Cypress Family

Juniperus californica

California Juniper (PT)

Asteraceae - Sunflower Family

Artemisia californica

California Sagebrush (PS)

Artemisia dracunculoides

Tarragon (P)

Artemisia douglasiana

Mugwort (P)

Baccharis salicifolia

Mullein (PS)

Deinandra fasciculata [= *Hemizonia fasciculata*]

Fascicled Tarplant (A)

Deinandra paniculata [= *Hemizonia paniculata*]

San Diego Tarplant (=Paniculate Tarplant) (A)

Corethrogyne filaginifolia (= *Lessingia filaginifolia*)

Common sand aster (P)

Encelia farinosa

Brittlebush (PS)

Ericameria palmeri var. *pachylepis*

Palmer's rabbitbrush (PS)

~~*Ericameria parishii*~~

~~Parish's Goldenbush (PS)~~

Eriophyllum confertiflorum var. *confertiflorum*

Golden-yarrow (PS)

Lasthenia gracilis

Common goldfields (A)

Boraginaceae - Borage Family

Cryptantha intermedia

Common Cryptantha (A)

Heliotropium curassavicum subsp. *oculatum*

Salt Heliotrope (P)

Pectocarya linearis

Slender Pectocarya (A)

Plagiobothrys canescens

Valley popcorn flower (A)

Cactaceae - Cactus Family

Opuntia parryi [= *Cylindropuntia californica* var. *parkeri*]]

Snake Cholla (PS)

Caprifoliaceae - Honeysuckle Family

Sambucus mexicana [= *Sambucus nigra* var. *caerulea*]

Mexican Elderberry (T)

Fabaceae - Pea Family

Lotus argophyllus

Silver-leaved Lotus (P)

Lotus scoparius var. *brevialatus*

Common Deerweed (PS)

Lotus strigosus var. *strigosus*

Strigose Lotus (A)

Lupinus bicolor

Miniature lupine (A)

Hydrophyllaceae - Waterleaf Family

Phacelia cicutaria

Caterpillar Phacelia (A)

Phacelia distans

Common Phacelia (A)

Phacelia minor

California blue bells (A)

Phacelia ramosissima var. *latifolia*

Branching Phacelia (P)

Lamiaceae - Mint Family

Salvia apiana

White Sage (PS)

Salvia columbariae

Chia (A)

Salvia mellifera

Black Sage (PS)

Nyctaginaceae - Four-o'clock Family

Mirabilis californica [= *Mirabilis laevis*]

California Wishbone Bush (PS)

Plantaginaceae

Plantago erecta

California plantain (A)

Polygonaceae - Buckwheat Family

Eriogonum fasciculatum var. *foliolosum* and var. *polifolium*

California Buckwheat (=Flat-top Buckwheat) (PS)

Eriogonum gracile

Slender Woolly Buckwheat (A)

Scrophulariaceae - Figwort Family

Mimulus aurantiacus var. *puniceus* [= *M. puniceus*, *M. a. longiflorus*, *M. a.* var. *pubescens*]

Bush Monkeyflower (PS)

Scrophularia californica var. *floribunda*

California Figwort (=Coast Figwort, Bee Plant) (PS)

Poaceae - Grass Family

Distichlis spicata

Salt Grass (P)

Leymus condensatus [= *Elymus condensatus*]

Giant Wild Rye (P)

Nassella pulchra and/or *N. lepida*

Needlegrass (P)

Vulpia microstachys var. *pauciflora*

Pacific fescue (A)

Salicaceae Family

Salix lasiolepis

Arroyo willow (PS/T)

Themidaceae (formerly in Liliaceae) Family

Dichelostemma capitatum subsp. *capitatum*

Blue dicks (P)

Section 2- Restoration Experts

Restoration experts for design and/or implementation of the one-time restoration outlined in paragraph 2.2.1 of the Settlement Agreement shall be chosen from the experts listed below in section 2. The restoration expert list may be modified by written agreement between the Parties.

Margot Griswold – Earthworks
(310) 390-3635, mgriswold@newfields.com

Eric Kreig - LSA – Irvine office
(949) 553-0666

Ted St. John – AECOM
(213) 593-8000

Restoration designers shall designate an appropriate company or subcontractor for installation of the restoration program from among companies that specialize in installation and maintenance of habitat restoration projects such as the following:

Russ Nakae- Nakae & Associates
(949) 553-0666

Danny Richards, RLA #4184, VP, Operations Manager
Pacific Restoration Group, Inc.
(951) 940-6069

Section 3- Requirements for restoration contract pursuant to this Agreement

The following terms and standards shall be incorporated into the restoration contract for the Conservation Area pursuant to this Agreement. The terms and standards may be modified by written agreement between the Parties.

To gauge interim success, each vegetation type should reach at least 70% of the 5th year target for native plant cover by the end of the third year. If artificial irrigation is installed, it should be discontinued after three (3) years, and preferably sooner barring drought, to ensure a self-sustaining revegetation project. At a minimum, the restoration plan shall include interim monitoring of the planted areas to determine if they are on track toward reaching the 5th-year success criteria, and annual vegetation monitoring shall be implemented during the maximum growth phase of native herbs and woody plants each year following planting (typically by mid spring for coastal sage scrub). Monitoring shall include belt transect, line intercept, point intercept, or releve techniques within each vegetation type using methods typically approved by the California Department of Fish and Game and will include data for herb, shrub, and tree layers of vegetation. In addition, photographs from a series of fixed photo stations (photopoints) shall be taken each year. If vegetation growth does not prove to be on a successful trajectory by the middle of the third spring, a contingency plan that includes planting additional seeds of species native to the local area shall be implemented by the 4th fall season after planting. Annual reports on the vegetation monitoring shall be submitted to the Parties by August 31 of each monitoring year and shall include a discussion of the revegetation progress and any contingency plans that may be needed to ensure success. A report will be provided to the Parties five (5) years after completion of restoration detailing the current state of the revegetation efforts and non-native plant species in the Conservation Area based on the survivorship and non-native plant species composition in this paragraph. In the event that restoration efforts are not successful pursuant to the terms of this Agreement restoration activities the contractor shall continue work to ensure successful revegetation and restoration of the Conservation Area.

