

1 (FEIR pp. 4.11-19 and 28)

2 The evidence supporting these conclusions includes, without limitation, the
3 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
4 therein.

5 ***Impact: Highway noise.***

6 ***Highway Noise Threshold a): The Project would not result in excessive highway noise and impacts***
7 ***would be less than significant.***

8 3. **Project Impact(s):** Interstate 215 (I-215) is located approximately 2,112 feet from the
9 Project site. According to the Riverside County General Plan, land uses that are
10 greater than 1,228 feet and less than 2,645 from a freeway corridor would be subject
11 to noise levels ranging from 55 dBA to 60 dBA. Industrial uses like those proposed
12 on the Project site are considered normally acceptable at noise levels of 75 dBA
13 CNEL according to the Riverside County General Plan. Thus, the Project would not
14 expose people to excessive highway noise. Impacts would be less-than-significant.

15 (FEIR pp. 4.11-19 and 29)

16 The evidence supporting these conclusions includes, without limitation, the
17 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
18 therein and FEIR Technical Appendix I.

19 ***Impact: Substantial permanent increase in ambient noise levels.***

20 ***Noise Effects (permanent) on or by the Project Thresholds a), b), and c): The Project would not***
21 ***result in a substantial permanent increase in ambient noise levels in the project vicinity***
22 ***above levels existing without the Project, and impacts would be less than significant.***

23 4. **Project Impact(s):** Project-related operational (permanent) impacts would result in a
24 less-than-significant impact to noise-sensitive receivers in the long term associated
25 with on-site operational activities and off-site traffic-related noise. On-site
26 operational noise would include but not be limited to idling trucks, delivery truck
27 activities, parking, backup alarms, and loading and unloading of goods. Business
28 operations would primarily be conducted within enclosed buildings except for traffic

1 movement, parking, and unloading and loading of goods. With the provision of
2 proposed minimum 8-foot-high noise attenuation barriers at the southern boundaries
3 of the Building D Site and Building E site, noise levels at off-site receiver locations
4 would be less than significant. As a project design feature to further reduce noise
5 levels, the Project Applicant opted to propose the installation of taller 14-foot-high
6 noise barriers at the southern boundaries of the Building D Site and Building E Site
7 and even taller barriers reaching approximately 20 feet in height near the truck courts
8 of the Building D Site. Even though impacts would be less than significant,
9 Mitigation Measures MM 4.11-3, 4.11-4, and 4.11-5 are included in the Final EIR to
10 ensure implementation of the noise attenuation barriers and to further reduce
11 operational noise levels at off-site receiver locations. The Project's contribution to
12 roadway noise levels at adjacent land uses would result in a less-than-significant
13 direct and cumulatively-considerable impact under Year 2035 traffic conditions.
14 (FEIR p. 4.11-20, 21, 22, 23, 24 and 29)

15 The evidence supporting these conclusions includes, without limitation, the
16 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
17 therein, and FEIR Technical Appendix I, Responses to Comment Letter B (Comment
18 B-17; FEIR p. FEIR-158 and 159), Comment Letter C (Comments C-68, C-79
19 through 87; FEIR pp. FEIR-186 and 189 , 190, and 191), Comment Letter E
20 (Comments E-13, E-24, E-25, E-38, E-49, E-51, E-53, and E-68; FEIR pp. FEIR-
21 199, 201, 203, 206, 208, and 211), Comment Letter K (Comments K-8, K-14, K-15,
22 K-20, K-21, K-29, K-32, K-37, K-42, K-44, K-46, K-48, K-49, K-58, and K-64
23 (FEIR pp. FEIR-228, and 230 through 236), a memorandum prepared by Urban
24 Crossroads dated August 15, 2017 and titled "Knox Business Park Buildings D and
25 E Noise Barrier Memo" that is on file with Riverside County as part of the Project's
26 administrative record, and responses to comment prepared by Urban Crossroads, Inc.
27 and cited in the Final EIR as "Urban Crossroads 2017d."

1 **Impact:** *Ground-borne vibration and ground-borne noise.*

2 **Noise Effects on or by the Project Threshold d):** *The Project would not result in exposure of*
3 *persons to or generation of excessive ground-borne vibration or ground-borne noise levels,*
4 *and impacts would be less than significant.*

5 5. Project Impact(s): Based on the County of Riverside vibration standards of 0.01
6 in/sec, the proposed Project's construction activities would not include or require
7 equipment, facilities, or activities that would result in a barely perceptible human
8 response (annoyance), and therefore, the construction-related vibration impacts are
9 considered less-than-significant. Further, vibration levels at the site of the closest
10 sensitive receiver are unlikely to be sustained during the entire construction period
11 but will occur rather only during the times that heavy construction equipment is
12 operating along the Project site perimeter. Moreover, heavy construction at the
13 Project site will be restricted to daytime hours consistent with the County of
14 Riverside Noise Ordinance (RR-36; FEIR p. S-58) thereby eliminating potential
15 vibration impacts during the sensitive nighttime hours. Additionally, precautions are
16 required during blasting activities (RR-37; FEIR p. S-58 and 59). Therefore, the
17 Project would not generate substantial noise or ground-borne vibration during short-
18 term construction and blasting activities or long-term operational activities. (FEIR
19 pp. 4.11-24, 25 and 29)

20 The evidence supporting these conclusions includes, without limitation, the
21 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
22 therein, and FEIR Technical Appendix I.

23 **J. Population and Housing**

24 **Impact:** *Displacement of existing housing.*

25 **Threshold a):** *The Project would not displace substantial numbers of existing housing, necessitating*
26 *the construction of replacement housing elsewhere, and impacts would be less than*
27 *significant.*

28 1. Project Impact(s): Under existing conditions, the southwestern portion of the

1 Building D Site contains one mobile home. The Project would remove this mobile
2 home from the Building D Site but removal of one structure would not displace
3 substantial numbers of people or substantial numbers of existing housing. The
4 removal of one mobile home is not substantial, considering that there are over 83,000
5 households in western Riverside County. The removal of one mobile home from the
6 Building D Site would not necessitate the construction of replacement housing
7 elsewhere. Accordingly, impacts would be less than significant. (FEIR pp. 4.12-4
8 and 7)

9 The evidence supporting these conclusions includes, without limitation, the
10 discussion of these impacts in Subsection 4.12 of the FEIR and the citations noted
11 therein.

12 ***Impact:*** *Displacement of substantial numbers of people.*

13 ***Threshold c):*** *The Project would not displace substantial numbers of people, necessitating the*
14 *construction of replacement housing elsewhere, and impacts would be less than significant.*

15 2. Project Impact(s): Under existing conditions, the southwestern portion of the
16 Building D Site contains one mobile home. The Project would remove this mobile
17 home from the Building D Site but removal of one structure would not displace
18 substantial numbers of people or substantial numbers of existing housing. The
19 removal of one mobile home is not substantial, considering that there are over 83,000
20 households in western Riverside County. The removal of one mobile home from the
21 Building D Site would not necessitate the construction of replacement housing
22 elsewhere. Accordingly, impacts would be less than significant. (FEIR pp. 4.12-4
23 and 7)

24 The evidence supporting these conclusions includes, without limitation, the
25 discussion of these impacts in Subsection 4.12 of the FEIR and the citations noted
26 therein.

27 ***Impact:*** *Creation of demand for additional housing, including low-income housing.*

28 ***Threshold b):*** *The Project would not create a demand for additional housing, particularly housing*

1 *affordable to households earning 80% or less of the County's median income, and impacts*
2 *would be less than significant.*

3 3. Project Impact(s): The Project site is expected to employ approximately 1,030
4 workers (FEIR p. 3-32). It is expected that the job opportunities created by the
5 Project would be filled by existing residents in Riverside County and residents of
6 homes that are already approved for construction but not yet built. Therefore, the
7 Project would not create a demand for additional housing, and impacts would be less
8 than significant. (FEIR pp. 4.12-5 and 7)

9 The evidence supporting these conclusions includes, without limitation, the
10 discussion of these impacts in Subsection 4.12 of the FEIR and the citations noted
11 therein.

12 ***Impact: Inducement of substantial population growth.***

13 ***Threshold f): The Project would not induce substantial population growth in the area, either***
14 ***directly (for example, by proposing new homes and businesses) or indirectly (for example,***
15 ***through extension of roads or other infrastructure), and impacts would be less than***
16 ***significant.***

17 4. Project Impact(s): The Project would introduce new businesses and infrastructure
18 improvements to the area. The jobs generated by the Project are expected to be filled
19 by existing residents of Riverside County and residents of homes that are already
20 approved for construction but not yet built. In addition, Project-related utility
21 improvements would service the Building D Site and the Building E Site and would
22 not be sized to accommodate unplanned growth on other surrounding parcels.
23 Accordingly, the Project would not induce substantial population growth and impacts
24 would be less than significant. (FEIR p. 4.12-5, 6 and 7)

25 The evidence supporting these conclusions includes, without limitation, the
26 discussion of these impacts in Subsection 4.12 of the FEIR and the citations noted
27 therein.

1 **K. Public Services**

2 **Impact:** *Impacts due to the provision of new or physically altered fire protection facilities.*

3 **Threshold a):** *The Project and all Project-related component would not result in substantial*
4 *adverse physical impacts associated with the provision of new or physically altered*
5 *government facilities or the need for new or physically altered governmental facilities, the*
6 *construction of which could cause significant environmental impacts, in order to maintain*
7 *acceptable service ratios, response times or other performance objectives for Fire*
8 *Protection Services.*

9 1. Project Impact(s): The Project would introduce structures, traffic, and workers to the
10 Project site, which would increase the demand for fire protection services provided
11 by the Riverside County Fire Department (RCFD). The increased demand would
12 adversely affect the RCFD's ability to meet its response time goals from Station 59
13 (located at 21510 Pinewood Street, Perris) and Station No. 90 (located at 333
14 Placentia Avenue Perris). Although demand would be increased and the RCFD's
15 response time goal of 4:00 minutes would not be met to the Project site, the RCFD's
16 existing fire stations have adequate physical capacity to service the Project. Fire
17 hydrants are proposed on the Project site and an Early Suppression, Fast Response
18 (ESFR) fire sprinkler system is proposed to be installed in each building. The RCFD
19 does not have plans to construct a new fire station or physically expand fire
20 protection facilities in the Project site's vicinity; therefore, the Project would have
21 no physical environmental effects on fire protection facilities. Furthermore, as
22 identified under RR-38, the applicant will be required to comply with the County's
23 development impact fee ordinance, which requires payment of fees to offset the
24 incremental impact on public facilities. Increased demand, unless it results in some
25 form of a physical environmental impact, is not an environmental effect under
26 CEQA; thus, impacts would be less than significant. (FEIR pp. 4.13-6, 7, 12 and 13)
27 The evidence supporting these conclusions includes, without limitation, the
28 discussion of these impacts in Subsection 4.13 of the FEIR and the citations noted

1 therein and Responses to Comment Letter C (Comments C-60 and C-64; FEIR pp.
2 FEIR-183 and 210).

3 ***Impact:*** *Impacts due to the provision of new or physically altered sheriff facilities.*

4 ***Threshold b):*** *The Project and all Project-related components would not result in substantial*
5 *adverse physical impacts associated with the provision of new or physically altered*
6 *government facilities or the need for new or physically altered governmental facilities, the*
7 *construction of which could cause significant environmental impacts, in order to maintain*
8 *acceptable service ratios, response times or other performance objectives for Sheriff*
9 *Services; impacts would be less than significant.*

10 2. Project Impact(s): The Project would introduce structures, traffic, and workers to the
11 Project site, which would increase the demand for sheriff services provided by the
12 Riverside County Sheriff's Department (RCSD). Service to the Project site is
13 provided by the RCSD Perris Station, and the RCSD has no plans to physically
14 construct or expand a station due to the Project or other growth in the area. As such,
15 the Project would have no physical environmental effects on sheriff facilities.
16 Furthermore, as identified under RR-38, the applicant will be required to comply
17 with the County's development impact fee ordinance, which requires payment of
18 fees to offset the incremental impact on public facilities. Increased demand, unless it
19 results in some form of a physical environmental impact, is not an environmental
20 effect under CEQA; thus, impacts are less than significant. (FEIR p. 4.13-8, 9, and
21 13)

22 The evidence supporting these conclusions includes, without limitation, the
23 discussion of these impacts in Subsection 4.13 of the FEIR and the citations noted
24 therein.

25 ***Impact:*** *Impacts due to the provision of new or physically altered school facilities.*

26 ***Threshold c):*** *The Project and all Project-related components would not result in substantial*
27 *adverse physical impacts associated with the provision of new or physically altered*
28 *government facilities or the need for new or physically altered governmental facilities, the*

1 *construction of which could cause significant environmental impacts, in order to maintain*
2 *acceptable service ratios, response times or other performance objectives for School*
3 *Services; impacts would be less than significant.*

4 3. Project Impact(s): Development of the property with two business park warehouse
5 buildings would not create a direct demand for public school services, as the property
6 would contain non-residential uses that would not directly generate any school-aged
7 children requiring public education. The proposed Project would not directly
8 generate students and is not expected to indirectly draw a substantial number of
9 students to the area. Jobs and housing data presented in Appendix F-1 to Riverside
10 County General Plan Amendment No. 960 demonstrates that future employees of the
11 Project would primarily consist of existing County residents; as such, the Project
12 would not affect the existing or projected housing supply, and thus the school-aged
13 population, in the County. As such, the proposed Project would not directly cause
14 or contribute to a need to construct new or physically altered public school facilities.
15 Although the Project would not directly create a demand for additional public school
16 services, the Project Applicant would still be required to contribute fees to the Val
17 Verde Unified School District (VVUSD) in compliance with California Senate Bill
18 50 (SB 50, Greene), California Government Code §§ 65995.5–65998, which allows
19 school districts to collect fees from new developments to offset the costs associated
20 with increasing school capacity needs (RR-36; FEIR p. 66). The payment of school
21 mitigation impact fees authorized by SB 50 is deemed to provide “full and complete
22 mitigation of impacts” on school facilities from the development of real property
23 (California Government Code Section 65995). Therefore, Project implementation
24 would not result in or require new or expanded public school facilities. In addition,
25 no schools are located on the site or are planned to be located on the site, so there is
26 no potential for the Project to have a direct physical impact on any school. For these
27 reasons, impacts to school facilities would be less than significant. (FEIR pp. 4.13-
28 9, 10 and 13)

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

The evidence supporting these conclusions includes, without limitation, the discussion of these impacts in Subsection 4.13 of the FEIR and the citations noted therein.

Impact: *Impacts due to the provision of new or physically altered library facilities.*

Threshold d): *The proposed Project and all Project-related component would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Library Services; impacts would be less than significant.*

4. Project Impact(s): Development of the Project site with two business park warehouse buildings and associated site improvements would not directly create a demand for public library facilities and would not directly result in the need to modify existing or construct new library buildings. Demand placed on libraries is based on the generation of a resident population associated with a person's place of residence, and not typically their place of employment. Based on the County-wide jobs and housing data presented in Appendix F-1 to Riverside County General Plan Amendment No. 960, the Project would not result in an increase in the County's population and would therefore not directly result in an increased demand for library facilities. Accordingly, Project-related impacts to library facilities would be less than significant. There are no other public services for which Project-related service demands would have the potential to physically impact public facilities. The Project Applicant would be required to comply with Riverside County Ordinance No. 659 (the County DIF) (RR-38; FEIR p. S-64 and 65), which requires a fee payment by developers for the funding of public facilities, including public libraries and other public facilities. (FEIR pp. 4.13-10 and 13)

The evidence supporting these conclusions includes, without limitation, the discussion of these impacts in Subsection 4.13 of the FEIR and the citations noted

1 therein.

2 ***Impact:*** *Impacts due to the provision of new or physically altered health care facilities.*

3 ***Threshold e):*** *The Project and all Project-related components would not result in substantial*
4 *adverse physical impacts associated with the provision of new or physically altered*
5 *government facilities or the need for new or physically altered governmental facilities, the*
6 *construction of which could cause significant environmental impacts, in order to maintain*
7 *acceptable service ratios, response times or other performance objectives for Health*
8 *Services; impacts would be less than significant.*

9 5. Project Impact(s): Based on the jobs and housing data presented in Appendix F-1 to
10 Riverside County General Plan Amendment No. 960, implementation of the
11 proposed Project is not anticipated to result in an increase in the County's population
12 because Riverside County as a whole has an abundance of housing relative to jobs.
13 As such, it is not anticipated that the proposed Project would result in a substantial
14 increase in demand for public and/or private health care facilities. Moreover, the
15 provision of private health care, which serves a majority of County residents, is
16 largely based on economic factors and demand and is beyond the scope of analysis
17 required for the FEIR. Nonetheless, the Project could result in an incremental
18 increase in demand for health services associated with the Project's addition of
19 employees in the area. Existing public health facilities would accommodate nominal
20 increases in demand, such as demand from the Project. Project implementation
21 would not result in or require the physical construction, expansion, or alteration of
22 public health facilities; therefore, impacts would be less than significant. The Project
23 Applicant would be required to comply with Riverside County Ordinance 659 (the
24 County DIF) (RR-38; FEIR p. S-64 and 65), which requires a fee payment by
25 developers for the funding of public facilities, including public health facilities.
26 (FEIR pp. 4.13-11 and 13)

27 The evidence supporting these conclusions includes, without limitation, the
28 discussion of these impacts in Subsection 4.13 of the FEIR and the citations noted

1 therein.