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

464



FROM: County Counsel

SUBMITTAL DATE:
January 29, 2013

SUBJECT: Set Aside Approvals of Plot Plan No. 22925 and Tentative Parcel Map No. 35365 (Alessandro Commerce Centre)

RECOMMENDED MOTION: That the Board of Supervisors set aside and vacate the following approvals given with respect to the above referenced project (Alessandro Commerce Centre):

1. Resolution Nos. 2009-2, 2009-342 and 2010-107 certifying Environmental Impact Report No. 510, making specific findings and statement of overriding considerations and adopting the mitigation and monitoring report for the Alessandro Commerce Centre; and
2. Approval of Plot Plan No. 22925 and Tentative Parcel Map No. 35365

BACKGROUND: On January 31, 2012, judgment was entered against the County in *Center for Biological Diversity et al. v. County of Riverside et al.* (RIC 10009105). The judgment was in favor of the Petitioners for the First Cause of Action, but denied the Second, Third and Fourth Causes of Action. The judgment directs the Board of Supervisors to take the above action. The County and Board have decided not to appeal this judgment.



Michelle Clack, Deputy County Counsel
for Pamela J. Walls, County Counsel

**FINANCIAL
DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS:

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY:


Denise C. Harden

Policy ☐ Policy ☒

Consent ☐ Consent ☐

Department Recommendation:.

Per Executive Office:



Carolyn Syms Luna
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

APPLICATION FOR LAND USE PROJECT

CHECK ONE AS APPROPRIATE:

- ☒ PLOT PLAN ☐ CONDITIONAL USE PERMIT ☐ TEMPORARY USE PERMIT
☐ REVISED PERMIT ☐ PUBLIC USE PERMIT ☐ VARIANCE

PROPOSED LAND USE: BB Distribution Center

ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE: _____

ALL APPLICATIONS MUST INCLUDE THE INFORMATION REQUIRED UNDER ANY SUPPLEMENTAL INFORMATION LIST APPLICABLE TO THE SPECIFIC PROJECT. ADDITIONAL INFORMATION MAY BE REQUIRED AFTER INITIAL RECEIPT AND REVIEW. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: PP 25422

DATE SUBMITTED: 8/22/13

APPLICATION INFORMATION

Applicant's Name: TOM SIMMONS / BLACK RIDGE E-Mail: tsimmons@blackridgeeg.com

Mailing Address: 4590 MACARTHUR BLVD STE 240
NEWPORT BEACH CA 92660
City State ZIP

Daytime Phone No: (949) 553-1050 Fax No: (949) 379-2950

Engineer/Representative's Name: WARREN WILLIAMS / DRC E-Mail: warren@drc-eng.com

Mailing Address: 160 SOUTH OLD SPRINGS ROAD SUITE 210
ANAHEIM HILLS CA 92808
City State ZIP

Daytime Phone No: (714) 685-6860 Fax No: (714) 685-6801

Property Owner's Name: BRIAN CORNELL / AMSTAR E-Mail: brian.cornell@amstar.com

Mailing Address: 1050 17TH STREET 23RD FLOOR
DENVER CO 80265
City State ZIP

Daytime Phone No: (303) 534-6322

Fax No: () _____

Riverside Office • 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 • Fax (951) 955-1811

Desert Office • 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

APPLICATION FOR LAND USE PROJECT

If the property is owned by more than one person, attach a separate page that references the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

TOM SIMMONS

PRINTED NAME OF APPLICANT

[Signature]
SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are **not** acceptable.

Amstar/Kaliber, LLC

PRINTED NAME OF PROPERTY OWNER(S)

[Signature]
SIGNATURE OF PROPERTY OWNER(S)

6 DWIGHTS WILEY III, MANAHIWIMBIAL

PRINTED NAME OF PROPERTY OWNER(S)

[Signature]
SIGNATURE OF PROPERTY OWNER(S)

If the property is owned by more than one person, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

☐ See attached sheet(s) for other property owners' signatures.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 297-080-007-3; 297-080-008-4; 297-080-009-5; 297-080-010-6

Section: 16 Township: 35 Range: 45

APPLICATION FOR LAND USE PROJECT

Approximate Gross Acreage: 54.4

General location (nearby or cross streets): North of CACTUS, South of ALESSANDRO, East of REM, West of BROWN (PROPOSED)

Thomas Brothers map, edition year, page number, and coordinates: _____

Project Description: (describe the proposed project in detail)

AN INDUSTRIAL DISTRIBUTION CENTER TOTALING APPROXIMATELY 918,150 SF
COMPRISING 3 SEPARATE BUILDINGS ON AN APPROXIMATELY 54.4 ACRE SITE
COMMONLY REFERRED TO AS THE ALESSANDRO COMMERCE CENTER

Related cases filed in conjunction with this application:

Is there a previous application filed on the same site: Yes ☒ No ☐

If yes, provide Case No(s). PARCEL MAP 35365 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) PLOT PLAN 22925 E.I.R. No. (if applicable): EIR NO. 510

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes ☒ No ☐

If yes, indicate the type of report(s) and provide a copy: _____

Is water service available at the project site: Yes ☒ No ☐

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) _____

Will the project eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes ☒ No ☐

Is sewer service available at the site? Yes ☒ No ☐

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) _____

Will the project result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes ☒ No ☐

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: 372,400 CY

APPLICATION FOR LAND USE PROJECT

Estimated amount of fill = cubic yards 372,400 cy

Does the project need to import or export dirt? Yes ☐ No ☒

Import _____ Export _____ Neither ☒

What is the anticipated source/destination of the import/export?
N/A

What is the anticipated route of travel for transport of the soil material?
N/A

How many anticipated truckloads? 0 truck loads.