2 **L. Recreation**

3 *Impact: Impacts to recreational trails.*

4 **Recreational Trails Threshold a):** *The Project would not cause an impact to recreational trails,*
5 *and impacts would be less than significant.*

6 1. Project Impact(s): The Project would not physically impact an existing recreational
7 trail. The Project would provide easements for community trail segments along
8 Oleander Avenue and Ellsworth Street, as called for by the Mead Valley Area Plan.
9 The Project Applicant also would be required through Conditions of Approval
10 imposed on the Project to install the trail segments and maintain the trail segments
11 until such time as the maintenance is taken over by the appropriate maintenance
12 district or entity. Environmental effects resulting from ground disturbance in the trail
13 easement areas is evaluated as an inherent part of the Project throughout the FEIR
14 and in no cases are significant effects identified specifically related to the trail
15 easements. (FEIR pp. 4.14-5 and 6)

16 The evidence supporting these conclusions includes, without limitation, the
17 discussion of these impacts in Subsection 4.14 of the FEIR and the citations noted
18 therein and Responses to Comment Letter C (Comments C-88 through C-90; FEIR
19 pp. FEIR-191 and 192).

20 **M. Transportation**

21 *Impact: Impacts due to increased hazards due to design or incompatible uses.*

22 **Threshold e):** *The Project would not substantially increase hazards due to a design feature (e.g.,*
23 *sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and*
24 *impacts would be less than significant.*

25 1. Project Impact(s): The Project would be compatible with the “Business Park” and
26 “Light Industrial” land uses planned to the north and west of the Project site by the
27 County of Riverside General Plan. Although areas to the south and west of the
28 Project site are planned by the General Plan for residential land uses, the Project

1 would not send truck traffic to these areas; 95% of the Project's truck traffic would
2 flow east of the Project site, toward I-215 and 5% would flow south on Harvill
3 Avenue, toward I-215 (FEIR Figure 4.15-9 and Response to Comment C-4). It is not
4 reasonable to assume that truck traffic would utilize low capacity residential streets
5 rather than the shorter and more direct route to the I-215 Freeway at the Harley Knox
6 Boulevard ramps. Mitigation Measures MM 4.15-4 and MM 4.15-5 require that signs
7 be posted at exit driveways to prohibit trucks from traveling south on Decker Road/
8 Ellsworth Street and that a provision be included in building leases that require
9 building users to designate truck routing away from Decker Road/Ellsworth Street.
10 Further, the County imposed conditions of approval on the Project that require the
11 project applicant to file a request with the County Transportation Department to
12 install weight limit signs to restrict trucks with gross vehicle weight rating over
13 14,000 lbs. from traveling on Decker Road (Ellsworth Street) south of Oleander
14 Avenue or as approved the Riverside County Director of Transportation. Therefore,
15 implementation of the Project would not create a transportation hazard as a result of
16 an incompatible use. Proposed roadway improvements along the Project site frontage
17 would occur within the public rights-of-way would be installed in conformance with
18 County design standards. The County of Riverside Transportation Department
19 reviewed the Project's application materials (refer to FEIR Section 3.0, Project
20 Description) and determined that no hazardous transportation design features would
21 be introduced by the Project. Additionally, a construction traffic control plan will be
22 implemented (refer to FEIR Subsection 4.15.8 and RR-40, FEIR pp. S-67 and 68) to
23 safely route traffic along abutting roadways during temporary construction activities
24 and to maintain adequate emergency access. Accordingly, the proposed Project
25 would not create or substantially increase safety hazards due to a design feature or
26 incompatible use. The Project would result in a less-than-significant impact. (FEIR
27 p. 4.15-47 and 51)

28 The evidence supporting these conclusions includes, without limitation, the

1 discussion of these impacts in Subsection 4.14 of the FEIR and the citations noted
2 therein, FEIR Technical Appendices J1 and J2, Responses to Comment Letter C
3 (Comments C-4, C-28, C-92, and C-93; FEIR pp. FEIR-161, 162, 168, 192, and 193),
4 Comment Letter E (Comments E-13, E-35 through 43, and E-82; FEIR pp. FEIR-
5 199, 202, 203, 204, and 214), and Comment Letter K (Comments K-30 and K-35
6 through 39; FEIR pp. FEIR-232 and 233) and responses to comment prepared by
7 Urban Crossroads, Inc. and cited in the Final EIR as “Urban Crossroads 2017d.”

8 **Impact:** *Effects due to new or altered road maintenance.*

9 **Threshold f):** *The Project would not cause an effect upon, or a need for new or altered maintenance*
10 *of roads, and impacts would be less than significant.*

11 2. Project Impact(s): The proposed Project would improve public streets along the
12 frontage of the Project site. These improved (i.e., extended, widened) roadways
13 would require routine, intermittent maintenance; however, maintenance of public
14 streets along the Project frontage would not result in any significant impacts to the
15 environment. The Project would contribute traffic to off-site public roadways;
16 however, public roads require periodic maintenance as part of their inherent
17 operational activities, and such maintenance would not result in substantial impacts
18 to the environment. Public roadway maintenance would be funded through the
19 Project Applicant’s payment of Development Impact Fees (DIF) (RR-41; FEIR p. S-
20 68) and the Project site owners’ future payment of property taxes. Maintenance of
21 roadways would not result in any new impacts to the environment beyond that which
22 is already disclosed and mitigated by EIR No 546, and impacts would therefore be
23 less than significant. (FEIR pp. 4.15-47 and 51)

24 The evidence supporting these conclusions includes, without limitation, the
25 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
26 therein.

27 **Impact:** *Effects on circulation during construction.*

28 **Threshold g):** *The Project would not cause an effect upon circulation during the project’s*

1 *construction, and impacts would be less than significant.*

2 3. Project Impact(s): Circulation facilities in the Project study area would have adequate
3 capacity to accommodate the Project's construction-related traffic while maintaining
4 acceptable Level of Service (LOS). Impacts would be less than significant. (FEIR p.
5 4.15-27, 28, 33, 47, and 51)

6 The evidence supporting these conclusions includes, without limitation, the
7 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
8 therein and FEIR Technical Appendices J1 and J2.

9 ***Impact: Inadequate emergency access.***

10 ***Threshold h): The Project would not result in inadequate emergency access or access to nearby***
11 ***uses, and impacts would be less than significant.***

12 Project Impact(s): During the course of the County of Riverside's review of the proposed
13 Project, the County evaluated the Project's design, including but not limited to
14 proposed driveway locations and parking lot/drive aisle configuration, to ensure that
15 adequate access would be provided for emergency vehicles at Project build out.
16 Furthermore, the Project would provide adequate emergency access along abutting
17 roadways during temporary construction activities within the public right-of-way.
18 Therefore, the Project would not result in inadequate emergency access and a less-
19 than-significant impact would occur. The Project site does not provide access to any
20 abutting parcels or nearby uses. Therefore, there is no potential for the Project to
21 result in inadequate access to nearby uses. (FEIR pp. 4.15-48, 19, and 51)

22 The evidence supporting these conclusions includes, without limitation, the
23 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
24 therein.

25 ***Impact: Conflicts with adopted policies, plans, or programs related to non-passenger car***
26 ***transportation.***

27 ***Threshold i): The Project would not conflict with adopted policies, plans or programs regarding***
28 ***public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the***

1 *performance or safety of such facilities; impacts would be less than significant.*

2 4. Project Impact(s): The Project provides for community trail easements along the
3 Project site's frontage with Oleander Avenue and Ellsworth Street, as called for by
4 the planned Riverside County trail network. The Project is designed to minimize
5 potential conflicts with non-vehicular means of transportation. Potential impacts to
6 the performance or safety of transit, bicycle, and pedestrian systems would be less
7 than significant. (FEIR pp. 4.15-48, 49 and 51)

8 The evidence supporting these conclusions includes, without limitation, the
9 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
10 therein, Final EIR Technical Appendix M, and Responses to Comment Letter C
11 (Comments C-88 and C-90; FEIR pp. FEIR-191 and 192).

12 **N. Utilities and Service Systems**

13 ***Impact:*** *Impacts due to construction or expansion of water treatment facilities.*

14 ***Threshold a):*** *The Project would not require or result in the construction of new water treatment*
15 *facilities or expansion of existing facilities, the construction of which would cause significant*
16 *environmental effects; impacts would be less than significant.*

17 1. Project Impact(s): The Eastern Municipal Water District (EMWD) has sufficient
18 capacity to serve the Project with water in light of its existing and projected
19 commitments, and no new entitlements would be required. (FEIR Technical
20 Appendix K). The Project would not have an adverse effect on the ability of the
21 EMWD to implement its Water Shortage Contingency Plan prepared in response to
22 Executive Order B-29-15. Impacts associated with the installation of on-site and off-
23 site water infrastructure are evaluated throughout the FEIR and mitigation measures
24 are identified for construction-related effects that would reduce construction-phase
25 impacts to the maximum feasible extent. There would be no significant impacts
26 specifically related to the installation of water infrastructure beyond the overall
27 construction-related effects of the Project as a whole. (FEIR pp. 4.16-17, 18, 19, 20
28 and 27)

1 The evidence supporting these conclusions includes, without limitation, the
2 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
3 therein.

4 **Impact:** *Impacts due to insufficient water supplies.*

5 **Threshold b):** *The Project would not result in a determination by the local water agency that it has*
6 *insufficient water supplies available to serve the project from existing entitlements and*
7 *resources and would not result in the need for new or expanded entitlements; impacts would*
8 *be less than significant.*

9 2. Project Impact(s): The Eastern Municipal Water District (EMWD) has sufficient
10 capacity to serve the Project with water in light of its existing and projected
11 commitments, and no new entitlements would be required (FEIR Technical
12 Appendix K). The Project would not have an adverse effect on the ability of the
13 EMWD to implement its Water Shortage Contingency Plan prepared in response to
14 Executive Order B-29-15. Impacts associated with the installation of on-site and off-
15 site water infrastructure are evaluated throughout the FEIR and mitigation measures
16 are identified for construction-related effects that would reduce construction-phase
17 impacts to the maximum feasible extent. There would be no significant impacts
18 specifically related to the installation of water infrastructure beyond the overall
19 construction-related effects of the Project as a whole. (FEIR pp. 4.16-17, 18, 19, 20
20 and 27)

21 The evidence supporting these conclusions includes, without limitation, the
22 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
23 therein and FEIR Technical Appendix K.

24 **Impact:** *Impacts associated with new or expanded wastewater treatment facilities.*

25 **Threshold c):** *The Project would not require or result in the construction of new wastewater*
26 *treatment facilities, including septic systems, or expansion of existing facilities, the*
27 *construction of which would cause significant environmental effects; impacts would be less*
28 *than significant*

1 3. Project Impact(s): The proposed Project's wastewater generation would not exceed
2 the capacity of the Eastern Municipal Water District's (EMWD) Perris Valley
3 Regional Water Reclamation Facility (PVWRF) and payment of mandatory
4 connection fees and surcharges established by the EMWD's Wastewater Ordinance
5 No. 59.6 would reduce the Project's incremental effect to a level of less than
6 significant. Additionally, impacts associated with the construction of the proposed
7 sewer facilities are an inherent part of the Project's construction process and
8 environmental effects associated with the Project's construction phase have been
9 evaluated throughout the FEIR. Regulatory requirements, project design features,
10 and mitigation measures have been identified to reduce construction-related impacts
11 for the overall Project in other sections of the FEIR to the maximum feasible extent,
12 and there are no environmental impacts attributable solely to the Project's sewer
13 connections. Impacts would be less than significant. (FEIR pp. 4.16-20, 21 and 27)
14 The evidence supporting these conclusions includes, without limitation, the
15 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
16 therein.

17 *Impact: Impacts due to inadequate wastewater treatment capacity.*

18 *Threshold d): The Project would not result in a determination by the wastewater treatment provider*
19 *that serves or may service the project that it has inadequate capacity to serve the project's*
20 *projected demand in addition to the provider's existing commitments; impacts would be less*
21 *than significant.*

22 4. Project Impact(s): The proposed Project's wastewater generation would not exceed
23 the capacity of the Eastern Municipal Water District's (EMWD) Perris Valley
24 Regional Water Reclamation Facility (PVWRF) and payment of mandatory
25 connection fees and surcharges established by the EMWD's Wastewater Ordinance
26 No. 59.6 would reduce the Project's incremental effect to a level of less than
27 significant. Additionally, impacts associated with the construction of the proposed
28 sewer facilities are an inherent part of the Project's construction process and

1 environmental effects associated with the Project's construction phase have been
2 evaluated throughout the FEIR. Regulatory requirements, project design features,
3 and mitigation measures have been identified to reduce construction-related impacts
4 for the overall Project in other sections of the FEIR to the maximum feasible extent,
5 and there are no environmental impacts attributable solely to the Project's sewer
6 connections. Impacts would be less than significant. (FEIR pp. 4.16-20, 21 and 27)
7 The evidence supporting these conclusions includes, without limitation, the
8 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
9 therein.

10 **Impact:** *Inadequate landfill capacity.*

11 **Threshold e):** *The Project would be served by landfills with adequate permitted capacity to*
12 *accommodate the Project's solid waste disposal needs; thus, impacts would be less than*
13 *significant.*

14 5. Project Impact(s): The proposed Project's solid waste disposal needs can be
15 accommodated by existing Riverside County Waste Management Department
16 (RCWMD) landfills (i.e., Badlands Landfill and/or El Sobrante Landfill), and the
17 Project would be fully consistent with the Countywide Integrated Waste
18 Management Plan (CIWMP) and its requirements. Project impacts would be less
19 than significant. (FEIR pp. 4.16-22 and 27)

20 The evidence supporting these conclusions includes, without limitation, the
21 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
22 therein.

23 **Impact:** *Conflicts with federal, state, and local statutes related to solid waste.*

24 **Threshold f):** *The Project would result in less-than-significant impacts due to a conflict with federal,*
25 *state, and local statutes and regulations related to solid wastes including the CIWMP*
26 *(County Integrated Waste Management Plan).*

27 6. Project Impact(s): The Project would be required to comply with all applicable solid
28 waste statutes and regulations; as such, impacts related to solid waste statutes and

1 regulations would be less than significant. (FEIR p. 4.16-23 and 27)

2 **Impact:** *Construction of new or expanded utility infrastructure.*

3 **Threshold g):** *The Project would result in less-than-significant impacts due to the construction of*
4 *new facilities or the expansion of existing facilities, the construction of which could cause*
5 *significant environmental effects, for the following facilities: i. electricity; ii. natural gas;*
6 *iii. communications systems; iv. storm water drainage; v. street lighting; vi. maintenance of*
7 *public facilities, including roads; and vii. other governmental services.*

8 7. **Project Impact(s):** Impacts associated with the construction of electricity, natural gas,
9 communications systems, storm water drainage, street lighting, public facilities
10 maintenance, and other governmental services are an inherent part of the Project's
11 construction process and environmental effects associated with the Project's
12 construction phase were evaluated throughout the FEIR. Regulatory requirements,
13 project design features, and mitigation measures were identified for the overall
14 Project in other sections of the FEIR that reduce construction-related impacts to the
15 maximum feasible extent. There are no unique conditions associated with the
16 Project's proposed utility service connections that would result in impacts to the
17 environment that have not already been addressed by the FEIR. Impacts would be
18 less than significant. (FEIR pp. 4.16-24 and 28)

19 The evidence supporting these conclusions includes, without limitation, the
20 discussion of these impacts in Subsection 4.16 of the FEIR and the citations noted
21 therein.

22 **O. Paleontological Resources**

23 **Impact:** *Impacts to unique paleontological resources and geologic features.*

24 **Threshold a) (Building E Site):** *Buildout of the Building E Site would result in less-than-significant*
25 *direct or indirect effects to unique paleontological resources, sites, or unique geologic*
26 *features.*

27 1. **Project Impact(s):** The entire Building E Site, which is underlain by granitic rocks,
28 is mapped by Riverside County as having "Low Potential" paleontological

1 sensitivity. The likelihood of finding fossils in granitic rocks is nil (FEIR Technical
2 Appendix D3). Because the granitic rocks that underlie the Building E Site have no
3 potential to contain fossils or fossil remains, the proposed Project would have no
4 potential to directly or indirectly destroy a unique paleontological resource or site or
5 unique geological feature on the Building E Site. Less-than-significant impacts to
6 paleontological resources would occur as a result of implementing the proposed
7 Project on the Building E Site. (FEIR pp. 4.17-4 and 5)

8 The evidence supporting these conclusions includes, without limitation, the
9 discussion of these impacts in Subsection 4.17 of the FEIR and the citations noted
10 therein and Final EIR Technical Appendices D3, D4, and D5.

11 **P. Tribal Cultural Resources**

12 *Impact: Impacts to tribal cultural resources.*

13 *Threshold b): The Project would result in less-than-significant impacts due to a substantial adverse*
14 *change in the significance of a tribal cultural resource as defined in Public Resources Code*
15 *21074.*

16 4. Project Impact(s): Field visits of the Project site conducted by a professional
17 archaeologist and the County Archaeologist, some in the presence of the Pechanga
18 Band of Luiseño Indians and the Soboba Band of Luiseño Indians representatives,
19 revealed the presence of archaeological resources (Site RIV-8401 (a bedrock milling
20 feature) and Site RIV-8402 (four milling slicks on three granitic outcrops) on the
21 Building D Site, and Site RIV-1330/H (three milling features scattered on various
22 exposed bedrock outcrops), Site RIV-8901 (one bedrock milling feature situated on
23 a moderate, east-facing slope) and Site RIV-11,874 (an isolated milling station) on
24 the Building E Site. A pollen and residue analysis of bedrock milling features for
25 Site RIV-1330/H was conducted, which did not reveal any information that would
26 indicate that RIV-1330/H or other nearby sites are unique or significant among other
27 similar sites found throughout southern California that had similar environmental
28 conditions. The archaeological resources present on the Project site do not meet the

1 definition of a tribal cultural resource under CEQA Statute § 21074 (FEIR pp. 4.18-
2 11 through 15). Due to the evidence that tribal cultural resources are not located on
3 the property, impacts to tribal cultural resources would be less than significant. (FEIR
4 pp. 4.18-1 through 16)

5 The evidence supporting these conclusions includes, without limitation, the
6 discussion of these impacts in Subsection 4.18 of the FEIR and the citations noted
7 therein, confidential communications by and between Native American tribes, the
8 County of Riverside, and Brian F. Smith and Associates (professional archaeologist)
9 as part of the SB-18 and AB-52 consultation processes on file with the County in the
10 County's Administrative Record for the Project, FEIR Technical Appendices D1 and
11 D2, and Responses to Comment Letter A (FEIR pp. FEIR-148 and 149), Comment
12 Letter L (FEIR pp. FEIR 237 through 244), Comment Letter P (FEIR pp. FEIR-245
13 and 246), and Comment Letter T (FEIR pp. FEIR-250 through 253).