What is the square footage of usable pad area? (area excluding all slopes) 910,150 sq. ft.

Is the project located within 8½ miles of March Air Reserve Base? Yes ☒ No ☐

If yes, will any structure exceed fifty-feet (50') in height (above ground level)? Yes ☐ No ☒

Is the project located within 1000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Section 65944 of the Government Code? (See California Office of Planning and Research website: <http://cmluca.projects.atlas.ca.gov/>) Yes ☐ No ☒

Is the project located within the boundaries of an Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission? Yes ☐ No ☒

Does the project area exceed one acre in area? Yes ☒ No ☐

Is the project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (<http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html>) for watershed location)?

☒ Santa Ana River ☐ Santa Margarita River ☐ San Jacinto River ☐ Whitewater River

Gibson Riverside Properties LLC.
2410 Yates Avenue, Commerce, CA. 90040-1918
Tel: (323) 832-8900 Fax: (323) 832-0900

February 2, 2016

Riverside County Planning Department
Attn: Matt Straite
P.O. Box 1409,
Riverside, CA 92502

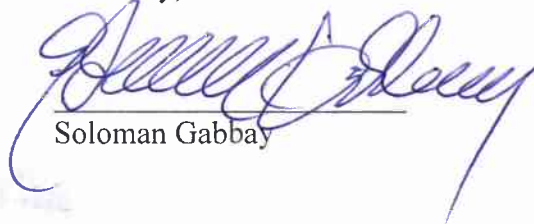
Regarding: Plot Plan No. 25422

My name is Soloman Gabbay, principal of Gibson Riverside Properties, LLC; land owner of the Alessandro land located to the North directly across from the subject site. I'm in receipt of the Public Hearing Notice and have reviewed the site plan. Please accept this letter as my acknowledgment of support and recommendation that the County approve the proposed development.

If you have any questions, please feel free to contact me at 323.832.8900.

Thank you

Sincerely,



Soloman Gabbay

Darrell Butler
1450 Iowa Avenue, Suite 220
Riverside, CA 92507

February 1, 2016

To Whom It May Concern:

Regarding: Plot Plan No. 25422

I am Darrell A. Butler, owner of the property located at 7350 San Geronio Drive, Riverside CA.

I have reviewed the site plan related to Plot Plan No. 25422 and I support the project and recommend County approve the proposed development.

If you have any questions, please feel free to contact me at 949.632.9892.

Thank you

Sincerely,

A handwritten signature in blue ink, appearing to read 'DARRELL A. BUTLER', written over a horizontal line.

Darrell A. Butler

NOTICE OF PUBLIC HEARING
and
INTENT TO CERTIFY AN ENVIRONMENTAL IMPACT REPORT

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

PLOT PLAN NO. 25422, ENVIRONMENTAL IMPACT REPORT NO. 537 – Intent to Certify an Environmental Impact Report – 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:** The Plot Plan proposes an industrial development comprised of 3 buildings totaling 918,150 sq. ft.. The Revised Draft EIR studies the impacts of the project.

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: **February 17, 2016**
PLACE OF HEARING: County Administrative Center
1st Floor Board Chambers
4080 Lemon Street
Riverside, CA 92501

For further information regarding this project, please contact project planner, Matt Straite at (951) 955-8631 or e-mail mstraite@rctlma.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described project has the potential to have a significant effect on the environment and has prepared an environmental impact report. Environmental Impact Report No. 537, which identifies all significant environmental effects, has been prepared in conjunction with the above referenced applications that constitute the proposed project. The Planning Commission will consider the proposed project, and the final environmental impact report, at the public hearing.

The case file for the proposed project, and the final environmental impact report, may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Matt Straite
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 4/14/2015.

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers PP 25422 For

Company or Individual's Name Planning Department,

Distance buffered 600'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

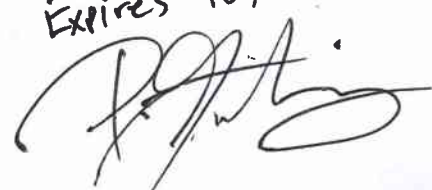
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