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following environmental
15 impacts associated with the EIR No. 546 are potentially significant unless otherwise indicated, but each of
16 these impacts would be avoided or substantially lessened to a level of less than significant through existing
17 regulations, Project Design Features, and/or mitigation measures specified in Attachment A (Mitigation
18 Monitoring and Reporting Program) which is incorporated herein by this reference. Accordingly, the
19 County makes the following findings as to each of the following impacts pursuant to State CEQA
20 Guidelines section 15091 (a): "Changes or alterations have been required in, or incorporated into, the Project
21 which avoid or substantially lessen the significant environmental effect as identified in the final EIR."

22 **A. Air Quality**

23 *Impact: Exposure of sensitive receptors within one mile of the Project site to substantial point-*
24 *source emissions.*

25 *Threshold d): The Project would not expose sensitive receptors which are located within 1.0 mile*
26 *of the project site to project substantial point source emissions, with implementation of*
27 *mitigation measures (refer to Project Resolution Attachment "A," Mitigation Monitoring*
28 *and Reporting Program).*

1 1. Project Impact(s): FEIR Table 4.3-8, *Localized Significance Summary*, summarizes
2 the Project's localized emissions during peak construction activity. As shown in
3 FEIR Table 4.3-8, the Project's construction-related emissions would exceed the
4 SCAQMD's localized significance thresholds for emissions of NO_x, PM₁₀, and
5 PM_{2.5} at the nearest representative receptor location in the vicinity of the Project site
6 which is the residential uses located south of the Project site boundary. Thus, the
7 impact is significant and applicable regulatory requirements and mitigation measures
8 are listed in FEIR Subsection 4.3.7, including the mandatory requirements to comply
9 with SCAQMD Rule 403 and California Air Resources Board, Title 13, Chapter 10,
10 Section 2485, Division 3 of the California Code of Regulations. (FEIR p. 4.3-29)
11 FEIR Table 4.3-9, *Localized Significance Summary Operations*, presents the
12 Project's calculated daily localized emissions during long-term operation. Detailed
13 operational localized emissions model outputs are presented in Appendix 3.2 and 3.3
14 of FEIR Technical Appendix B1. As shown in FEIR Table 4.3-9, the Project's
15 estimated operational localized emissions associated with CO, NO₂, PM₁₀, and PM_{2.5}
16 would not exceed localized thresholds established by the SCAQMD. Accordingly,
17 long-term operation of the proposed Project would not expose any sensitive receptors
18 which are located within 1.0 mile of the Project site to substantial point source
19 emissions on a direct or cumulatively-considerable basis. Impacts are less than
20 significant. Although the Project would not generate substantial point source
21 emissions on a direct or cumulatively-considerable basis, mitigation measures are
22 provided in FEIR Subsection 4.3.7 that would further reduce the levels. (FEIR p. 4.3-
23 29)
24 The proposed Project would not produce the volume of traffic required to generate a
25 CO "hot spot" either in the context of the Los Angeles "hot spot" study or based on
26 representative Bay Area Air Quality Management District (BAAQMD) CO
27 threshold considerations. Accordingly, Project-related vehicular emissions would
28 not result in a substantial contribution of CO concentrations at intersections in the

1 vicinity of the Project site and sensitive receptors would not be exposed to substantial
2 CO concentrations generated by the Project's vehicular traffic. (FEIR p. 4.3-30)
3 Long-term operations at the Project site would not directly cause or contribute in a
4 cumulatively-considerable manner to the exposure of the maximally exposed
5 individual receptor (MEIR), maximally exposed individual worker (MEIW), or
6 maximally exposed individual school child (MEIS) to substantial DPM emissions.
7 Therefore, implementation of the proposed Project would result in a less-than-
8 significant impact to expose MEIR, MEIW, and MEIS which are located within 1.0
9 mile of the Project site to project substantial point source DPM emissions. Although
10 implementation of the Project would result in a less-than-significant impact
11 associated with DPM emissions, the mitigation measures required in FEIR
12 Subsection 4.3.7 to reduce the Project's operational air quality impacts would further
13 reduce DPM emissions associated with long-term operation of the Project. (FEIR p.
14 4.3-31)

15 2. Finding: The Mitigation Measures (MM) and County Regulations and Design
16 Requirements (RR) outlined below would reduce impacts to sensitive receptors to a
17 less-than-significant level. The Mitigation Measures and RRs reflect changes or
18 alterations that the County has required or incorporated into the Project that would
19 avoid or substantially lessen the potentially significant impact as identified in the
20 FEIR. (CEQA Guidelines §15091(a)(1)).

21 3. Mitigation and/or County Regulations and Design Requirements (RR):

22 **Air Quality RR-4 states:** The Project is required to comply with the provisions of
23 the South Coast Air Quality Management District (SCAQMD) Rule 403 "Fugitive
24 Dust." Rule 403 requires implementation of best available dust control measures
25 during construction activities that generate fugitive dust, such as earth moving,
26 grading, and construction equipment travel on unpaved roads. To comply with Rule
27 403, and prior to grading permit issuance, the County of Riverside shall verify that
28 notes are specified on the Project's grading plans requiring Rule 403 compliance.

1 Project construction contractors would be required to ensure compliance with the
2 notes and permit periodic inspection of the construction site by County of Riverside
3 staff or its designee to confirm compliance. To comply with Rule 403: 1. In order to
4 limit fugitive dust emissions, all clearing, grading, earth-moving, or excavation
5 activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD
6 guidelines. 2. The construction contractor(s) shall ensure that all disturbed unpaved
7 roads and disturbed areas within the Project site are watered at least three (3) times
8 daily during dry weather. Watering, with complete coverage of disturbed areas, shall
9 occur at least three (3) times a day, preferably in the mid-morning, afternoon, and
10 after work is done for the day. 3. The construction contractor(s) shall ensure that
11 traffic speeds on unpaved roads and the Project site area are reduced to 15 miles per
12 hour or less.

13 *RR-4 Implementation Stage: Prior to grading permit issuance.*

14 *RR-4 Monitoring Party: County of Riverside Building & Safety Department*

15 **Mitigation Measure (MM) 4.3-1 states:** Prior to grading permit issuance, the
16 County of Riverside shall verify that the following notes are included on the grading
17 plans. Project contractors shall be required to ensure compliance with these notes
18 and permit periodic inspection of the construction site by County of Riverside staff
19 or its designee to confirm compliance. These notes also shall be specified in bid
20 documents issued to prospective construction contractors. a) Onsite electrical hook-
21 ups to a power grid shall be provided for electric construction tools including saws,
22 drills, and compressors, where feasible, to reduce the need for diesel powered electric
23 generators. b) All Heavy-Heavy Duty Haul Trucks (HHD) accessing the Project site
24 shall use year 2010 or newer engines during all construction activities to the extent
25 such HHD are commercially available. c) All excavators, graders, and rubber-
26 tired dozers shall be CARB Tier 3 Certified or better. d) All scrapers shall be CARB
27 Tier 4 Certified or better; e) The total horsepower-hours per day for all on-site
28 equipment shall not exceed 46,344 horsepower hours per day. f) The maximum daily

1 disturbance area (actively graded area) shall not exceed 11.0 acres per day. g) The
2 use of diesel-powered generators during construction shall be prohibited. h)
3 Construction contractors shall notify their workers about Riverside County's
4 Rideshare Program. i) The use of construction equipment with pollution control
5 devices such as high-pressure injectors is highly encouraged to reduce air pollutant
6 emissions. j) The use of construction vehicles equipped with pollution control
7 devices such as catalytic converters is highly encouraged to reduce air pollutant
8 emissions. k) Construction activities shall be suspended during Stage 2 Smog Alerts
9 issued by the South Coast Air Quality Management District (SCAQMD).

10 *MM 4.3-1 Implementation Stage: Prior to grading permit issuance.*

11 *MM 4.3-1 Monitoring Party: County of Riverside Building & Safety Department*

12 **MM 4.3-2 states:** Construction equipment shall be properly maintained according to
13 manufacturer specifications and all contractors shall turn off all construction
14 equipment and delivery vehicles when not in use or limit onsite idling to no more
15 than three (3) minutes in any one hour. Onsite electrical hook-ups to a power grid
16 shall be provided for electric construction tools including saws, drills, and
17 compressors, where feasible, to reduce the need for diesel powered electric
18 generators. Construction contractors shall keep construction equipment maintenance
19 records and data sheets of equipment design specifications (including the emission
20 control tier of the equipment) onsite during construction and subject to inspection by
21 the County of Riverside.

22 *MM 4.3-2 Implementation Stage: During Project construction.*

23 *MM 4.3-2 Monitoring Party: County of Riverside Building & Safety Department*

24 **MM 4.3-2A states:** During construction activities, Project contractors shall post
25 signs on the site that instruct operators to turn off equipment when not in use and
26 limit idling to a maximum of three (3) minutes.

27 *MM 4.3-2 Implementation Stage: During Project construction.*

28 *MM 4.3-2 Monitoring Party: County of Riverside Building & Safety Department*

1 **Condition of Approval on PP 25838 states:** Prior to Building Final inspection, the project
2 applicant shall submit to the County a contribution of \$389,526 to be used by the
3 County towards projects to off-site air quality impacts in the Mead Valley Area.
4 Funds shall be maintained separately and shall not be comingled with County
5 General Funds or spent on other County projects unrelated to Mead Valley. Funds
6 shall be used solely for purposes of benefitting the Mead Valley Area.

7 **Condition of Approval on PP 25837 states:** Prior to Building Final inspection, the project
8 applicant shall submit to the County a contribution of \$228,772 to be used by the
9 County towards projects to off-site air quality impacts in the Mead Valley Area.
10 Funds shall be maintained separately and shall not be comingled with County
11 General Funds or spent on other County projects unrelated to Mead Valley. Funds
12 shall be used solely for purposes of benefitting the Mead Valley Area.

13 Rationale: The applicable County Regulations and Design Requirements (RRs) and the
14 Mitigation Measures (MMs) and Conditions of Approval (COA) outlined above,
15 specifically implementation of Mitigation Measures MM 4.3-1, MM 4.3-2, and MM
16 4.2-3(A), combined with mandatory compliance with SCAQMD Rule 403 and
17 California Air Resources Board, Title 13, Chapter 10, Section 2485, Division 3 of
18 the California Code of Regulations, would reduce the emissions during Project
19 construction to below the SCAQMD's localized significance thresholds. (FEIR p.
20 4.3-35 through 4.3-40)

21 The evidence supporting these conclusions includes, without limitation, the
22 discussion of these impacts in Subsection 4.3 of the FEIR and the citations noted
23 therein, FEIR Technical Appendices B1 and B2, Responses to Comment Letter B
24 (Comments B-5 through B-12 and B-14 (FEIR pp. FEIR-150 through 157),
25 Comment Letter C (Comments C-5, C-6, C-7, and C-23 through 36; FEIR pp. FEIR-
26 162, 163, and 167 through 177), Comment Letter E (Comments E-71, E-72, E-73,
27 and E-79; FEIR pp. FEIR-211, 212, and 214), Comment Letter G (Comments G-1
28 through G-12; FEIR pp. FEIR-218 through 22); Comment Letter K (Comments K-

1 19, K-20, K-28, K-29, and K-64; FEIR pp. FEIR-231, 232 and 236); and Comment
2 Letter Q (Comments Q-1 through Q-15; FEIR pp. FEIR-246 through 248), and
3 responses to comment prepared by Urban Crossroads, Inc. and cited in the Final EIR
4 as “Urban Crossroads 2017d.”

5 **B. Biological Resources**

6 *Impact: Conflict with conservation plans.*

7 *Threshold a): Project construction and implementation would not conflict with the provisions of an*
8 *adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other*
9 *approved local, regional, or state conservation plan, with implementation of mitigation*
10 *measures (refer to Project Resolution Attachment “A,” Mitigation Monitoring and*
11 *Reporting Program).*

- 12 1. Project Impact(s): The Project is subject to compliance with two Habitat
13 Conservation Plans (HCPs): The Western Riverside County Multiple Species
14 Conservation Program (MSHCP) and the Stephens’ Kangaroo Rat (SKR) HCP. The
15 Project site is not located in a planned conservation area of either HCP and is required
16 by the Riverside County Municipal Code to pay MSCHP and SKR HCP mitigation
17 fees. Regarding applicable MSHCP provisions for properties located outside of
18 conservation areas, the Project would result in significant direct and cumulatively-
19 considerable impacts to the western burrowing owl if the species is present on the
20 site when construction activities commence. The Project also would result in the loss
21 of an ephemeral drainage that occurs on the Building D Site (0.09-acre (677 linear
22 feet)) and the Building E Site (0.11-acre (690 linear feet)), which qualifies as a
23 MSHCP riverine resource because it receives fresh water flow during all or a portion
24 of the year. The loss of this resource on the Project site would be a direct and
25 cumulatively-considerable impact associated with the loss of riverine resources in
26 the Western Riverside County MSHCP area. Complete avoidance of the
27 riparian/riverine resources is not feasible. Because there are no feasible avoidance
28 alternatives available, the MSHCP requires the Project to provide compensatory

1 mitigation to ensure the replacement of any lost functions and values as it related to
2 the plan and wildlife species covered by the MSHCP. (FEIR p. 4.4-25)

3 2. Finding: The Mitigation Measure (MM) and County Regulations and Design
4 Requirements (RR) outlined below would reduce impacts due to a conflict with the
5 MSHCP and SKR HCP to a less-than-significant level. The Mitigation Measures
6 and RRs reflect changes or alterations that the County has required or incorporated
7 into the Project that would avoid or substantially lessen the potentially significant
8 impact as identified in the FEIR. (CEQA Guidelines §15091(a)(1)).

9 3. Mitigation Measures (MM) and/or County Regulations and Design Requirements
10 (RR):

11 **RR-11 states:** The Project Applicant shall comply with County of Riverside
12 Ordinance No. 810 (Western Riverside County Multiple Species Habitat
13 Conservation Plan (MSHCP) Fee Program Ordinance), which requires a per-acre
14 local development impact and mitigation fee payment prior to the issuance of a
15 building permit.

16 *RR-11 Implementation Stage: Prior to the issuance of a building permit.*

17 *RR-11 Monitoring Party: Riverside County Planning Department*

18 **RR-12 states:** The Project Applicant shall comply with County of Riverside
19 Ordinance No. 663 (Stephens' Kangaroo Rat Mitigation Fee Ordinance) which
20 requires a per-acre local development and mitigation fee payment prior to the
21 issuance of a grading permit.

22 *RR-12 Implementation Stage: Prior to the issuance of a grading permit.*

23 *RR-12 Monitoring Party: Riverside County Planning Department*

24 **RR-13 states:** The Project Applicant shall comply with the federal Migratory Bird
25 Treaty Act (MBTA).

26 *RR-13 Implementation Stage: Prior to the issuance of a grading permit.*

27 *RR-13 Monitoring Party: Riverside County Planning Department*

28 **MM 4.4-1 states:** Pursuant to Objectives 5, 6, and 7 of the Species Account for the

1 Burrowing Owl in the Western Riverside County Multiple Species Habitat
2 Conservation Plan (MSHCP), within 30 days prior to the issuance of a grading
3 permit, a pre-construction presence/absence survey for the burrowing owl shall be
4 conducted by a qualified biologist who holds a Memorandum of Understanding
5 (MOU) with the County. The survey results shall be provided in writing to the
6 Environmental Programs Department/County Biologist. If the grading permit is not
7 obtained within 30 days of the survey, a new survey shall be required. If it is
8 determined that the project site is occupied by the Burrowing Owl, take of "active"
9 nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act
10 (MBTA). Burrowing Owl relocation shall only be allowed to take place outside of
11 the burrowing owl nesting season (March 1 through August 31) and is required to be
12 performed by a qualified biologist familiar with relocation methods. The County
13 Biologist shall be consulted to determine appropriate type of relocation (active or
14 passive) and potential translocation sites. Burrowing Owl Protection and Relocation
15 Plans and Biological Monitoring Plans are required to be reviewed and approved by
16 the California Department of Fish and Wildlife (CDFW). If it is determined during
17 the 30-day preconstruction survey that burrowing owls have colonized the project
18 site prior to initiation of construction, the Project Proponent will immediately inform
19 the Riverside County Biologist, California Department of Fish and Wildlife, U.S.
20 Fish and Wildlife Service, and the Riverside Conservation Authority and would need
21 to retain a biologist that holds a Memorandum of Understanding (MOU) with the
22 County of Riverside to prepare a Burrowing Owl Protection and Relocation Plan for
23 approval by the County of Riverside and Wildlife Agencies prior to initiating ground
24 disturbance. The relocation plan shall include the following:

- 25 -The locations of the nests and the owls proposed for relocation.
- 26 -The locations of the proposed relocation sites.
- 27 -The numbers of adult owls and juveniles proposed for relocation.
- 28 -The time of year when relocation is proposed to take place.

1 -The name of the biologist proposed to supervise the relocation, and the details of
2 his/her previous experiences capturing, handling, and relocating burrowing
3 owl, including the outcomes of their previous relocation efforts
4 (survival/mortality rates and site-fidelity rates of the relocated owls), and
5 relevant permits held.

6 -A detailed description of the proposed method of capture, transport, and acclimation
7 of the current project's owls on the proposed relocation site.

8 -A detailed description of relocation site preparations (e.g., the design and
9 dimensions of the artificial release burrows and hacking cage, duration of
10 hacking activities (including food and water provision).