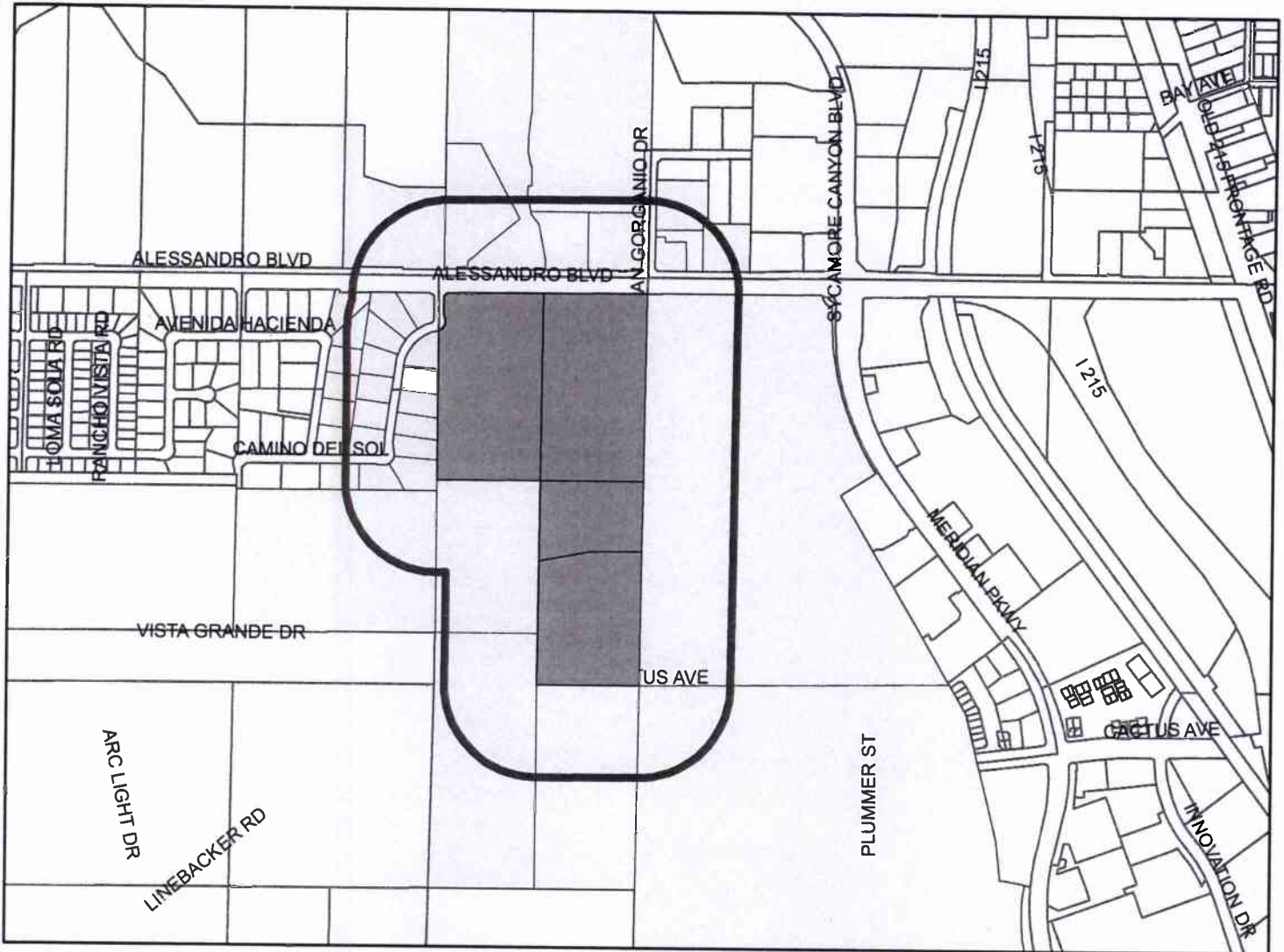
Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. – 5 p.m.): (951) 955-8158

Expires 10/14/15



PP25422 (600 feet buffer)



Selected Parcels

297-061-005 297-080-007 297-080-008 297-080-009 297-080-010 297-061-012 297-061-010 263-250-069 263-060-042 263-060-043
 263-060-039 263-060-040 263-060-041 297-073-006 263-250-072 297-073-005 263-060-032 297-073-001 297-073-004 297-072-001
 297-072-004 297-072-002 297-080-004 297-080-005 297-090-003 297-090-004 297-100-026 297-110-011 297-061-007 297-061-011
 297-063-001 297-061-009 297-072-005 263-250-071 297-073-003 297-073-002 263-250-015 297-061-006 297-063-002 297-061-008
 297-072-003



1,000 500 0 1,000 Feet

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 263060032, APN: 263060032
GIBSON RIVERSIDE PROP
2410 YATES AVE
COMMERCE CA 90040

ASMT: 263060041, APN: 263060041
CORAC ALESSANDRO
C/O GARY EDWARDS
500 NEWPORT CENTER DR 630
NEWPORT BEACH CA 92660

ASMT: 263060043, APN: 263060043
CITY OF RIVERSIDE
C/O CITY CLERKS OFFICE
3900 MAIN ST
RIVERSIDE CA 92522

ASMT: 263250015, APN: 263250015
RIVERSIDE COUNTY BOARD OF EDUCATION
C/O RIVERSIDE CTY OFFICE OF EDUCATION
P O BOX 868
RIVERSIDE CA 92502

ASMT: 263250069, APN: 263250069
RU SINGLETARY, ETAL
3570 ARLINGTON AVE NO B
RIVERSIDE CA 92506

ASMT: 263250071, APN: 263250071
HAVADJIA HOLDINGS INC, ETAL
C/O TONY R PADILLA
6095 OROZCO DR
RIVERSIDE CA 92505

ASMT: 263250072, APN: 263250072
KHOSRO KHALOGHLI, ETAL
1450 IOWA AVE STE 220
RIVERSIDE CA 92507

ASMT: 297061005, APN: 297061005
SOCRATES URENA, ETAL
20620 AVENIDA HACIENDA
RIVERSIDE, CA. 92508

ASMT: 297061006, APN: 297061006
LUPE GONZALES, ETAL
14050 AVENIDA LUNA
RIVERSIDE, CA. 92508

ASMT: 297061007, APN: 297061007
MARILYN SUTTON
14080 AVENIDA LUNA
RIVERSIDE, CA. 92508

ASMT: 297061008, APN: 297061008
ROY BORQUEZ, ETAL
14110 AVENIDA LUNA
RIVERSIDE, CA. 92508

ASMT: 297061009, APN: 297061009
LOGOMALIE MAT HUDSON, ETAL
14075 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297061010, APN: 297061010
CAMINO DEL ORO TRUST, ETAL
C/O TAX SERVICE
19510 VAN BUREN NO F3 162
RIVERSIDE CA 92508

ASMT: 297061011, APN: 297061011
DIANNA KOWALLIS, ETAL
14035 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297061012, APN: 297061012
ANDREW SILVA
14015 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297063001, APN: 297063001
CHARLENE EDMOND, ETAL
535 STARLIGHT LN
ARROYO GRANDE CA 93420

ASMT: 297063002, APN: 297063002
KIMBERLY ADKINS, ETAL
14080 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297072001, APN: 297072001
MICHAEL VINSON, ETAL
P O BOX 51015
RIVERSIDE CA 92517

ASMT: 297072002, APN: 297072002
OPHELIA ALVARADO, ETAL
20630 CAMINO DEL SOL
RIVERSIDE, CA. 92508

ASMT: 297072003, APN: 297072003
BECKY PAULSON, ETAL
14205 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297072004, APN: 297072004
KIM CHAU, ETAL
14135 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297072005, APN: 297072005
CHRISTINE ODELL, ETAL
14105 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297073001, APN: 297073001
HERM ESPIRITU
46259 JON WILLIAM WAY
TEMECULA CA 92592

ASMT: 297073002, APN: 297073002
RELPHA MELOCOTON
14140 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297073003, APN: 297073003
PATRICIA LAURMAN
14212 CAMINO DEL ORO
RIVERSIDE, CA. 92508

ASMT: 297073004, APN: 297073004
LORI THOMSON, ETAL
20735 CAMINO DEL SOL
RIVERSIDE, CA. 92508

ASMT: 297073005, APN: 297073005
JANICE OIEN, ETAL
20685 CAMINO DEL SOL
RIVERSIDE, CA. 92508

ASMT: 297073006, APN: 297073006
DANIEL BARRIOS
20635 CAMINO DEL SOL
RIVERSIDE, CA. 92508



ASMT: 297080010, APN: 297080010
AMSTAR KALIBER
C/O TRICIA NOBLE
1050 17TH ST 23RD FL
DENVER CO 80265

ASMT: 297110011, APN: 297110011
MARCH JOINT POWERS AUTHORITY
C/O ELLEN STEPHENS FINANCE MANAGER
23555 MEYER DR
RIVERSIDE CA 92518





Southern California Edison
2244 Walnut Grove Ave., Rm 312
P.O. Box 600
Rosemead, CA 91770

ATTN: Executive Officer
Reg. Water Quality Control Board #8
Santa Ana
3737 Main St., Suite 500
Riverside, CA 92501-3348

1st Supervisor District
Robert Buster, Supervisor
Board of Supervisors, Riverside County
Mail Stop 1001

Centralized Correspondence,
Southern California Gas Company
P.O. Box 3150
San Dimas, CA 91773

ATTN: Elizabeth Lovsted
Eastern Municipal Water District
2270 Trumble Rd.
P.O. Box 8300
Perris, CA 92570

ATTN: Grace Williams
March Joint Powers Authority
23555 Meyer Dr.
March Air Reserve Base, CA 92518

ATTN: Jan Zuppardo
Planning Commission, Riverside
County
c/o Mary Stark
Mail Stop 1070

Riverside City Hall
3900 Main St.
Riverside, CA 92522

ATTN: Division Manager
Ecological Service,
U.S. Fish & Wildlife Service
2177 Salk Ave Suite 250
Carlsbad, CA 92008-7385

ATTN: Jillian Baker, Ph. D
South Coast Air Quality Mngmt. Dist.,
Program Supervisor - CEQA IGR
21865 E. Copley Dr.
Diamond Bar, Ca 91765

Santa Ana Regional Water Quality
Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

CDFW Inland Deserts Region
3602 Inland Empire Blvd, Suite C-220,
Ontario, CA 91764

Amstar Kaliber
C/O Karyn K. Reed
305 N. Harbor Blvd. Ste. 215
Fullerton, Ca 92832

Tom Simmons/Blackridge
4590 Macarthur Blvd. Ste. 240
Newport Beach, Ca 92660

Warren Williams DRC.
160 S. Old Springs Rd. Ste. 210
Anaheim Hills, Ca 92808

Amstar Kaliber
C/O Karyn K. Reed
305 N. Harbor Blvd. Ste. 215
Fullerton, Ca 92832

Tom Simmons/Blackridge
4590 Macarthur Blvd. Ste. 240
Newport Beach, Ca 92660

Warren Williams DRC.
160 S. Old Springs Rd. Ste. 210
Anaheim Hills, Ca 92808

Supervisor Kevin Jeffries
1st Supervisorial District, County Administrative
Center
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Guillermo "Bill" Sanchez, Planning Commissioner
c/o Sophia Nolasco, Planning Commission Secretary
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Stanley Sniff, Sheriff
Riverside County Sheriff's Department
4095 Lemon Street
Riverside, CA 92501

Supervisor Marion Ashley
5th Supervisorial District, County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Warren D. Williams, Chief Engineer
Riverside County Flood Control District
1995 Market Street
Riverside, CA 92501

Office of Planning & Research
California State Clearinghouse
1400 Tenth Street, Suite 212
Sacramento, CA 95814

Ruthanne Taylor Berger, Planning Commissioner
c/o Sophia Nolasco, Planning Commission Secretary
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Marc Brewer
Regional Parks & Open Space District, Riverside County
4600 Crestmore Rd., Mail Stop 2970
Riverside, CA 92509-6858

So. California Association of Governments
Eric H. Roth, Manager, Intergovernmental Review
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

Caltrans District #8
Office of Forecasting/IGR/CEQA Review
464 W. Fourth Street, 6th Floor MS 726
San Bernardino, CA 92401-1400

Supervisor John Benoit
4th Supervisorial District, County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Sam Gonzalez
Riverside County Building & Safety Department
4080 Lemon Street, 2nd Floor
Riverside, CA 92501

Riverside County Clerk
Attention: CEQA Document Filing
2724 Gateway Drive Riverside, CA 92507

Aaron Hake, Planning Commissioner
c/o Sophia Nolasco, Planning Commission Secretary
4080 Lemon Street, 9th Floor
Riverside, CA 92501



Juan Perez, Deputy Director
County of Riverside Transportation Department
4080 Lemon Street, 8th Floor
Riverside, CA 92501

Riverside-Corona Resource Conservation District
4500 Glenwood Dr., Building A
Riverside, CA 92501

Southern California Agency, Bureau of Indian Affairs
1451 Research Park Drive, Suite 100
Riverside, CA 92507-2154

California Department of Fish and Wildlife
Inland Desert/Eastern Sierra Region
Attn: Leslie MacNair
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764

San Bernardino County Transportation Dept.
825 East Third Street
San Bernardino, CA 92415-1000

Native American Heritage Commission
1550 Harbor Blvd., Suite 100
W. Sacramento, CA 95651