11 -Description of the monitoring methods and monitoring duration to be employed to
12 verify survival of the relocated owls and their long-term retention on the
13 relocation site.

14 Burrowing owl relocation shall only be allowed outside of the nesting season (March
15 1 through August 31).

16 *MM 4.4-1 Implementation Stage: Within 30 days prior to grading activities,*
17 *prior to the issuance of a grading permit.*

18 *MM 4.4-1 Monitoring Party: Riverside County Environmental Programs*
19 *Department (EPD)*

20 **MM 4.4-2 states:** As a condition of grading permits, a migratory nesting bird survey
21 of all trees to be removed shall be conducted by a qualified biologist within 10 days
22 prior to initiating tree removal or vegetation clearing within 500 feet of a mature tree.
23 A copy of the migratory nesting bird survey results report shall be provided to the
24 Riverside County Environmental Programs Department (EPD). If the survey
25 identifies the presence of active nests, then the qualified biologist shall provide the
26 Riverside County EPD with a copy of maps showing the location of all nests and an
27 appropriate buffer zone around each nest sufficient to protect the nest from direct and
28 indirect impacts. The size and location of all buffer zones, if required, shall be

1 subject to review and approval by the Riverside County EPD and shall be no less
2 than a 300-foot radius around the nest for non-raptors and a 500-foot radius around
3 the nest for raptors. The nests and buffer zones shall be field checked weekly by a
4 qualified biological monitor. The approved buffer zone shall be marked in the field
5 with construction fencing, within which no vegetation clearing or ground disturbance
6 shall commence until the qualified biologist and Riverside County EPD verify that
7 the nests are no longer occupied and the juvenile birds can survive independently
8 from the nests.

9 *MM 4.4-2 Implementation Stage: Within 10 days prior to initiating tree*
10 *removal or vegetation clearing within 500 feet of a mature tree.*

11 *MM 4.4-2 Monitoring Party: Riverside County Environmental Programs*
12 *Department (EPD)*

13 **MM 4.4-3 states (MM 4.4-3 is applicable to the Building D Site):** To mitigate for
14 permanent impacts to a 0.09-acre (677 linear foot) ephemeral drainage feature on the
15 Building D Site, the Project Applicant shall pay into the Riverside Corona Resource
16 Conservation District in-lieu fee program, at a 2:1 ratio, totaling 0.18 acre. Evidence
17 of fee payment shall be supplied to the Riverside County Environmental Programs
18 Department (EPD) prior to issuance of a grading permit.

19 *MM 4.4-3 Implementation Stage: Prior to issuance of a grading permit.*

20 *MM 4.4-3 Monitoring Party: Riverside County Environmental Programs*
21 *Department (EPD)*

22 **MM 4.4-4 states: (MM 4.4-4 is applicable to the Building E Site):** To mitigate
23 for permanent impacts to a 0.11-acre (690 linear feet) ephemeral drainage feature on
24 the Building E Site, the Project Applicant shall pay into the Riverside Corona
25 Resource Conservation District in-lieu fee program, at a 2:1 ratio, totaling 0.22-acre.
26 Evidence of fee payment shall be supplied to the Riverside County Environmental
27 Programs Department (EPD) prior to issuance of a grading permit.

28 *MM 4.4-4 Implementation Stage: Prior to issuance of a grading permit.*

MM 4.4-4 Monitoring Party: Riverside County Environmental Programs
Department (EPD)

4. Rationale: Implementation of Mitigation Measure MM 4.4-1 and MM 4.4-2 would ensure that pre-construction surveys are conducted and appropriate actions are taken to avoid significant impacts to the western burrowing owl. Implementation of Mitigation Measures MM 4.4-3 and MM 4.4-4 would represent a biologically equivalent or superior preservation alternative to avoidance of MSHCP riparian/riverine resources because the in-lieu mitigation fee would result in the restoration and preservation of an equivalent acreage of habitat with higher values in comparison to the drainage features impacted by the Project. In general, in lieu programs provide funding to enhance, restore, establish, and/or preserve aquatic habitats. Unlike the on-site isolated drainage features, these aquatic resource projects typically include large areas of land with contiguous wetland habitats and natural upland buffers that provide many of the habitat components required by the MSHCP. (FEIR p. 4.4-29)

The evidence supporting these conclusions includes, without limitation, the discussion of these impacts in Subsection 4.4 of the FEIR and the citations noted therein, FEIR Technical Appendices C1, C2, C3, C4, C5, C6, C7, and C8, Responses to Comment Letter B (Comment B-13 (FEIR pp. FEIR-154 and 155), Comment Letter C (Comments C-39 through C-45 and C-61 FEIR pp. FEIR-178, 179, and 183), Comment Letter E (Comments E-57 and E-59; FEIR pp. FEIR-208 and 209), Comment Letter K (Comments K-50 and K-53, FEIR p. FEIR-235), and a letter prepared by Hernandez Environmental Services and cited in the FEIR as "HES, 2016c."

Impact: *Adverse effect on endangered or threatened species/habitat modifications – candidate, sensitive, or special status species.*

Thresholds b) and c): *The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title*

1 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of
2 Federal Regulations (Sections 17.11 or 17.12); or have a substantial adverse effect either
3 directly or through habitat modifications on any species identified as a candidate, sensitive,
4 or special status species in local or regional plans, policies, or regulations, or by the
5 California Department of Fish and Game or US Fish and Wildlife Service, with
6 implementation of mitigation measures (refer to Project Resolution Attachment "A,"
7 Mitigation Monitoring and Reporting Program).

8 1. Project Impact(s): The Project would result in less-than-significant impacts to
9 sensitive plant species. No sensitive plant communities are located on the Project
10 site. Although paniculate tarplant is not a MSHCP-covered species, because the
11 plant species is not rare, threatened, or endangered, because its range is sufficiently
12 broad, because the CNPS listing for the species is relatively low for the species, and
13 because habitat for this species is preserved elsewhere within the MSHCP
14 boundaries, the loss of the species on the Project site is considered less than
15 significant. Loss of individual plants on the Project site would not threaten the
16 species as a whole. Thus, the Project's impacts to the species would be less than
17 significant and less than cumulatively-considerable. In regards to sensitive wildlife
18 species, the Project would significantly impact the western burrowing owl if the
19 species is present on the Project site at the time construction activities commence. In
20 addition, migratory bird species protected by the MBTA would be impacted by the
21 Project if active nests are present on the site at the time that nesting habitat (trees and
22 shrubs) are removed. These impacts would be direct and cumulatively-considerable.
23 (FEIR pp. 4.4-17, 18, and 25)

24 2. Finding: The Mitigation Measure and County Regulations and Design Requirements
25 (RR) outlined below would reduce impacts to the burrowing owl and bird species
26 protected by the MBTA to a less-than-significant level. The Mitigation Measure and
27 RRs reflect changes or alterations that the County has required or incorporated into
28 the Project that would avoid or substantially lessen the potentially significant impact

1 as identified in the FEIR. (CEQA Guidelines §15091(a)(1)).

2 3. Mitigation and/or County Regulations and Design Requirements (RR):

3 **RR-13 states:** The Project Applicant shall comply with the federal Migratory Bird
4 Treaty Act (MBTA).

5 *RR-13 Implementation Stage: Prior to the issuance of a grading permit.*

6 *RR-13 Monitoring Party: Riverside County Planning Department*

7 **MM 4.4-1 states:** Pursuant to Objectives 5, 6, and 7 of the Species Account for the
8 Burrowing Owl in the Western Riverside County Multiple Species Habitat
9 Conservation Plan (MSHCP), within 30 days prior to the issuance of a grading
10 permit, a pre-construction presence/absence survey for the burrowing owl shall be
11 conducted by a qualified biologist who holds a Memorandum of Understanding
12 (MOU) with the County. The survey results shall be provided in writing to the
13 Environmental Programs Department/County Biologist. If the grading permit is not
14 obtained within 30 days of the survey, a new survey shall be required. If it is
15 determined that the project site is occupied by the Burrowing Owl, take of "active"
16 nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act
17 (MBTA). Burrowing Owl relocation shall only be allowed to take place outside of
18 the burrowing owl nesting season (March 1 through August 31) and is required to be
19 performed by a qualified biologist familiar with relocation methods. The County
20 Biologist shall be consulted to determine appropriate type of relocation (active or
21 passive) and potential translocation sites. Burrowing Owl Protection and Relocation
22 Plans and Biological Monitoring Plans are required to be reviewed and approved by
23 the California Department of Fish and Wildlife (CDFW). If it is determined during
24 the 30-day preconstruction survey that burrowing owls have colonized the project
25 site prior to initiation of construction, the Project Proponent will immediately inform
26 the Riverside County Biologist, California Department of Fish and Wildlife, U.S.
27 Fish and Wildlife Service, and the Riverside Conservation Authority and would need
28 to retain a biologist that holds a Memorandum of Understanding (MOU) with the

1 County of Riverside to prepare a Burrowing Owl Protection and Relocation Plan for
2 approval by the County of Riverside and Wildlife Agencies prior to initiating ground
3 disturbance. The relocation plan shall include the following:

- 4 -The locations of the nests and the owls proposed for relocation.
- 5 -The locations of the proposed relocation sites.
- 6 -The numbers of adult owls and juveniles proposed for relocation.
- 7 -The time of year when relocation is proposed to take place.
- 8 -The name of the biologist proposed to supervise the relocation, and the details of
9 his/her previous experiences capturing, handling, and relocating burrowing
10 owl, including the outcomes of their previous relocation efforts
11 (survival/mortality rates and site-fidelity rates of the relocated owls), and
12 relevant permits held.
- 13 -A detailed description of the proposed method of capture, transport, and acclimation
14 of the current project's owls on the proposed relocation site.
- 15 -A detailed description of relocation site preparations (e.g., the design and
16 dimensions of the artificial release burrows and hacking cage, duration of
17 hacking activities (including food and water provision).
- 18 -Description of the monitoring methods and monitoring duration to be employed to
19 verify survival of the relocated owls and their long-term retention on the
20 relocation site.

21 Burrowing owl relocation shall only be allowed outside of the nesting season (March
22 1 through August 31).

23 *MM 4.4-1 Implementation Stage: Within 30 days prior to grading activities,*
24 *prior to the issuance of a grading permit.*

25 *MM 4.4-1 Monitoring Party: Riverside County Environmental Programs*
26 *Department (EPD)*

27 **MM 4.4-2 states:** As a condition of grading permits, a migratory nesting bird survey
28 of all trees to be removed shall be conducted by a qualified biologist within 10 days

1 prior to initiating tree removal or vegetation clearing within 500 feet of a mature tree.
2 A copy of the migratory nesting bird survey results report shall be provided to the
3 Riverside County Environmental Programs Department (EPD). If the survey
4 identifies the presence of active nests, then the qualified biologist shall provide the
5 Riverside County EPD with a copy of maps showing the location of all nests and an
6 appropriate buffer zone around each nest sufficient to protect the nest from direct and
7 indirect impacts. The size and location of all buffer zones, if required, shall be
8 subject to review and approval by the Riverside County EPD and shall be no less
9 than a 300-foot radius around the nest for non-raptors and a 500-foot radius around
10 the nest for raptors. The nests and buffer zones shall be field checked weekly by a
11 qualified biological monitor. The approved buffer zone shall be marked in the field
12 with construction fencing, within which no vegetation clearing or ground disturbance
13 shall commence until the qualified biologist and Riverside County EPD verify that
14 the nests are no longer occupied and the juvenile birds can survive independently
15 from the nests.

16 *MM 4.4-2 Implementation Stage: Within 10 days prior to initiating tree*
17 *removal or vegetation clearing within 500 feet of a mature tree.*

18 *MM 4.4-2 Monitoring Party: Riverside County Environmental Programs*
19 *Department (EPD)*

20 **MM 4.4-3 states (MM 4.4-3 is applicable only to the Building D Site):** To mitigate
21 for permanent impacts to a 0.09-acre (677 linear foot) ephemeral drainage feature on
22 the Building D Site, the Project Applicant shall pay into the Riverside Corona
23 Resource Conservation District in-lieu fee program, at a 2:1 ratio, totaling 0.18 acre.
24 Evidence of fee payment shall be supplied to the Riverside County Environmental
25 Programs Department (EPD) prior to issuance of a grading permit.

26 *MM 4.4-3 Implementation Stage: Prior to issuance of a grading permit.*

27 *MM 4.4-3 Monitoring Party: Riverside County Environmental Programs*
28 *Department (EPD)*

1 4. Rationale: Implementation of Mitigation Measures MM 4.4-1, MM 4.4-2, and MM
2 4.4-3 would ensure that the Project's impacts to sensitive wildlife species are reduced
3 to below levels of significance. In addition, the Project Applicant would be required
4 as a mandatory regulatory requirement to pay applicable and mandatory mitigation
5 fees for Western Riverside County MSHCP and SKR HCP compliance. With
6 implementation of the required mitigation, potential direct and cumulatively-
7 considerable impacts to the burrowing owl and birds protected by the MBTA would
8 be reduced to below a level of significance. (FEIR p. 4.4-29)

9 The evidence supporting these conclusions includes, without limitation, the
10 discussion of these impacts in Subsection 4.4 of the FEIR and the citations noted
11 therein, FEIR Technical Appendices C1, C2, C3, C4, C5, C6, C7, and C8,
12 Responses to Comment Letter B (Comment B-13 (FEIR pp. FEIR-154 and 155),
13 Comment Letter C (Comments C-39 through C-45 and C-61 FEIR pp. FEIR-178,
14 179, and 183), Comment Letter E (Comments E-57 and E-59; FEIR pp. FEIR-208
15 and 209), Comment Letter K (Comments K-50 and K-53, FEIR p. FEIR-235), and a
16 letter prepared by Hernandez Environmental Services and cited in the FEIR as "HES,
17 2016c."

18 ***Impact: Effects on wildlife movement.***

19 ***Threshold d): The Project would not interfere substantially with the movement of any native***
20 ***resident or migratory fish or wildlife species or with established native resident or migratory***
21 ***wildlife corridors, or impede the use of native wildlife nursery sites, with implementation of***
22 ***mitigation measures (refer to Project Resolution Attachment "A," Mitigation Monitoring***
23 ***and Reporting Program).***

24 1. Project Impact(s): The Project has the potential to impact nesting migratory birds if
25 active nests are disturbed during the nesting season (February 1 to August 31). The
26 Project would not substantially interfere with the movement of any other native
27 resident or migratory fish or wildlife species, would not interfere with migratory
28 wildlife corridors, and would not impede the use of native wildlife nursery sites.

1 (FEIR p. 4.4-25)

2 2. Finding: The Mitigation Measure and County Regulations and Design Requirements
3 (RR) outlined below would reduce impacts to nesting migratory birds to a less-than-
4 significant level. The Mitigation Measure and RRs reflect changes or alterations that
5 the County has required or incorporated into the Project that would avoid or
6 substantially lessen the potentially significant impact as identified in the FEIR.
7 (CEQA Guidelines §15091(a)(1)).

8 3. Mitigation and/or County Regulations and Design Requirements (RR):

9 **RR-13 states:** The Project Applicant shall comply with the federal Migratory Bird
10 Treaty Act (MBTA).

11 *RR-13 Implementation Stage: Prior to the issuance of a grading permit.*

12 *RR-13 Monitoring Party: Riverside County Planning Department*

13 **MM 4.4-2 states:** As a condition of grading permits, a migratory nesting bird survey
14 of all trees to be removed shall be conducted by a qualified biologist within 10 days
15 prior to initiating tree removal or vegetation clearing within 500 feet of a mature tree.
16 A copy of the migratory nesting bird survey results report shall be provided to the
17 Riverside County Environmental Programs Department (EPD). If the survey
18 identifies the presence of active nests, then the qualified biologist shall provide the
19 Riverside County EPD with a copy of maps showing the location of all nests and an
20 appropriate buffer zone around each nest sufficient to protect the nest from direct and
21 indirect impacts. The size and location of all buffer zones, if required, shall be
22 subject to review and approval by the Riverside County EPD and shall be no less
23 than a 300-foot radius around the nest for non-raptors and a 500-foot radius around
24 the nest for raptors. The nests and buffer zones shall be field checked weekly by a
25 qualified biological monitor. The approved buffer zone shall be marked in the field
26 with construction fencing, within which no vegetation clearing or ground disturbance
27 shall commence until the qualified biologist and Riverside County EPD verify that
28 the nests are no longer occupied and the juvenile birds can survive independently

1 from the nests.

2 *MM 4.4-2 Implementation Stage: Within 10 days prior to initiating tree*
3 *removal or vegetation clearing within 500 feet of a mature tree.*

4 *MM 4.4-2 Monitoring Party: Riverside County Environmental Programs*
5 *Department (EPD)*

- 6 4. Rationale: Implementation of Mitigation Measure MM 4.4-2 would ensure
7 compliance with the MBTA and mitigate potential impacts associated with the
8 movement of migratory birds to less than significant levels. (FEIR p. 4.4-29)

9 The evidence supporting these conclusions includes, without limitation, the
10 discussion of these impacts in Subsection 4.4 of the FEIR and the citations noted
11 therein, FEIR Technical Appendices C1, C2, C3, C4, C5, C6, C7, and C8, and
12 Responses to Comment Letter B (Comment B-13 (FEIR pp. FEIR-154 and 155),
13 Comment Letter C (Comments C-39 through C-45 and C-61 FEIR pp. FEIR-178,
14 179, and 183), Comment Letter E (Comments E-57 and E-59; FEIR pp. FEIR-208
15 and 209), Comment Letter K (Comments K-50 and K-53, FEIR p. FEIR-235).

16 ***Impact:*** *Adverse impacts to riparian habitat, sensitive natural communities, and federally-protected*
17 *wetlands.*

18 ***Thresholds e) and f):*** *The Project would result in less-than-significant impacts due to a substantial*
19 *adverse effect on any riparian habitat or other sensitive natural community identified in*
20 *local or regional plans, policies, regulations or by the California Department of Fish and*
21 *Game or U. S. Fish and Wildlife Service, and due to a substantial adverse effect on federally*
22 *protected wetlands as defined by Section 404 of the Clean Water Act (including, but not*
23 *limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological*
24 *interruption, or other means, with implementation of mitigation measures (refer to Project*
25 *Resolution Attachment "A," Mitigation Monitoring and Reporting Program).*

- 26 1. Project Impact(s): The Project as proposed on the Building D Site would result in the
27 direct loss of 0.09-acre (677 linear feet) of an ephemeral drainage feature dominated
28 by upland plant species that receives fresh water flow during all or a portion of the

1 year. The drainage feature qualifies as a Western Riverside County MSHCP riverine
2 resource and falls under the jurisdiction of the CDFW. No impact to riparian
3 habitats, vernal pools, State or federal wetlands, "waters of the United States," or
4 other sensitive natural communities would occur. (FEIR p. 4.4-19, 20, and 26)

5 The Project as proposed on the Building E Site would result in the direct loss of 0.11-
6 acre (690 linear feet) of an ephemeral drainage feature dominated by upland plant
7 species that receives fresh water flow during all or a portion of the year. The drainage
8 feature qualifies as a Western Riverside County MSHCP riverine resource and falls
9 under the jurisdiction of the CDFW. No impact to riparian habitats, vernal pools,
10 State or federal wetlands, waters of the United States, or other sensitive natural
11 communities would occur. (FEIR p. 4.4-19, 20, and 26)

12 2. Finding: The Mitigation Measure and County Regulations and Design Requirements
13 (RR) outlined below would reduce impacts to Western Riverside County MSHCP
14 riverine resources to a less-than-significant level. The Mitigation Measure and RRs
15 reflect changes or alterations that the County has required or incorporated into the
16 Project that would avoid or substantially lessen the potentially significant impact as
17 identified in the FEIR. (CEQA Guidelines §15091(a)(1)).

18 3. Mitigation and/or County Regulations and Design Requirements (RR):

19 **MM 4.4-3 states (MM 4.4-3 is applicable only to the Building D Site):** To mitigate
20 for permanent impacts to a 0.09-acre (677 linear foot) ephemeral drainage feature on
21 the Building D Site, the Project Applicant shall pay into the Riverside Corona
22 Resource Conservation District in-lieu fee program, at a 2:1 ratio, totaling 0.18 acre.
23 Evidence of fee payment shall be supplied to the Riverside County Environmental
24 Programs Department (EPD) prior to issuance of a grading permit.

25 *MM 4.4-3 Implementation Stage: Prior to issuance of a grading permit.*

26 *MM 4.4-3 Monitoring Party: Riverside County Environmental Programs*
27 *Department (EPD)*

28 **MM 4.4-4 states: (MM4.4-4 is applicable to the Building E Site):** To mitigate for

1 permanent impacts to a 0.11-acre (690 linear feet) ephemeral drainage feature on the
2 Building E Site, the Project Applicant shall pay into the Riverside Corona Resource
3 Conservation District in-lieu fee program, at a 2:1 ratio, totaling 0.22-acre. Evidence
4 of fee payment shall be supplied to the Riverside County Environmental Programs
5 Department (EPD) prior to issuance of a grading permit.

6 *MM 4.4-4 Implementation Stage: Prior to issuance of a grading permit.*

7 *MM 4.4-4 Monitoring Party: Riverside County Environmental Programs*
8 *Department (EPD)*

- 9 4. Rationale: Implementation of Mitigation Measures MM 4.4-3 and MM 4.4-4 would
10 represent a biologically equivalent or superior preservation alternative to avoidance
11 of MSHCP riparian/riverine resources because the in-lieu mitigation fee would result
12 in the restoration and preservation of an equivalent acreage of habitat with higher
13 values in comparison to the existing drainage features impacted by the Project. (FEIR
14 p. 4.4-29). Impacts would be reduced to less-than-significant levels.

15 The evidence supporting these conclusions includes, without limitation, the
16 discussion of these impacts in Subsection 4.4 of the FEIR and the citations noted
17 therein, FEIR Technical Appendices C1, C2, C3, C4, C5, C6, C7, and C8, and
18 Responses to Comment Letter C (Comment C-61 FEIR pp. FEIR-183) and Comment
19 Letter K (Comment K-50; FEIR p. FEIR-235).

20 **C. Cultural Resources**

21 ***Impact:*** *Alteration or destruction of an archaeological site and substantial adverse changes in the*
22 *significance of an archaeological resources.*

23 ***Archaeological Resources Thresholds a) and b):*** *Project construction and implementation would*
24 *not alter or destroy an archaeological site or cause a substantial adverse change in the*
25 *significance of an archaeological resource pursuant to California Code of Regulations,*
26 *Section 15064.5, with implementation of mitigation measures (refer to Project Resolution*
27 *Attachment "A," Mitigation Monitoring and Reporting Program).*

- 28 1. Project Impact(s): Five archaeological sites are located on the Project site, of which

1 three would be fully impacted by the Project and two would be partially impacted by
2 the Project. None of the five sites meet the definition of a significant historic
3 resource listed in CEQA Guidelines § 15064.5. Therefore, the Project would not
4 alter or destroy a unique archaeological site or cause a substantial adverse change in
5 the significance of a known, unique archaeological resource. Regardless, mitigation
6 is provided to further reduce the already less-than-significant impacts. Project-
7 related construction activities have the potential to unearth and adversely impact
8 significant archaeological resources that may be buried beneath the ground surface
9 and discovered during Project construction activities. Impacts would be significant
10 on a direct and cumulatively-considerable basis if discovered resources during
11 construction are determined to be significant and are not properly identified and
12 treated. (FEIR pp. 4.5-26 through 4.5-27)

13 2. Finding: The Mitigation Measures (MM) and County Regulations and Design
14 Requirements (RR) outlined below would reduce impacts to archaeological
15 resources to a less-than-significant level. The Mitigation Measures and RRs reflect
16 changes or alterations that the County has required or incorporated into the Project
17 that would avoid or substantially lessen the potentially significant impact as
18 identified in the FEIR. (CEQA Guidelines §15091(a)(1)).

19 3. Mitigation and/or County Regulations and Design Requirements (RR):

20 **RR-14 states:** Pursuant to California Health and Safety Code Section 7050.5, if
21 human remains are encountered, no further disturbance shall occur until the
22 Riverside County Coroner has made the necessary findings as to origin. Further,
23 pursuant to California Public Resources Code Section 5097.98(b), human remains
24 shall be left in place and free from disturbance until a final decision as to the
25 treatment and disposition has been made. In the event that the remains are
26 determined to be of Native American origin, the Native American Heritage
27 Commission (NAHC) shall be contacted by the Coroner within the period specified
28 by law (24 hours). Subsequently, the Native American Heritage Commission shall

1 identify the "Most Likely Descendant." The Most Likely Descendant shall then make
2 recommendations and engage in consultation with-the property owner concerning
3 the treatment of the remains as provided in Public Resources Code Section 5097.98.
4 Human remains from other ethnic/cultural groups with recognized historical
5 associations to the project area shall also be subject to consultation between
6 appropriate representatives from that group and the County Archaeologist.

7 *Implementation Stage: If human remains are encountered during*
8 *construction activities.*

9 *Monitoring Party: Riverside County Coroner*

10 **MM 4.5-1 states:** Prior to the issuance of grading permits, the developer/permit
11 applicant shall enter into a monitoring agreement with the Pechanga and Soboba
12 Native American Tribes. A Native American monitor shall be on-site during all
13 initial ground disturbing activities and excavation of each portion of the project site
14 including clearing, grubbing, tree removals, and trenching. In conjunction with an
15 Archaeological Monitor, the Native American Monitor shall have the authority to
16 temporarily divert, redirect, or halt the ground disturbance activities to allow
17 identification, evaluation, and potential recovery of cultural resources. The
18 developer/permit applicant shall submit a fully executed copy of the agreement to
19 the County Archaeologist to ensure compliance with this condition.

20 *MM 4.5-1 Implementation Stage: Prior to issuance of grading permits.*

21 *MM 4.5-1 Monitoring Party: Riverside County Planning Department*

22 **MM 4.5-2 states (applies to the Building D Site):** In accordance with the letter
23 dated February 2, 2017 to Heather Thomson, County Archaeologist from Project
24 Archaeologist Brian F. Smith and Associates, regarding "Relocation of Bedrock
25 Milling Features Located Within Knox Business Park (Decker Parcels I and II" and
26 as a condition of the grading permit for the Building D Site (Planning Case No.
27 36950), before construction activities are allowed to start, and using professional
28 archaeological methods, any visible artifacts associated with Sites CA-RIV-8401 and

1 CA-RIV-8402 shall be recovered and recorded by the Archaeological Monitor and
2 Native American Monitors, and photo documentation of each site shall occur. The
3 current Department of Parks and Recreation forms for the sites shall be updated by
4 the Project Archaeologist, detailing which features were relocated, the process
5 through which this was done, and updated maps using sub meter GIS technology to
6 document the new location of each feature. The relocation information shall be
7 included in a Phase IV Monitoring Report (See Mitigation Measure MM4.5-8).

8 *MM 4.5-2 Implementation Stage: Prior to construction activities.*

9 *MM 4.5-2 Monitoring Party: Riverside County Planning Department*

10 **MM 4.5-3 states (applies to the Building E Site):** In accordance with the letter
11 dated February 2, 2017 to Heather Thomson, County Archaeologist from Project
12 Archaeologist Brian F. Smith and Associates, regarding “Relocation of Bedrock
13 Milling Features Located Within Knox Business Park (Decker Parcels I and II” and
14 as a condition of the grading permit for the Building E Site (Planning Case No.
15 36962), before construction activities are allowed to start, and using professional
16 archaeological methods, any visible artifacts associated with Sites CA-RIV-1330H,
17 CA-RIV-8901, and CA-RIV-11874 shall be recovered and recorded by the
18 Archaeological Monitor and Native American Monitors, and photo documentation
19 of each site shall occur. The current Department of Parks and Recreation forms for
20 the sites shall be updated by the Project Archaeologist, detailing which features were
21 relocated, the process through which this was done, and updated maps using sub
22 meter GIS technology to document the new location of each feature. The relocation
23 information shall be included in a Phase IV Monitoring Report (See Mitigation
24 Measure MM 4.5-8).

25 *MM 4.5-3 Implementation Stage: Prior to construction activities.*

26 *MM 4.5-3 Monitoring Party: Riverside County Planning Department*

27 **MM 4.5-4 states (applies to the Building E Site):** Prior to issuance of a grading
28 permit for Planning Case No. 36962, the developer/permit applicant shall provide

1 evidence to the County Archaeologist that the following notes have been provided
2 on the Grading Plan: "Temporary fencing shall be provided for the protection of the
3 off-site parcel located to the immediate west during any grading activities within 100
4 feet of the western property boundary. The fence shall be installed under the
5 supervision of the County approved archaeologist and Native American monitors
6 prior to commencement of grading or brushing and be removed only after grading
7 operations have been completed." If a breach in the fence occurs, it shall be
8 immediately repaired by on-site personnel and archaeological monitors shall be
9 notified by the construction contractor within 24-hours to verify that the breach has
10 been repaired and no impacts beyond the fence have resulted from the breach."

11 *MM 4.5-4 Implementation Stage: Prior to issuance of a grading permit for*
12 *Planning Case No. 36962.*

13 *MM 4.5-4 Monitoring Party: Riverside County Archaeologist*

14 **MM 4.5-5 states:** Prior to the issuance of grading permits, the developer/permit
15 applicant shall provide evidence to the County of Riverside Planning Department
16 that a County certified professional archaeologist has been contracted to implement
17 a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall
18 be developed by the Archaeological Monitor and the Native American Monitors that
19 addresses the details of all activities and provides procedures that must be followed
20 in order to reduce the impacts to cultural and historic resources to a level that is less
21 than significant as well as address potential impacts to undiscovered buried
22 archaeological resources associated with this project. This document shall be
23 provided to the County Archaeologist for review and approval prior to issuance of
24 the grading permit who will assure that the Native American representatives have
25 has adequate time to review and comment prior to finalization. These measures shall
26 include, but shall not be limited to, the following:

- 27 a) Archaeological Monitor: An adequate number of qualified archaeological
28 and Native American monitors shall be present to ensure that all earth moving

1 activities are observed; the monitors shall be on-site during all grading
2 activities for areas to be monitored including any off-site improvements.
3 Inspections will vary based on the rate of excavation, the materials excavated,
4 and the presence and abundance of artifacts and features. The frequency and
5 location of inspections will be determined by the Project Archaeologist in
6 consultation with the Native American monitors.

7 b) Cultural Sensitivity Training: The Project Archaeologist and a representative
8 designated by the Tribe shall attend the pre-grading meeting with the
9 contractors to provide Cultural Sensitivity Training for all Construction
10 Personnel. Training will include a brief review of the cultural sensitivity of
11 the Project site and the surrounding area; what resources could potentially be
12 identified during earthmoving activities; the requirements of the monitoring
13 program; the protocols that apply in the event inadvertent discoveries of
14 cultural resources are identified, including who to contact and appropriate
15 avoidance measures until the find(s) can be properly evaluated; and any other
16 appropriate protocols. This is a mandatory training and all construction
17 personnel must attend prior to beginning work on the Project site. A sign-in
18 sheet for attendees of this training shall be included in the Phase IV
19 Monitoring Report.

20 c) Building D Site Controlled Grading: Several bedrock milling features at
21 cultural sites CA-RIV-8401 and CA-RIV-8402 will be impacted during
22 construction activities and the soils surrounding them will be disturbed. A
23 controlled grading program will be developed by the Project Archaeologist,
24 in consultation with the Native American representatives, and included in the
25 Cultural Resources Monitoring Program. The controlled grading program
26 shall require the systematic removal of the ground surface to allow for the
27 identification, documentation, and recovery of any subsurface cultural
28 deposits. Results of the controlled grading program shall be included in the

1 Phase IV Monitoring Report.

2 Building E Site Controlled Grading: Several bedrock milling features at
3 cultural sites CA-RIV-8901, CA-RIV-1330/H and CA-RIV-11874 will be
4 impacted during construction activities and the soils surrounding them will
5 be disturbed. A controlled grading program will be developed by the Project
6 Archaeologist, in consultation with the Native American representatives, and
7 included in the Cultural Resources Monitoring Program. The controlled
8 grading program shall require the systematic removal of the ground surface
9 to allow for the identification, documentation, and recovery of any subsurface
10 cultural deposits. Results of the controlled grading program shall be included
11 in the Phase IV Monitoring Report (see Mitigation Measure MM 4.5-8).

12 *Implementation Stage: Prior to issuance of a grading permit.*

13 *Monitoring Party: Riverside County Planning Department; Riverside*
14 *County Archaeologist.*

15 **MM 4.5-6 states:** If during ground disturbance activities, unanticipated cultural
16 resources are discovered, the following procedures shall be followed: a) All
17 ground disturbance activities within 100 feet of the discovered cultural resource shall
18 be halted and the applicant shall call the County Archaeologist immediately upon
19 discovery of the cultural resource*. A meeting shall be convened between the
20 developer, the project archaeologist**, the Native American tribal representative (or
21 other appropriate ethnic/cultural group representative), and the County
22 Archaeologist to discuss the significance of the find. At the meeting with the
23 aforementioned parties, a decision is to be made, with the concurrence of the County
24 Archaeologist, as to the appropriate treatment (documentation, recovery; avoidance,
25 etc.) for the cultural resource. b) Further ground disturbance shall not resume within
26 the area of the discovery until the appropriate treatment has been accomplished. *A
27 cultural resource site is defined, for this condition, as being a feature and/or three or
28 more artifacts in close association with each other, but may include fewer artifacts if

1 the area of the find is determined to be of significance due to sacred or cultural
2 importance. **An archaeological monitor is required per Mitigation Measure MM
3 4.5-5; however, if not already employed by the project developer, a County approved
4 archaeologist shall be employed by the project developer to assess the
5 value/importance of the cultural resource, attend the meeting described above, and
6 continue monitoring of all future site grading activities as necessary.

7 *Implementation Stage: During ground-disturbing activities.*

8 *Monitoring Party: Riverside County Planning Department; Riverside County*
9 *Archaeologist*

10 **MM 4.5-7 states:** Prior to building final, provide evidence to the satisfaction of the
11 County Archaeologist that all archaeological materials recovered during the
12 archaeological investigations (this includes collections made during an earlier
13 project; such as testing of archaeological sites that took place years ago), have been
14 curated at the Western Science Center, a Riverside County Curation facility that
15 meets federal standards per 36 CFR Part 79 and therefore will be professionally
16 curated and made available to other archaeologists/researchers and tribal members
17 for further study. The collection and associated records shall be transferred, including
18 title, and are to be accompanied by payment of the fees necessary for permanent
19 curation. Evidence shall be in the form of a letter from the curation facility
20 identifying that archaeological materials have been received and that all fees have
21 been paid.

22 *MM 4.5-7 Implementation Stage: Prior to building final.*

23 *MM 4.5-7 Monitoring Party: Riverside County Planning Department;*
24 *Riverside County Archaeologist*

25 **MM 4.5-8 states:** Upon completion of the implementation phase, a Phase IV Cultural
26 Resources Monitoring Report shall be submitted that complies with the Riverside
27 County Planning Department's requirements for such reports for all ground
28 disturbing activities associated with the grading permit. The report shall follow the

1 County of Riverside Planning Department Cultural Resources (Archaeological)
2 Investigations Standard Scopes of Work posted on the Transportation & Land
3 Management Agency (TLMA) website. The report shall include results of any
4 feature relocation or residue analysis required as well as evidence of the required
5 cultural sensitivity training for the construction staff held during the required pre-
6 grade meeting. A report documenting the field and analysis results and interpretation
7 of the artifact and research data within the research context shall be completed and
8 submitted to the satisfaction of the Lead Agency (County of Riverside) prior to
9 issuance of any building permits. The report will include Department of Parks and
10 Recreation (DPR) and Primary Archaeological Site Forms. A final copy shall be
11 submitted to the Eastern Information Center (EIS) and Native American tribes that
12 request a copy.