Eastern Information Center
Department of Anthropology
University of California
Riverside, CA 92521-0418

San Bernardino County Museum: Development Monitoring
Commission
2024 Orange Tree Lane
Redlands, CA 92374-2850

Regional Water Quality Control Board #8
CEQA Review Santa Ana Basin Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Laura Y. Miranda, Deputy General Counsel
Pechanga Tribal Government
12705 Pechanga Road
Temecula, CA 92592

Sierra Club, San Gorgonio Chapter
4079 Mission Inn Avenue
Riverside, CA 92501

Center for Community Action & Environmental Justice
P.O. Box 33124
Riverside, CA 92519

U.S. Fish and Wildlife Service
Attn: CEQA Reviewer
6010 Hidden Valley Road
Carlsbad, CA 92011

California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814



Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581

California Air Resources Board
1001 I Street
P. O. Box 2815
Sacramento, CA 95812

Centralized Correspondence
Southern California Gas Company
P.O. Box 3150
San Dimas, CA 91773

Riverside County Airport Land Use Comm.
Attn: John Guerin
Riverside County Administrative Center
4080 Lemon Street, 9th Floor
Riverside, CA 92501

California Native Plant Society Riverside/San Bernardino
Chapter
Attn: Ms. Katie Barrows
53298 Avenida Montezuma
La Quinta, CA 92253

CA. Department of Transportation
Division of Aeronautics
1120 N. Street, Room 3300
Sacramento, CA 95814

Federal Highway Administration
U.S. Department of Transportation
650 Capitol Mall, Suite 4100
Sacramento, CA 95814

Anne Mayer, Executive Director
Riverside County Transportation Commission
4080 Lemon Street, 3rd Floor
P.O. Box 12008
Riverside, CA 92502-2208

San Bernardino Associated Governments
Attn: Deborah Robinson Barmack
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA 92410-1715

ATTN: Robert Martin
Morongo Band of Mission Indians
11581 Potrero Rd.
Banning, CA 92220-6946

Riverside County Farm Bureau, Inc.
21160 Box Springs Rd., Suite 102
Moreno Valley, CA 92557

Southern California Edison
2244 Walnut Grove Ave., Rm 312
Rosemead, CA 91770

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

County of Orange Env. Planning Service Division
Attn: Tim Neely, Manager
P.O. Box 4048
Santa Ana, CA 92702-4048



Riverside Co. Public Library System
5840 Mision Blvd
Riverside, CA 92509

California Dept. of Toxic Substance Control
Attn: Ken Chiang
9211 Oakdale Avenue
Chatsworth, 91311-6505

Larry Lapre'
Audubon Society, San Bernardino Valley
P.O. Box 10973
San Bernardino, CA 92423-0973

U.S. Army Corps of Engineers Los Angeles District -
Regulatory Branch
Attn: Crystal L. Marquez
911 Wilshire Blvd.
Los Angeles, CA 90017

AIS Coordinator
Riverside District, U.S. Post Office
4150 Chicago Ave.
Riverside, CA 92507-9998

Metropolitan Water District of So. California
Attn: Harry Bannerman
700 North Alameda Street
Los Angeles, CA 90012-2944

BNSF Railway Company
Attention: Robert E. Brendza, Director Industrial Development
740 East Carnegie Drive
San Bernardino, CA 92408

Robin Zimpfer, Asst. County Executive Officer
Riverside County Economic Development Agency
1325 Spruce Street, Suite 400
Riverside, CA 92507

Ernest Egger, Director of Planning Community Development
City of Beaumont
550 E. Sixth St.
Beaumont, CA 92223

Mario Suarez, City Planner
City of Canyon Lake
31516 Railroad Canyon Rd.
Canyon Lake, CA 92587

Christine Kelly, Community Development Director
City of Chino Hills
2001 Grand Ave.
Chino Hills, CA 91709-4868

Brad Robbins, Planning Director
Community Development Dept., City of Corona
400 South Vicentia Avenue
Corona, CA 92882

Sandra Molina, Community Development Director
City of Grand Terrace
22795 Barton Road
Grand Terrace, CA 92313-5295

California Energy Commission
1516 Ninth St., Mail Stop 29
Sacramento, CA 95814-5504



5162® AVERY®



Bend along line to
expose Pop-up Edge™



Feed Paper

Easy Peel® Labels
Use Avery® Template 5162®

Cultural Resources Committee, Pechanga Band of Luiseño
Mission Indians
P.O. Box 2183
Temecula, CA 92593

California State Park & Recreation Commission
1416 9th Street
P.O. Box 942896
Sacramento, CA 95814

Alvord Unified School District
10365 Keller Ave.
Riverside, CA 92505-1349

George J. Spiliotis, Executive Officer
Local Agency Formation Commission
3850 Vine Street, Suite 110
Riverside, CA 92507-4277

Jennifer Wellman, Planning Director
City of Blythe
235 North Broadway
Blythe, CA 92225

Leisa Lukes, City Planner
Planning Division, Cathedral City
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234

Community Development Director
City of Coachella
1515 Sixth St.
Coachella, CA 92236

Rich Malacoff, Planning Manager
City of Desert Hot Springs
65-950 Pierson Blvd.
Desert Hot Springs, CA 92240

Richard Masyczek, Planning Director
City of Hemet
445 E. Florida Avenue
Hemet, CA 92543

Center for Biological Diversity
PMB 447
8033 Sunset Boulevard
Los Angeles, CA 90046

California State Dept. of Forestry & Fire Protection
210 W. San Jacinto Ave.
Perris, CA 92570-1915

Department of Conservation
801 K Street, MS 13-71
Sacramento, CA 95814-3500

Omnitrans
1700 West Fifth Street
San Bernardino, CA 92411

City of Rialto Planning Department
131 S. Willow Avenue
Rialto, CA 92376

Oscar Orci, Community Development Director
City of Banning
99 E. Ramsey Street
Banning, CA 92220-0090