13 *MM 4.5-8 Implementation Stage: Upon completion of the implementation*
14 *phase and prior to issuance of any building permits.*

15 *MM 4.5-8 Monitoring Party: Riverside County Planning Department*

- 16 4. Rationale: Implementation of Mitigation Measures MM 4.5-1 and MM 4.5-5 through
17 MM 4.5-8 would ensure that, if significant archaeological resources are unearthed
18 during ground-disturbing construction activities, those resources are properly
19 identified and appropriately treated as recommended by a qualified archaeologist and
20 approved by the County Archaeologist. Also, Mitigation Measures MM 4.5-2
21 through MM 4.5-5 would further reduce the already less-than-significant impacts
22 associated with known resources on the site that are not significant and not unique
23 under CEQA. With implementation of the required mitigation, the Project's potential
24 to impact significant archaeological resources would be reduced to less than
25 significant. (FEIR p 4.5-32)

26 The evidence supporting these conclusions includes, without limitation, the
27 discussion of these impacts in Subsection 4.5 of the FEIR and the citations noted
28 therein, FEIR Technical Appendices D1 and D2, confidential communications by

1 and between Native American tribes, the County of Riverside, and Brian F. Smith
2 and Associates (professional archaeologist) as part of the SB-18 and AB-52
3 consultation processes on file with the County in the County's Administrative
4 Record for the Project, and Responses to Comment Letter A (FEIR pp. FEIR-148
5 and 149), Comment Letter L (FEIR pp. FEIR 237 through 244), Comment Letter P
6 (FEIR pp. FEIR-245 and 246), and Comment Letter T (FEIR pp. FEIR-250 through
7 253).

8 **D. Greenhouse Gas Emissions**

9 ***Impact: Greenhouse Gas Emissions***

10 ***Thresholds a) and b):*** *The Project would result in less-than-significant impacts due to the*
11 *generation of greenhouse gas emissions, either directly or indirectly, that may have a*
12 *significant impact on the environment, and due to a conflict with an applicable plan, policy*
13 *or regulation adopted for the purpose of reducing the emissions of greenhouse gases, with*
14 *implementation of mitigation measures (refer to Project Resolution Attachment "A,"*
15 *Mitigation Monitoring and Reporting Program).*

- 16 1. Project Impact(s): At Project buildout, the Project's total annual greenhouse gas
17 (GHG) emissions are calculated to be approximately 21,844.74 MTCO₂e per year,
18 which exceeds the Riverside County CAP's annual GHG emissions threshold of
19 3,000 MTCO₂e. Thus, Project would result in cumulatively-considerable impacts.
20 (FEIR p. 4.7-30)
- 21 2. Finding: The Mitigation Measure and County Regulations and Design Requirements
22 (RR) outlined below would reduce impacts due to GHG emissions and conflicts with
23 applicable plans adopted to reduce GHGs to a less-than-significant level. The
24 Mitigation Measure and RRs reflect changes or alterations that the County has
25 required or incorporated into the Project that would avoid or substantially lessen the
26 potentially significant impact as identified in the FEIR. (CEQA Guidelines
27 §15091(a)(1)).
- 28 3. Mitigation and/or County Regulations and Design Requirements (RR):

1 **RR-17 states:** The Project's construction activities are required to comply with Title
2 24 California Code of Regulations (California Building Standards Code) and Title
3 20 California Code of Regulations (Appliance Energy Efficiency Standards). These
4 regulations establish energy efficiency requirements for new (and altered) buildings
5 and appliances.

6 *RR-17 Implementation Stage: During Project construction.*

7 *RR-17 Responsible Party: County of Riverside Building & Safety Department*

8 **RR-18 states:** The Project is required to comply with Riverside County Ordinance
9 No. 859, which is known as the Water Efficient Landscape Requirements Ordinance.
10 Ordinance No. 859 mandates requirements for ensuring efficient landscapes in new
11 development and reduced water waste in existing landscapes.

12 *RR-18 Implementation Stage: During Project construction.*

13 *RR-18 Responsible Party: County of Riverside Building & Safety Department*

14 **MM 4.7-1 states:** Prior to issuance of a building permit, the Project Applicant shall
15 provide documentation to the County of Riverside Building Department
16 demonstrating that the improvements and/or buildings subject to each building
17 permit application include the following measures from the County of Riverside
18 Climate Action Plan (CAP) (December 2015) Greenhouse Gas Emissions Screening
19 Tables (Appendix F to the Climate Action Plan), as needed to achieve a minimum of
20 100 points:

- 21 a. E5.A.1: Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38) –
22 18 points
- 23 b. E5.A.2: Enhanced Window Insulation (15%>Title 24) – 8 points
- 24 c. E5.B.1: Enhanced Duct Insulation (R-8) – 10 points
- 25 d. E5.B.2: Improved Efficiency HVAC (EER 14/65% AFUE or 8 HSPF) – 7
26 points
- 27 e. E5.B.4: High Efficiency Water Heater (0.72 Energy Factor) – 16 points
- 28 f. E5.B.5: All peripheral rooms having at least one window or skylight – 1 point

- 1 g. E5.B.6: Very High Efficiency Lights (100% of in-unit fixtures are high
- 2 efficacy) – 14 points
- 3 h. E5.B.7: Star Commercial Refrigerator (new) – 4 points
- 4 i. E5.C.1: North/south alignment of building such that the orientation optimizes
- 5 conditions for natural heating, cooling, and lighting – 6 points
- 6 j. W1.C.1: Eliminate turf and only drought tolerant plants – 4 points
- 7 k. W1.D.2: Water efficient toilets/urinals (1.5 gpm) – 3 points
- 8 l. W.1.D.3: Water efficient faucets (1.28 gpm) – 3 points
- 9 m. T1.A.2: Car/vanpool program with preferred parking – 2 points
- 10 n. T4.A.1: Larger parking spaces to accommodate ride-sharing vans – 1 point
- 11 o. SW2.B.1: Recycle 20% of debris during construction – 6 points

12 Alternatively, the Project Applicant may demonstrate that other Implementation
 13 Measures from Appendix F of the County’s CAP have been incorporated into the
 14 building permit application and/or plans to achieve the required minimum of 100
 15 points.

16 *MM 4.7-1 Implementation Stage: Prior to issuance of a building permit.*

17 *MM 4.7-1 Monitoring Party: County of Riverside Building & Safety*
 18 *Department*

19 Rationale: The specific CAP measures specified by Mitigation Measure MM 4.7-1
 20 would achieve the required 100 points, and all measures listed are feasible. In any
 21 case, compliance with the CAP requirements to achieve 100 points would be required
 22 prior to issuance of any building permits. Because the Project would be fully
 23 compliant with the County’s CAP with implementation of the required mitigation,
 24 cumulatively-considerable impacts due to GHG emissions would be reduced to
 25 below a level of significance. (FEIR pp. 4.7-31 through 4.7-32).

26 The evidence supporting these conclusions includes, without limitation, the
 27 discussion of these impacts in Subsection 4.7 of the FEIR and the citations noted
 28 therein, FEIR Technical Appendices B1 and L, Responses to Comment Letter B

1 (Comment B-14; FEIR pp. FEIR-156 and 157), and Comment Letter C (Comments
2 C-53, C-56, and C-98; FEIR pp. FEIR-181, 182, and 194).

3 **E. Noise**

4 **Noise Effects (temporary construction-related) on or by the Project Thresholds a), b), and c):** *The*
5 *Project would result in less-than-significant impacts due to a substantial permanent increase*
6 *in ambient noise levels in the project vicinity above levels existing without the project; a*
7 *substantial temporary or periodic increase in ambient noise levels in the project vicinity*
8 *above levels existing without the project; and exposure of persons to or generation of noise*
9 *levels in excess of standards established in the local general plan or noise ordinance, or*
10 *applicable standards of other agencies,*

11 1. **Project Impact(s):** Project-related construction activities, including blasting, would
12 result in a direct short-term significant impact to noise-sensitive receivers. Also, in
13 the event that construction activities occur on any properties surrounding the Project
14 site simultaneously with Project-related construction activities, and that also would
15 contribute construction noise to significantly impacted noise-sensitive receivers, a
16 cumulative impact may occur and the Project's construction-related noise
17 contribution to the overall noise level in the Project study area would be
18 cumulatively-considerable. (FEIR p. 4.11-29)

19 2. **Finding:** The Mitigation Measure and County Regulations and Design Requirements
20 (RR) outlined below would reduce impacts due to construction-related noise to a
21 less-than-significant level. The Mitigation Measure and RRs reflect changes or
22 alterations that the County has required or incorporated into the Project that would
23 avoid or substantially lessen the potentially significant impact as identified in the
24 FEIR. (CEQA Guidelines §15091(a)(1)).

25 3. **Mitigation and/or County Regulations and Design Requirements (RR):**

26 **RR-36 states:** All construction activities shall comply with the County of Riverside
27 Noise Ordinance (Chapter 9.52 of the County of Riverside Code of Ordinances).

28 This requirement shall be noted on all grading and building plans and in bid

1 documents issued to construction contractors.

2 *RR-36 Implementation stage: During Project construction*

3 *RR-36 Monitoring Party: County of Riverside Building & Safety*

4 **RR-37 states:** As a Riverside County condition of approval for blasting activities at
5 the Project site, and prior to the issuance of grading permits, a blasting noise and
6 vibration monitoring and abatement plan shall be submitted to and approved by the
7 County of Riverside. The contractor shall be required to comply with the approved
8 plan.

- 9 a) Pre-blasting inspections shall be offered to property owners within 200 feet
10 of the blast site.
- 11 b) Existing damage of each structure shall be documented.
- 12 c) Post-blasting inspections shall be offered to assess any new or additional
13 damage to each structure once blasting activities have ceased for those
14 property owners who accepted pre-blast inspections.
- 15 d) Property owners within at least 200 feet of the blast site shall be notified via
16 postings on the construction site at least 24 hours before the occurrence of
17 major construction-related noise and vibration impacts (such as grading and
18 rock blasting) which may affect them.
- 19 e) The County may impose conditions and procedures on the blasting operations
20 as necessary. The construction contractor shall comply with these measures
21 for the duration of the blasting permit. The County may inspect the blast site
22 and materials at any reasonable time.

23 *RR-37 Implementation stage: Prior to the issuance of grading permits.*

24 *RR-37 Monitoring Party: County of Riverside Building & Safety*

25 **MM 4.11-1 states:** Prior to the issuance of grading permits and building permits that
26 would authorize grading and construction activities on the Building D Site, the
27 construction contractor shall install a minimum 6-foot high temporary noise barrier
28 along the southern boundary of the Building D Site. The temporary noise control

1 barrier must present a solid face from top to bottom and must be a minimum of 6 feet
2 high. The temporary noise control barrier shall comply with the following:

- 3 a) The noise barrier may be constructed using an acoustical blanket (i.e., vinyl
4 acoustic curtains or quilted blankets) attached to the construction site
5 perimeter fence or equivalent temporary fence posts.
- 6 b) The noise barriers must be maintained and any damage promptly repaired.
7 Gaps, holes, or weaknesses in the barrier or openings between the barrier and
8 the ground shall be promptly repaired.
- 9 c) The noise control barriers and associated elements shall be completely
10 removed and the site appropriately restored upon the conclusion of the
11 construction activity.

12 *MM 4.11-1 Implementation Stage: Prior to the issuance of grading and*
13 *building permits.*

14 *MM 4.11-1 Monitoring Party: County of Riverside Building & Safety*
15 *Department*

16 **MM 4.11-2 states:** Prior to any issuance of grading and building permits, the County
17 of Riverside shall review grading and building plans to ensure the following notes
18 are included on the plans. Project contractors shall be required to comply with these
19 notes and maintain written records of such compliance that can be inspected by the
20 County of Riverside upon request.

- 21 a) The construction contractors shall equip all construction equipment, fixed or
22 mobile, with properly operating and maintained mufflers, consistent with
23 manufacturers' standards.
- 24 b) The construction contractor shall place all stationary construction equipment
25 so that emitted noise is directed away from the noise sensitive receptors
26 nearest the Project site.
- 27 c) The construction contractor shall locate equipment staging in the north-
28 central portions of the Project site (in the vicinity of the future Ellsworth

1 Street / Oleander Road intersection) to maximize the distance between
2 construction-related noise sources and noise-sensitive receivers nearest the
3 Project site.

4 d) The construction contractor shall limit haul truck deliveries to the same hours
5 specified by the Riverside County Noise Ordinance for the operation of
6 construction equipment (between the hours of 6:00 a.m. and 6:00 p.m., during
7 the months of June through September, and 7:00 a.m. and 6:00 p.m., during
8 the months of October through May).

9 e) The contractor shall prepare a haul route exhibit and shall design delivery
10 routes to minimize the exposure of sensitive land uses or residential dwellings
11 to delivery truck-related noise.

12 f) The contractor shall post a durable, legible, weather-proof sign that lists a
13 phone number to report legitimate construction-related noise complaints to
14 Riverside County or its enforcement designee. The contractor shall require
15 that the sign be posted on the construction site visible from an adjacent public
16 right-of-way during the duration of construction activities.

17 *MM 4.11-2 Implementation Stage: Prior to the issuance of grading and*
18 *building permits.*

19 *MM 4.11-2 Monitoring Party: County of Riverside Building & Safety*
20 *Department*

21 **MM 4.11-2(A) states:** No construction activities and no construction-related
22 sensitive receivers after 6:00 p.m. and before 6:00 a.m. during the months of June
23 through September or before 7:00 a.m. during the months of October through May.

24 *MM 4.11-2(A) Implementation Stage: During construction activities.*

25 *MM 4.11-2(A) Monitoring Party: County of Riverside Building & Safety*
26 *Department*

27 4. Rationale: Mitigation Measures MM 4.11-1, MM 4.11-2, and MM 4.11-2(A) will
28 ensure that the Project would construct a temporary noise barrier adjacent to

1 maximally exposed, nearby noise sensitive receptors and also employ noise-reducing
2 construction techniques. As summarized in FEIR Table 4.11-21, *Mitigated*
3 *Construction Equipment Noise Summary*, these mitigation measures would reduce
4 the Project's construction-related noise to less-than-significant levels at nearby
5 sensitive receivers by remaining below the 65 dBA Leq threshold. (FEIR pp. 4.11-
6 33)

7 The evidence supporting these conclusions includes, without limitation, the
8 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
9 therein, FEIR Technical Appendix I, Responses to Comment Letter C (Comments
10 C-6 and C-68 through C-78; FEIR pp. FEIR-162, 163, and 186 through 189), and
11 Comment Letter K (Comment K-10; FEIR pp. FEIR-229), and responses to comment
12 prepared by Urban Crossroads, Inc. and cited in the Final EIR as "Urban Crossroads
13 2017d" and "Urban Crossroads 2017e."

14 **F. Paleontological Resources**

15 ***Impact:*** *Impacts to unique paleontological resources, sites, or unique geologic feature.*

16 ***Threshold a) (for the Building D Site):*** *The Project would result in less-than-significant impacts to*
17 *unique paleontological resources, sites, or unique geologic features, with implementation of*
18 *mitigation measures (refer to Project Resolution Attachment "A," Mitigation Monitoring*
19 *and Reporting Program).*

- 20 1. **Project Impact(s):** Construction activities on the Building D Site have the potential
21 to unearth and adversely impact paleontological resources that may be buried
22 beneath the ground in Quaternary very old alluvial fan sediments located in the
23 northeastern corner of the Building D Site mapped as having "High B"
24 paleontological sensitivity. Impacts would be significant on a direct and
25 cumulatively-considerable basis if discovered resources are significant and are not
26 properly identified and treated. (FEIR p. 4.17-4 and 5)
- 27 2. **Finding:** The Mitigation Measure and County Regulations and Design Requirements
28 (RR) outlined below would reduce impacts due to paleontological resources on the

1 Building D Site to a less-than-significant level. The Mitigation Measure and RRs
2 reflect changes or alterations that the County has required or incorporated into the
3 Project that would avoid or substantially lessen the potentially significant impact as
4 identified in the FEIR. (CEQA Guidelines §15091(a)(1)).

5 3. Mitigation and/or County Regulations and Design Requirements (RR):

6 **MM 4.17-1 states:** The County of Riverside shall require that for any mass grading
7 and excavation-related activities, including utility trenching, that will exceed 4.0 feet
8 in depth during construction activities in the Area of Potential Effect (APE), i.e.,
9 areas of exposed Quaternary older alluvial fan sediments (Qof) located in the
10 northeast fringe of the property, the County of Riverside shall require that the
11 Project's Paleontological Resource Impact Mitigation Program (PRIMP) (EIR No.
12 546 *Technical Appendix D5*) be implemented by a qualified paleontologist. The
13 PRIMP shall be followed in the event that fossils are discovered to ensure that
14 significant resources are properly identified and treated and that no significant
15 paleontological resource, site, or unique geologic feature is destroyed. The protocols
16 determined in the PRIMP are required to be followed.

17 *MM 4.17-1 Implementation Stage: During grading activities that will occur*
18 *greater than 4.0 feet in depth in Quaternary very old alluvial fan sediments*
19 *located in the northeast portion of the Building D Site.*

20 *MM 4.17-1 Responsible Party: Riverside County Planning Department.*

- 21 4. Rationale: Implementation of MM 4.17-1 would ensure the proper identification and
22 subsequent treatment of any significant paleontological resource, site, or unique
23 geologic feature that may be encountered during ground-disturbing activities
24 associated with Project excavation activities in the northeast fringe of the Building
25 D Site mapped as Quaternary older alluvial fan sediments. Therefore, with
26 implementation of MM 4.17-1, the Project's potential to impact paleontological
27 resources on the Building D Site would be reduced to less-than-significant. (FEIR
28 p. 4.17-5)

1 The evidence supporting these conclusions includes, without limitation, the
2 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
3 therein, FEIR Technical Appendices D3, D4, and D5, and Responses to Comment
4 Letter C (Comment C-97, FEIR pp. FEIR-193 and 194).

5 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following impacts potentially
6 resulting from the adoption of the EIR No. 546 cannot be fully mitigated and would be only partially
7 avoided or lessened in consideration of existing regulations, Project Design Features, or mitigation
8 measures specified in Attachment A (Mitigation Monitoring and Reporting Program, incorporated by
9 reference into this document). Accordingly, and as further explained below, the County makes the
10 following findings as to each of the following impacts as allowed by State CEQA Guidelines
11 section 15091(a): "Changes or alterations [that might further reduce Project impacts] are within the
12 responsibility and jurisdiction of another public agency and not the [County]. Such changes have been
13 adopted by such other agency"; or "Specific economic, legal, social, technological, or other considerations,
14 make infeasible the mitigation measures or project alternatives identified in the final EIR." Therefore, a
15 statement of overriding considerations consistent with State CEQA Guidelines sections 15092(b)(2)(B) and
16 15093 is required and included herein:

17 **A. Air Quality**

18 ***Impact:*** Consistency with applicable air quality plans

19 ***Threshold a):*** Implementation of the Project would conflict with or obstruct implementation of the
20 applicable air quality plan.

- 21 1. **Project Impact(s):** Project construction-source emissions would exceed localized
22 significance thresholds for NO_x, PM₁₀, and PM_{2.5}. Therefore, the proposed Project
23 would conflict with the implementation of the SCAQMD's 2012 AQMP on a
24 significant direct and cumulatively-considerable basis. (FEIR p. 4.3-26, 27 and 34)
- 25 2. **Finding:** The Mitigation Measure and County Regulations and Design Requirements
26 (RR) outlined below would not reduce impacts due to a conflict with the air quality
27 management plan to a less-than-significant level. The Mitigation Measure and RRs
28 reflect changes or alterations that the County has required or incorporated into the

1 Project that would lessen the potentially significant impact as identified in the FEIR.
2 (CEQA Guidelines §15091(a)(1)). Further, the Project applicant is volunteering to pay
3 a fee contribution to Riverside County for the purpose of improving air quality in the
4 Mead Valley area as a Project condition of approval. Regardless, impacts would
5 remain significant and unavoidable.

6 3. Mitigation and/or County Regulations and Design Requirements (RR):

7 **RR-4 states:** The Project is required to comply with the provisions of the South
8 Coast Air Quality Management District (SCAQMD) Rule 403 "Fugitive Dust." Rule
9 403 requires implementation of best available dust control measures during
10 construction activities that generate fugitive dust, such as earth moving, grading, and
11 construction equipment travel on unpaved roads. To comply with Rule 403, and
12 prior to grading permit issuance, the County of Riverside shall verify that notes are
13 specified on the Project's grading plans requiring Rule 403 compliance. Project
14 construction contractors would be required to ensure compliance with the notes and
15 permit periodic inspection of the construction site by County of Riverside staff or its
16 designee to confirm compliance. To comply with Rule 403:

- 17 1. In order to limit fugitive dust emissions, all clearing, grading, earth-moving,
18 or excavation activities shall cease when winds exceed 25 miles per hour
19 (mph) per SCAQMD guidelines.
- 20 2. The construction contractor(s) shall ensure that all disturbed unpaved roads
21 and disturbed areas within the Project site are watered at least three (3) times
22 daily during dry weather. Watering, with complete coverage of disturbed
23 areas, shall occur at least three (3) times a day, preferably in the mid-morning,
24 afternoon, and after work is done for the day.
- 25 3. The construction contractor(s) shall ensure that traffic speeds on unpaved
26 roads and the Project site area are reduced to 15 miles per hour or less.

27 *RR-4 Implementation Stage: Prior to grading permit issuance.*

28 *RR-4 Monitoring Party: County of Riverside Building & Safety Department*

1 **RR-5 states:** The Project is required to comply with the provisions of the South
2 Coast Air Quality Management District (SCAQMD) Rule 1113 "Table of Standards"
3 pertaining VOC emissions by using zero-Volatile Organic Compounds paints (no
4 more than 100 gram/liter of VOC) and/or High Pressure Low Volume (HPLV)
5 applications. Prior to building permit final inspection, the County of Riverside shall
6 verify a note requiring Rule 1113 compliance is specified on all building plans.
7 Project contractors would be required to comply with the note and maintain written
8 records of such compliance that can be inspected by the County of Riverside or its
9 designee upon request.

10 *RR-5 Implementation Stage: Prior to building permit final inspection.*

11 *RR-5 Monitoring Stage: County of Riverside Building & Safety Department*

12 **RR-6 states:** The Project's construction activities are required to comply with the
13 provisions of the South Coast Air Quality Management District (SCAQMD) Rule
14 1186 "PM10 Emissions from Paved and Unpaved Roads and Livestock Operations,"
15 which requires the use of a street sweeper certified by the Air Quality Management
16 District (AQMD), and the use of non-toxic chemical stabilizers for dust control.

17 *RR-6 Implementation Stage: During Project construction.*

18 *RR-6 Monitoring Stage: County of Riverside Building & Safety Department*

19 **RR-7 states:** Project construction activities are required to comply with the
20 California Manual on Uniform Traffic Control Devices, which specify that
21 temporary traffic controls shall be provided during construction, such as a flag
22 person, during all phases of construction to facilitate the flow of construction traffic
23 on streets abutting the Project site.

24 *RR-7 Implementation Stage: During Project construction.*

25 *RR-7 Monitoring Stage: County of Riverside Building & Safety Department*

26 **RR-8 states:** The Project is required to comply with the provisions of the South
27 Coast Air Quality Management District (SCAQMD) Rule 402, "Nuisance" which
28 requires that a person shall not discharge air contaminants or other materials that

1 would cause health or safety hazards to any considerable number of persons or the
2 public.

3 *RR-8 Implementation Stage: During Project construction.*

4 *RR-8 Monitoring Stage: County of Riverside Building & Safety Department*

5 **RR-9 states:** The Project is required to comply with the California Green Building
6 Standards Code (CALGreen), including all Nonresidential Mandatory Measures,
7 including but not limited to requirements for bicycle parking, parking for clean air
8 vehicles, charging stations, lighting, water conservation, waste reduction, and
9 building maintenance. The provisions of CALGreen reduce energy use and fossil
10 fuel use, which reduce air pollutant emissions.

11 *RR-9 Implementation Stage: During Project construction and operation.*

12 *RR-9 Monitoring Stage: County of Riverside Building & Safety Department*

13 **RR-10 states:** Diesel-fueled vehicles at the Project site are required to comply with
14 the California Air Resources Board (CARB) idling restriction requirements, which
15 currently restrict vehicles from idling for more than 5 minutes. Prior to building
16 permit final inspection, the County of Riverside shall verify that signs are posted in
17 the Project's truck courts specifying the idling restriction requirement.

18 *RR-10 Implementation Stage: Prior to building permit final inspection.*

19 *RR-10 Monitoring Stage: County of Riverside Building & Safety Department*

20 **MM 4.3-1 states:** Prior to grading permit issuance, the County of Riverside shall
21 verify that the following notes are included on the grading plans. Project contractors
22 shall be required to ensure compliance with these notes and permit periodic
23 inspection of the construction site by County of Riverside staff or its designee to
24 confirm compliance. These notes also shall be specified in bid documents issued to
25 prospective construction contractors. a) Onsite electrical hook-ups to a power grid
26 shall be provided for electric construction tools including saws, drills, and
27 compressors, where feasible, to reduce the need for diesel powered electric
28 generators. b) All Heavy-Heavy Duty Haul Trucks (HHD) accessing the Project site

1 shall use year 2010 or newer engines during all construction activities to the extent
2 such HHD are commercially available. c) All excavators, graders, and rubber-tired
3 dozers shall be CARB Tier 3 Certified or better. d) All scrapers shall be CARB Tier
4 4 Certified or better. e) The total horsepower-hours per day for all on-site equipment
5 shall not exceed 46,344 horsepower hours per day. f) The maximum daily
6 disturbance area (activity graded area) shall not exceed 11.0 acres per day. g) The
7 use of diesel-powered generators during construction shall be prohibited. h)
8 Construction contractors shall notify their workers about Riverside County's
9 Rideshare Program. i) The use of construction equipment with pollution control
10 devices such as high-pressure injectors is highly encouraged to reduce air pollution
11 emissions. j) The use of construction vehicles equipped with pollution control
12 devices such as catalytic converters is highly encouraged to reduce air pollutant
13 emissions. k) Construction activities shall be suspended during Stage 2 Smog Alerts
14 issued by the South Coast Air Quality Management District (SCAQMD).

15 *MM 4.3-1 Implementation Stage: Prior to grading permit issuance.*

16 *MM 4.3-1 Monitoring Party: County of Riverside Building & Safety*
17 *Department*

18 **MM 4.3-2 states:** Construction equipment shall be properly maintained according to
19 manufacturer specifications and all contractors shall turn off all construction
20 equipment and delivery vehicles when not in use or limit onsite idling to no more
21 than three (3) minutes in any one hour. Onsite electrical hook-ups to a power grid
22 shall be provided for electric construction tools including saws, drills, and
23 compressors, where feasible, to reduce the need for diesel powered electric
24 generators. Construction contractors shall keep construction equipment maintenance
25 records and data sheets of equipment design specifications (including the emission
26 control tier of the equipment) onsite during construction and subject to inspection by
27 the County of Riverside.

28 *MM 4.3-2 Implementation Stage: During Project construction.*

1 *MM 4.3-2 Monitoring Party: County of Riverside Building & Safety*
2 *Department*

3 **MM 4.3-2(A) states:** During construction activities, Project contractors shall post
4 signs on the site that instruct operators to turn off equipment when not in use and
5 limit idling to a maximum of three (3) minutes.

6 *MM 4.3-2(A) Implementation Stage: During Project construction.*

7 *MM 4.3-2(A) Monitoring Party: County of Riverside Building & Safety*
8 *Department*

9 **MM 4.3-3 states:** Within six months of building occupancy, signs shall be posted at
10 the building informing truck drivers about the health effects of diesel particulates,
11 the California Air Resources Board diesel-fueled vehicle idling regulations, and the
12 importance of being a good neighbor by not parking in residential areas. Developer
13 and all successors shall include this obligation in all leases of the Project so that all
14 tenants shall fulfill the terms and conditions of this County condition of approval.

15 *MM 4.3-3 Implementation Stage: Within 6 months of building occupancy.*

16 *MM 4.3-3 Monitoring Party: County of Riverside Building & Safety*
17 *Department*

18 **MM 4.3-4 states:** Within six months of building occupancy, signs shall be posted in
19 all dock and delivery areas containing the following: truck drivers shall turn off
20 engines when not in use; trucks shall not idle for more than three (3) minutes;
21 telephone numbers of the building facilities manager and the California Air
22 Resources Board to report violations. Developer and all successors shall include the
23 provisions of the requirements of these obligations in all leases of the Project so that
24 all tenants shall fulfill the terms and conditions of this County condition of approval.

25 *MM 4.3-4 Implementation Stage: Within 6 months of building occupancy.*

26 *MM 4.3-4 Monitoring Party: County of Riverside Building & Safety*
27 *Department*

28 **MM 4.3-5 states:** Owner users and tenants of the Project shall maintain records on

1 its fleet equipment and vehicle engine maintenance to ensure that its Heavy-Heavy
2 Duty Haul Trucks (HHD) fleet serving the warehouses within the Project are in good
3 condition, and in proper tune pursuant to manufacturer's specifications. Owner users
4 and tenants shall ensure that all HHD accessing the Project site shall comply with 13
5 California Code of Regulations Section 2025, as may be amended (the
6 "Regulations"), and that all HHD accessing the Project site shall comply with the
7 required registration and reporting provisions of the Regulations. Developer and all
8 successors shall include the provisions of the requirements of these obligations in all
9 leases of the Project so that all tenants shall fulfill the terms and conditions of this
10 County condition of approval.

11 *MM 4.3-5 Implementation Stage: Prior to building permit final inspection.*

12 *MM 4.3-5 Monitoring Party: County of Riverside Building & Safety*
13 *Department*

14 **MM 4.3-6 states:** Site enforcement staff in charge of monitoring for excess vehicle
15 idling shall be trained/certified in diesel health effects and technologies, for example,
16 by requiring attendance at California Air Resources Board approved courses.
17 Developer and all successors shall include this obligation in all leases of the Project
18 so that all tenants shall fulfill the terms and conditions of this County condition of
19 approval.

20 *MM 4.3-6 Implementation Stage: Prior to building permit final inspection.*

21 *MM 4.3-6 Monitoring Stage: County of Riverside Building & Safety*
22 *Department*

23 **MM 4.3-7 states:** All owner users and future tenants shall participate in Riverside
24 County's Rideshare Program. The purpose of this program is to discourage single-
25 occupancy vehicle trips and encourage other alternative modes of transportation.
26 Carpooling opportunities and public transportation information shall be advertised to
27 employees of the building tenant. Developer and all successors shall include the
28 provisions of this obligation in all leases of the Project so that all tenants shall fulfill

1 the terms and conditions of this County condition of approval.

2 *MM 4.3-7 Implementation Stage: Prior to building permit final inspection.*

3 *MM 4.3-7 Monitoring Party: County of Riverside Building & Safety*
4 *Department*

5 **MM 4.3-8 states:** Prior to the issuance of a building permit, the County shall verify
6 that the building's roof is designed to accommodate a minimum 1 KW photovoltaic
7 (PV) solar array taking into consideration limitations imposed by other rooftop
8 equipment, roof warranties, building and fire code requirements, and other physical
9 or legal limitations. The building shall be constructed with the necessary electrical
10 system and other infrastructure to accommodate PV arrays in the future. The
11 electrical system and infrastructure shall be clearly labeled with noticeable and
12 permanent signage which informs future occupants/owners of the existence of this
13 infrastructure.

14 *MM 4.3-8 Implementation Stage: Prior to building permit inspection.*

15 *MM 4.3-8 Monitoring Stage: County of Riverside Building & Safety*
16 *Department*

17 **MM 4.3-9 states:** Developer and all successors shall include information in building
18 lease agreements that inform tenants about the air quality benefits associated with
19 water-based or low volatile organic compounds (VOC) cleaning products.

20 *MM 4.3-9 Implementation Stage: Prior to building permit final inspection.*

21 *MM 4.3-9 Monitoring Party: County of Riverside Building & Safety*
22 *Department*

23 **MM 4.3-10 states:** Developer and all successors shall include information in
24 building lease agreements that inform tenants about the benefits of becoming
25 SmartWay Shippers and SmartWay Carriers. SmartWay is a federal EPA program
26 that advances supply chain sustainability.

27 *MM 4.3-10 Implementation Stage: Prior to issuance of occupancy permits.*

28 *MM 4.3-10 Monitoring Party: County of Riverside Building & Safety*

1 *Department*

2 **MM 4.3-11 states:** Developer and all successors shall stipulate in building lease and
3 sale agreements that yard trucks shall not be fueled with diesel. The County
4 supplemented this measure by adding the same restriction on forklifts via the
5 Project's conditions of approval.

6 *MM 4.3-11 Implementation Stage: Prior to approval of a building permit.*

7 *MM 4.3-11 Monitoring Party: County of Riverside Building & Safety*

8 *Department*

9 **MM 4.3-12 states:** Prior to the issuance of building permits, the County shall verify
10 that the Project's building plans require the installation of a primary roofing material
11 that has solar reflective index (SRI) value of at least 39 percent.

12 *MM 4.3-12 Implementation Stage: Prior to approval of a building permit.*

13 *MM 4.3-12 Monitoring Party: County of Riverside Building & Safety*

14 *Department*

15 **Condition of Approval on PP 25838 states:** Prior to Building Final inspection, the project
16 applicant shall submit to the County a contribution of \$389,526 to be used by the
17 County towards projects to off-site air quality impacts in the Mead Valley Area.
18 Funds shall be maintained separately and shall not be comingled with County
19 General Funds or spent on other County projects unrelated to Mead Valley. Funds
20 shall be used solely for purposes of benefitting the Mead Valley Area.

21 **Condition of Approval on PP 25837 states:** Prior to Building Final inspection, the project
22 applicant shall submit to the County a contribution of \$228,772 to be used by the
23 County towards projects to off-site air quality impacts in the Mead Valley Area.
24 Funds shall be maintained separately and shall not be comingled with County
25 General Funds or spent on other County projects unrelated to Mead Valley. Funds
26 shall be used solely for purposes of benefitting the Mead Valley.

27 4. Rationale: Although compliance with regulatory requirements and Mitigation
28 Measures MM 4.3-1 through MM 4.3-12 would reduce the Project's air pollutant

1 impacts and thus its inconsistency with SCAQMD's 2012 AQMP, the Project's
2 inconsistency with the AQMP would remain significant and unavoidable. There are
3 no additional feasible mitigation measures that can further reduce the Project's
4 impacts to below a level of significance as substantiated in the Responses to
5 Comment cited below as evidence. (FEIR p. 4.3-39)

6 The evidence supporting these conclusions includes, without limitation, the
7 discussion of these impacts in Subsection 4.3 of the FEIR and the citations noted
8 therein, FEIR Technical Appendices B1 and B2, Responses to Comment Letter B
9 (Comments B-5 through B-12 and B-14 (FEIR pp. FEIR-150 through 157),
10 Comment Letter C (Comments C-5, C-6, C-7, and C-23 through 36; FEIR pp. FEIR-
11 162, 163, and 167 through 177), Comment Letter E (Comments E-71, E-72, E-73,
12 and E-79; FEIR pp. FEIR-211, 212, and 214), Comment Letter G (Comments G-1
13 through G-12; FEIR pp. FEIR-218 through 22); Comment Letter K (Comments K-
14 19, K-20, K-28, K-29, and K-64; FEIR pp. FEIR-231, 232 and 236); and Comment
15 Letter Q (Comments Q-1 through Q-15; FEIR pp. FEIR-246 through 248) and
16 responses to comment prepared by Urban Crossroads, Inc. and cited in the Final EIR
17 as "Urban Crossroads 2017d."