Gus Romo, Community Development Director
City of Calimesa, Planning Department
908 Park Avenue
Calimesa, CA 92320

Charles E. Coe, AICP, Community Development Director
City of Chino
13220 Central Ave.
Chino, CA 91710

Mark Tomich, Director Community Development Department
City of Colton
650 N. La Cadena Drive
Colton, CA 92324

James Troyer, Director of Community Development
Fontana City Hall
8353 Sierra Avenue
Fontana, CA 92335

Steve Copenhaver, Director of Community Dev.
City of Indio
100 Civic Center Mall
Indio, CA 92201

City Manager
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354

James Daniels, Director of Community Development
City of Norco
2870 Clark Ave.
Norco, CA 92860

Craig Ewing, Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Jeffrey L. Shaw, Director Community Development
Department
City of Redlands
35 Cajon Street, Suite 20
Redlands, CA 92373

City Manager
City of San Jacinto
595 S. San Jacinto Avenue, Building A
San Jacinto, CA 92583

Kurt Christiansen, Community Development Director
City of Yorba Linda
4845 Casa Loma Avenue
Yorba Linda, CA 92885

City of Yuma Community Planning Division
One City Plaza
PO Box 13013
Yuma, Arizona 85366-3013

Bryan Speegle, Director
Orange County Resources & Development Management
Department
300 N. Flower St.
Santa Ana, CA 92703-5000

Growth Management,
U.S. Postal Service
P.O. Box 9998
Riverside, CA 92507-9998

Rolfe Preisendanz, Community Development Director
City of Lake Elsinore
130 S. Main St.
Lake Elsinore, CA 92530

Rick Sandsimier, Planning Official
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Jerry L. Blum, Planning Director
City of Ontario
303 East "B" St.
Ontario, CA 91764

Brad Eckhardt, Planning Manager
City of Perris
101 N. "D" Street
Perris, CA 92570-1998

Planning Director
Planning Department
City of Riverside
3900 Main St., 3rd floor
Riverside, CA 92522

Debbie Ubnoske, Director of Planning
City of Temecula
43200 Business Park Drive
P.O. Box 9033
Temecula, CA 92589-9033

John McMains, Community Development Director
City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, CA 92399

San Bernardino County
385 N. Arrowhead Ave.
San Bernardino, CA 92415

Jurg Heuberger, AICP, Director
Imperial County Planning & Development Services
Department
801 Main St., Suite B-1
El Centro, CA 92243-2811

ATTN: Dick Encinas
Lake Mathews Estates Community Assoc.
20625 Villa Knoll
Perris, CA 92570

Corrie D. Kates, Community Development Director
City of Indian Wells
44-950 El Dorado Drive
Indian Wells, CA 92210-7497

Les Johnson, Planning Director
City of La Quinta
P.O. Box 1504
La Quinta, CA 92247

Mary Lanier, Planning Manager
City of Murrieta
26442 Beckman Ct.
Murrieta, CA 92562

Lauri Aylaian, Community Development & Planning Director
City of Palm Desert
73-510 Fred Waring Dr.
Palm Desert, CA 92260

Randy Bynder, Director Community Development Department
City of Rancho Mirage
69-825 Hwy. 111
Rancho Mirage, CA 92270

Planning Director
City of San Bernardino
300 N. "D" Street, 3rd Floor
San Bernardino, CA 92418

Eric Gibson, Interim Director
San Diego County Planning Department
5201 Ruffin Rd., Suite B
San Diego, CA 92123

Scott Bernhart, Director
La Paz County Community Development Department
1112 Joshua Ave., Suite 202
Parker, AZ 85344

ATTN: Cindy Ferry
Lake Mathews Talks
16115 Rocky Bluff Rd.
Gavilan Hills, CA 92570-7471

ATTN: President
Building Industry Assoc.
3891 11th St.
Riverside, CA 92501-2973

ATTN: Assemblyman Ray Haynes
California State Assembly 66th District
27555 Ynez Rd., Suite 205
Temecula, CA 92591

ATTN: Art Cassel
Community Association of Lake Mathews
18350 Harley John Rd.
Lake Mathews, CA 92504-9648

Mockingbird Canyon Homeowners' Assoc.
P.O. Box 9088
Riverside, CA 92504

ATTN: District Manager
Resource Conservation District, Riverside-Corona
4500 Glenwood Dr., Building A
Riverside, CA 92501

Riversiders for Reasonable Growth
7463 Dufferin Ave.
Riverside, CA 92504

Socrates Urena
20620 Avenida Hacienda
Riverside, CA 92508

Keith G. Owens, P.E. Principal Engineer
Western Municipal Water District
P.O. Box 5286
Riverside, CA 92517-5286



San Bernardino Valley Audubon Society
Attn: Drew Feldmann
PO Box 10973
San Bernardino, CA 92423

Larry Parrish, County Executive Officer
County Administrative Center
4080 Lemon Street, 4th Floor
Riverside, CA 92501

Assemblyman Kevin Jefferies
California State Assembly 66th District
41391 Kalmia Street, Suite 220
Murrieta, CA 92562

ATTN: Laurie Taylor
Greater Lake Mathews Area Association
14679 Descanso Dr.
Lake Mathews, CA 92750

Public Utilities Department, City of Riverside
3460 Orange St.
Riverside, CA 92501-2822

Riverside Unified School District
3380 14th St.
P.O. Box 2800
Riverside, CA 92516

West Riverside Canal Company
7141 Valley Way
Riverside, CA 92509

City of Riverside Public Library -Main Library
Attn: Reference Librarian
3581 Mission Inn Avenue
Riverside, CA 92501

Thomas Simmons
13191 Crossroads Parkway North
6th Floor
City of Industry, CA 91746

Best, Best & Krieger LLP
3390 University Avenue, 5th Floor
Riverside, CA 92501

ATTN: Assemblyman John J. Benoit
California State Assembly 64th District
1223 University Ave., Suite 230
Riverside, CA 92507

Representative Ken Calvert
California State Representatives 44th District
3400 Central Ave., Suite 200
Riverside, CA 92506

ATTN: Nadell Gayou
California State Water Resources Control Board
1001 I St.
Sacramento, CA 95814-2828

ATTN: Nancy Lacey
Greater Lake Mathews Rural Trails Association
18605 Chickory Dr.
Lake Mathews, CA 92504



Residents Association of Greater Lake Mathews
14176 Grande Vista Ave.
Lake Mathews, CA 92570-8820

Riverside Water Company
3900 Main St.
Riverside, CA 92501

Grace Williams
March Joint Powers Authority
23555 Meyer Drive
Riverside, CA. 92518

University of California Riverside
Tomas Rivera Library
Attn: Government Publications Dept.
3401 Watkins Drive
Riverside, CA 92521

Center for Biological Diversity
Attn: Johnathan Evans
351 California Street Suite 600
San Francisco, CA 94104

LNR Riverside LLC Hans Van Ligten
Rutan & Tucker LLP
611 Anton Blvd.
Costa Mesa, CA 92626-1931

Jim Bartel, Field Supervisor
United State Fish and Wildlife Services
2177 Salk Avenue, Suite 250
Carlsbad, CA 92008

Michelle Ouellette, Partner
For March Joint Powers Authority
Best, Best and Krieger, LLP
3750 University Ave/. #400
Riverside, CA 92501

Bradley H. Oliphant, Trial Attorney
United States Department of Justice
Evn & Nat Res. Sect
Ben Frankin Station
PO BOX 7611
Washington, DC 20044-7611

Sally Jewell, Secretary of the Interior
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240





Riverside County Health Agency Office of Industrial
Hygiene
Attn: Steven Uhlman
4065 County Circle Drive
Riverside, CA 92503-3410

Tracy Hobday, Fire Captain
Riverside County Fire Department
2300 Market Street
Riverside, CA 92501

Supervisor Chuck Washington
3rd Supervisorial District, County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Supervisor John F. Tavaglione
2nd Supervisorial District, County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Chuck Strey, Senior Public Health Engineer
Riverside County Environmental Health Dept.
4080 Lemon Street, 2nd Floor
Riverside, CA 92501

Mickey Valdivia, Agricultural Commissioner
Agricultural Commissioner's Office
4080 Lemon Street, Room 19, Basement
Riverside, CA 92501

Riverside Transit Agency
Attn: Michael McCoy
1825 Third Street
Riverside, CA 92507-3416

Riverside County Waste Management Dept.
14310 Frederick Street
Moreno Valley, CA 92553

South Coast Air Quality Management District
Attn: Steve Smith- CEQA Review
21865 E. Copley Drive
Diamond Bar, CA 91765-4182

John Roth, Planning Commissioner
c/o Sophia Nolasco, Planning Commission Secretary
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Riverside Land Conservancy
4075 Mission Inn Avenue
Riverside, CA 92501

Carolyn Syms-Luna, Director
Environmental Programs Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

Clarissa Leach, Planning Commissioner
c/o Sophia Nolasco, Planning Commission Secretary
4080 Lemon Street, 9th Floor
Riverside, CA 92501

Western Riverside Council of Governments
Attention: Rick Bishop, AICP
4080 Lemon Street, 3rd Floor, MS 1032
Riverside, CA 92501-3609



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss AICP
Planning Director

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department
☒ 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

☐ 38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Plot Plan No. 25422

Project Title/Case Numbers

Matt Straite

County Contact Person

(951) 955-8631

Phone Number

State Clearinghouse Number (if submitted to the State Clearinghouse)

Tom Simmons/ Blackridge

Project Applicant

4590 Macarthur Boulevard, Suite 240, Newport Beach, Ca 92660

Address

Southerly of Alessandro Boulevard, easterly of Gem Lane, and westerly of Brown Street

Project Location

The Plot Plan proposes to develop 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 3 will be designated for general or multi-tenant warehousing and will occupy 216,440 square feet. The project will also include 581 parking spaces and two detention basins. The EIR studies the environmental impacts of the proposed project.

This project was previously approved as Plot Plan 22925. A subsequent law suit and settlement agreement required the approvals to be vacated and reprocessed with the inclusion of a biological corridor. The project has changed the layout and the number of structures. Impacts are generally reduced by the new design. An Environmental Impact Report (EIR) was previously done for the site, EIR510, which was also vacated. A new revised focused EIR has been drafted building on the previous EIR510.

Project Description

This is to advise that the Riverside County Board of Supervisors, has approved the above-referenced project on April 12, 2016, and has made the following determinations regarding that project:

1. The project WILL have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$3,069.75+\$50.00) and reflect the independent judgment of the Lead Agency.
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS adopted
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the earlier EA, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Signature

Project Planner

Title

Date

Date Received for Filing and Posting at OPR: _____

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R1308006

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: SIMMONS TOM
paid by: CK 595
EA42616

\$50.00

paid towards: CFG05992
at parcel:
appl type: CFG3

CALIF FISH & GAME: DOC FEE

By _____ Aug 22, 2013 09:26
MGARDNER posting date Aug 22, 2013

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R1508399

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: SIMMONS TOM
paid by: CK 001543
EA42616

\$3,069.75

paid towards: CFG05992
at parcel:
appl type: CFG3

CALIF FISH & GAME: DOC FEE

By _____ Jul 23, 2015 08:29
MGARDNER posting date Jul 23, 2015

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$3,069.75

Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

J* REPRINTED * R1600913

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: SIMMONS TOM
paid by: CASH

\$.25

EA42616

paid towards: CFG05992
at parcel:
appl type: CFG3

CALIF FISH & GAME: DOC FEE

By _____ Jan 28, 2016 07:50
MGARDNER posting date Jan 28, 2016

Account Code
658353120100208100

Description
CF&G TRUST

Amount
\$.25

Overpayments of less than \$5.00 will not be refunded!