18 ***Impact:*** *Violation of air quality standards, contributions to existing or projected air quality*
19 *violations, and cumulatively-considerable net increase of criteria pollutants.*

20 ***Thresholds b) and c):*** *The Project would violate the applicable air quality standard for VOCs and*
21 *NO_x, contribute substantially to an existing or projected air quality violation (ozone), result*
22 *in a cumulatively considerable net increase of criteria pollutants (VOCs and NO_x) for which*
23 *the region is non-attainment (i.e., ozone).*

- 24 1. **Project Impact(s):** The Project would emit concentrations of NO_x during construction
25 that would cause or contribute to an existing or projected air quality violation, on
26 both a direct and cumulatively-considerable basis. During long-term operation, the
27 Project would exceed SCAQMD's regional criteria for daily VOC and NO_x
28 emissions which would result in a significant impact to the environment on both a

1 direct and cumulatively-considerable basis. (FEIR p. 4.3-34, 28 and 29)

2 2. Finding: The Mitigation Measure and County Regulations and Design Requirements
3 (RR) outlined below would reduce near-term construction-related emissions of NO_x
4 to below a level of significance but would not reduce impacts due to the Project's
5 long-term emissions of VOCs and NO_x to a level below significant. The Mitigation
6 Measure and RRs reflect changes or alterations that the County has required or
7 incorporated into the Project that would lessen the potentially significant impact as
8 identified in the FEIR (CEQA Guidelines §15091(a)(1)). Further, the Project
9 applicant is volunteering to pay a fee contribution to Riverside County for the
10 purpose of improving air quality in the Mead Valley area as a Project condition of
11 approval. Regardless, impacts would remain significant and unavoidable.

12 3. Mitigation Measures (MM) and/or County Regulations and Design Requirements
13 (RR):

14 **RR-4 states:** The Project is required to comply with the provisions of the South
15 Coast Air Quality Management District (SCAQMD) Rule 403 "Fugitive Dust." Rule
16 403 requires implementation of best available dust control measures during
17 construction activities that generate fugitive dust, such as earth moving, grading, and
18 construction equipment travel on unpaved roads. To comply with Rule 403, and
19 prior to grading permit issuance, the County of Riverside shall verify that notes are
20 specified on the Project's grading plans requiring Rule 403 compliance. Project
21 construction contractors would be required to ensure compliance with the notes and
22 permit periodic inspection of the construction site by County of Riverside staff or its
23 designee to confirm compliance. To comply with Rule 403:

24 1. In order to limit fugitive dust emissions, all clearing, grading, earth-moving,
25 or excavation activities shall cease when winds exceed 25 miles per hour
26 (mph) per SCAQMD guidelines.

27 2. The construction contractor(s) shall ensure that all disturbed unpaved roads
28 and disturbed areas within the Project site are watered at least three (3) times

1 daily during dry weather. Watering, with complete coverage of disturbed
2 areas, shall occur at least three (3) times a day, preferably in the mid-morning,
3 afternoon, and after work is done for the day.

- 4 3. The construction contractor(s) shall ensure that traffic speeds on unpaved
5 roads and the Project site area are reduced to 15 miles per hour or less.

6 *RR-4 Implementation Stage: Prior to grading permit issuance.*

7 *RR-4 Monitoring Party: County of Riverside Building & Safety Department*

8 **RR-5 states:** The Project is required to comply with the provisions of the South
9 Coast Air Quality Management District (SCAQMD) Rule 1113 "Table of Standards"
10 pertaining VOC emissions by using zero-Volatile Organic Compounds paints (no
11 more than 100 gram/liter of VOC) and/or High Pressure Low Volume (HPLV)
12 applications. Prior to building permit final inspection, the County of Riverside shall
13 verify a note requiring Rule 1113 compliance is specified on all building plans.
14 Project contractors would be required to comply with the note and maintain written
15 records of such compliance that can be inspected by the County of Riverside or its
16 designee upon request.

17 *RR-5 Implementation Stage: Prior to building permit final inspection.*

18 *RR-5 Monitoring Stage: County of Riverside Building & Safety Department*

19 **RR-6 states:** The Project's construction activities are required to comply with the
20 provisions of the South Coast Air Quality Management District (SCAQMD) Rule
21 1186 "PM10 Emissions from Paved and Unpaved Roads and Livestock Operations,"
22 which requires the use of a street sweeper certified by the AQMD, and the use of
23 non-toxic chemical stabilizers for dust control.

24 *RR-6 Implementation Stage: During Project construction.*

25 *RR-6 Monitoring Stage: County of Riverside Building & Safety Department*

26 **RR-7 states:** Project construction activities are required to comply with the
27 California Manual on Uniform Traffic Control Devices, which specify that
28 temporary traffic controls shall be provided during construction, such as a flag

1 person, during all phases of construction to facilitate the flow of construction traffic
2 on streets abutting the Project site.

3 *RR-7 Implementation Stage: During Project construction.*

4 *RR-7 Monitoring Stage: County of Riverside Building & Safety Department*

5 **RR-8 states:** The Project is required to comply with the provisions of SCAQMD
6 Rule 402, "Nuisance" which requires that a person shall not discharge air
7 contaminants or other materials that would cause health or safety hazards to any
8 considerable number of persons or the public.

9 *RR-8 Implementation Stage: During Project construction.*

10 *RR-8 Monitoring Stage: County of Riverside Building & Safety Department*

11 **RR-9 states:** The Project is required to comply with the California Green Building
12 Standards Code (CALGreen), including all Nonresidential Mandatory Measures,
13 including but not limited to requirements for bicycle parking, parking for clean air
14 vehicles, charging stations, lighting, water conservation, waste reduction, and
15 building maintenance. The provisions of CALGreen reduce energy use and fossil
16 fuel use, which reduce air pollutant emissions.

17 *RR-9 Implementation Stage: During Project construction and operation.*

18 *RR-9 Monitoring Stage: County of Riverside Building & Safety Department*

19 **RR-10 states:** Diesel-fueled vehicles at the Project site are required to comply with
20 the California Air Resources Board (CARB) idling restriction requirements, which
21 currently restrict vehicles from idling for more than 5 minutes. Prior to building
22 permit final inspection, the County of Riverside shall verify that signs are posted in
23 the Project's truck courts specifying the idling restriction requirement.

24 *RR-10 Implementation Stage: Prior to building permit final inspection.*

25 *RR-10 Monitoring Stage: County of Riverside Building & Safety Department*

26 **MM 4.3-1 states:** Prior to grading permit issuance, the County of Riverside shall
27 verify that the following notes are included on the grading plans. Project contractors
28 shall be required to ensure compliance with these notes and permit periodic

1 inspection of the construction site by County of Riverside staff or its designee to
2 confirm compliance. These notes also shall be specified in bid documents issued to
3 prospective construction contractors. a) Onsite electrical hook-ups to a power grid
4 shall be provided for electric construction tools including saws, drills, and
5 compressors, where feasible, to reduce the need for diesel powered electric
6 generators. b) All Heavy-Heavy Duty Haul Trucks (HHD) accessing the Project site
7 shall use year 2010 or newer engines during all construction activities to the extent
8 such HHD are commercially available. c) All excavators, graders, and rubber-tired
9 dozers shall be CARB Tier 3 Certified or better. d) All scrapers shall be CARB Tier
10 4 Certified or better. e) The total horsepower-hours per day for all on-site equipment
11 shall not exceed 46,344 horsepower hours per day. f) The maximum daily
12 disturbance area (activity graded area) shall not exceed 11.0 acres per day. g) The
13 use of diesel-powered generators during construction shall be prohibited. h)
14 Construction contractors shall notify their workers about Riverside County's
15 Rideshare Program. i) The use of construction equipment with pollution control
16 devices such as high-pressure injectors is highly encouraged to reduce air pollution
17 emissions. j) The use of construction vehicles equipped with pollution control
18 devices such as catalytic converters is highly encouraged to reduce air pollutant
19 emissions. k) Construction activities shall be suspended during Stage 2 Smog Alerts
20 issued by the South Coast Air Quality Management District (SCAQMD).

21 *MM 4.3-1 Implementation Stage: Prior to grading permit issuance.*

22 *MM 4.3-1 Monitoring Party: County of Riverside Building & Safety*
23 *Department*

24 **MM 4.3-2 states:** Construction equipment shall be properly maintained according to
25 manufacturer specifications and all contractors shall turn off all construction
26 equipment and delivery vehicles when not in use, or limit onsite idling to no more
27 than three (3) minutes in any one hour. Onsite electrical hook-ups to a power grid
28 shall be provided for electric construction tools including saws, drills, and

1 compressors, where feasible, to reduce the need for diesel powered electric
2 generators. Construction contractors shall keep construction equipment maintenance
3 records and data sheets of equipment design specifications (including the emission
4 control tier of the equipment) onsite during construction and subject to inspection by
5 the County of Riverside.

6 *MM 4.3-2 Implementation Stage: During Project construction.*

7 *MM 4.3-2 Monitoring Party: County of Riverside Building & Safety*
8 *Department*

9 **MM 4.3-2(A) states:** During construction activities, Project contractors shall post
10 signs on the site that instruct operators to turn off equipment when not in use and
11 limit idling to a maximum of three (3) minutes.

12 *MM 4.3-2(A) Implementation Stage: During Project construction.*

13 *MM 4.3-2(A) Monitoring Party: County of Riverside Building & Safety*
14 *Department*

15 **MM 4.3-3 states:** Within six months of building occupancy, signs shall be posted at
16 the building informing truck drivers about the health effects of diesel particulates,
17 the California Air Resources Board diesel-fueled vehicle idling regulations, and the
18 importance of being a good neighbor by not parking in residential areas. Developer
19 and all successors shall include this obligation in all leases of the Project so that all
20 tenants shall fulfill the terms and conditions of this County condition of approval.

21 *MM 4.3-3 Implementation Stage: Within 6 months of building occupancy.*

22 *MM 4.3-3 Monitoring Party: County of Riverside Building & Safety*
23 *Department*

24 **MM 4.3-4 states:** Within six months of building occupancy, signs shall be posted in
25 all dock and delivery areas containing the following: truck drivers shall turn off
26 engines when not in use; trucks shall not idle for more than three minutes; telephone
27 numbers of the building facilities manager and the California Air Resources Board
28 to report violations. Developer and all successors shall include the provisions of the

1 requirements of these obligations in all leases of the Project so that all tenants shall
2 fulfill the terms and conditions of this County condition of approval.

3 *MM 4.3-4 Implementation Stage: Within 6 months of building occupancy.*

4 *MM 4.3-4 Monitoring Party: County of Riverside Building & Safety*
5 *Department*

6 **MM 4.3-5 states:** Owner users and tenants of the Project shall maintain records on
7 its fleet equipment and vehicle engine maintenance to ensure that its HHD fleet
8 serving the warehouses within the Project are in good condition, and in proper tune
9 pursuant to manufacturer's specifications. Owner users and tenants shall ensure that
10 all HHD accessing the Project site shall comply with 13 California Code of
11 Regulations Section 2025, as may be amended (the "Regulations"), and that all HHD
12 accessing the Project site shall comply with the required registration and reporting
13 provisions of the Regulations. Developer and all successors shall include the
14 provisions of the requirements of these obligations in all leases of the Project so that
15 all tenants shall fulfill the terms and conditions of this County condition of approval.

16 *MM 4.3-5 Implementation Stage: Prior to building permit final inspection.*

17 *MM 4.3-5 Monitoring Party: County of Riverside Building & Safety*
18 *Department*

19 **MM 4.3-6 states:** Site enforcement staff in charge of monitoring for excess vehicle
20 idling shall be trained/certified in diesel health effects and technologies, for example,
21 by requiring attendance at California Air Resources Board approved courses.
22 Developer and all successors shall include this obligation in all leases of the Project
23 so that all tenants shall fulfill the terms and conditions of this County condition of
24 approval.

25 *MM 4.3-6 Implementation Stage: Prior to building permit final inspection.*

26 *MM 4.3-6 Monitoring Stage: County of Riverside Building & Safety*
27 *Department*

28 **MM 4.3-7 states:** All owner users and future tenants shall participate in Riverside

1 County's Rideshare Program. The purpose of this program is to discourage single-
2 occupancy vehicle trips and encourage other alternative modes of transportation.
3 Carpooling opportunities and public transportation information shall be advertised to
4 employees of the building tenant. Developer and all successors shall include the
5 provisions of this obligation in all leases of the Project so that all tenants shall fulfill
6 the terms and conditions of this County condition of approval.

7 *MM 4.3-7 Implementation Stage: Prior to building permit final inspection.*

8 *MM 4.3-7 Monitoring Party: County of Riverside Building & Safety*
9 *Department*

10 **MM 4.3-8 states:** Prior to the issuance of a building permit, the County shall verify
11 that the building's roof is designed to accommodate a 1 minimum KW photovoltaic
12 (PV) solar array taking into consideration limitations imposed by other rooftop
13 equipment, roof warranties, building and fire code requirements, and other physical
14 or legal limitations. The building shall be constructed with the necessary electrical
15 system and other infrastructure to accommodate PV arrays in the future. The
16 electrical system and infrastructure shall be clearly labeled with noticeable and
17 permanent signage which informs future occupants/owners of the existence of this
18 infrastructure.

19 *MM 4.3-8 Implementation Stage: Prior to building permit inspection.*

20 *MM 4.3-8 Monitoring Stage: County of Riverside Building & Safety*
21 *Department*

22 **MM 4.3-9 states:** Developer and all successors shall include information in building
23 lease agreements that inform tenants about the air quality benefits associated with
24 water-based or low volatile organic compounds (VOC) cleaning products.

25 *MM 4.3-9 Implementation Stage: Prior to building permit final inspection.*

26 *MM 4.3-9 Monitoring Party: County of Riverside Building & Safety*
27 *Department*

28 **MM 4.3-10 states:** Developer and all successors shall include information in

1 building lease agreements that inform tenants about the benefits of becoming
2 SmartWay Shippers and SmartWay Carriers. SmartWay is a federal EPA program
3 that advances supply chain sustainability.

4 *MM 4.3-10 Implementation Stage: Prior to issuance of occupancy permits.*

5 *MM 4.3-10 Monitoring Party: County of Riverside Building & Safety*
6 *Department*

7 **MM 4.3-11 states:** Developer and all successors shall stipulate in building lease and
8 sale agreements that yard trucks shall not be fueled with diesel. The County
9 supplemented this measure by adding the same restriction on forklifts via the
10 Project's conditions of approval.

11 *MM 4.3-11 Implementation Stage: Prior to approval of a building permit.*

12 *MM 4.3-11 Monitoring Party: County of Riverside Building & Safety*
13 *Department*

14 **MM 4.3-12 states:** Prior to the issuance of building permits, the County shall verify
15 that the Project's building plans require the installation of a primary roofing material
16 that has solar reflective index (SRI) value of at least 39 percent.

17 *MM 4.3-12 Implementation Stage: Prior to approval of a building permit.*

18 *MM 4.3-12 Monitoring Party: County of Riverside Building & Safety*
19 *Department*

20 **Condition of Approval on PP 25838 states:** Prior to Building Final inspection, the project
21 applicant shall submit to the County a contribution of \$389,526 to be used by the
22 County towards projects to off-site air quality impacts in the Mead Valley Area.
23 Funds shall be maintained separately and shall not be comingled with County
24 General Funds or spent on other County projects unrelated to Mead Valley. Funds
25 shall be used solely for purposes of benefitting the Mead Valley Area.

26 **Condition of Approval on PP 25837 states:** Prior to Building Final inspection, the project
27 applicant shall submit to the County a contribution of \$228,772 to be used by the
28 County towards projects to off-site air quality impacts in the Mead Valley Area.

1 Funds shall be maintained separately and shall not be comingled with County
2 General Funds or spent on other County projects unrelated to Mead Valley. Funds
3 shall be used solely for purposes of benefitting the Mead Valley.

- 4 4. Rationale: As indicated in FEIR Table 4.3-11, *Emissions Summary of Overall*
5 *Construction (With Mitigation)*, mitigation measures would reduce the Project's
6 short-term construction emissions associated with NO_x to below the SCAQMD
7 regional thresholds. As indicated in FEIR Table 4.3-12, *Summary of Peak*
8 *Operational Emissions (With Mitigation)*, even with mitigation, the Project's
9 operational emissions associated with VOCs and NO_x would still exceed the
10 SCAQMD's regional threshold. The Project would comply with all regulatory
11 requirements and the FEIR recommends feasible mitigation to reduce VOCs;
12 however, there is no feasible mitigation available to reduce VOCs below the
13 SCAQMD's regional threshold as substantiated in the Responses to Comment cited
14 below as evidence. Emissions of NO_x are primarily a result of mobile source
15 emissions (i.e., vehicles traveling to and from the Project site), which are regulated
16 by state and federal emissions and fuel use standards, and beyond the direct control
17 of the Project Applicant and/or future users of the Project site's buildings. No other
18 feasible mitigation is available for NO_x emissions from vehicle tailpipes as
19 substantiated in the Responses to Comment cited below as evidence. . As such, it is
20 concluded that the Project's long-term emissions of VOCs and NO_x would
21 cumulatively contribute to an existing air quality violation in the SCAB (i.e., ozone
22 and NO_x), as well as cumulatively contribute to the net increase of criteria pollutants
23 for which the SCAB is in non-attainment (federal and state ozone concentrations).
24 Effects to human health resulting from NO_x concentrations include respiratory
25 illness, including but not limited to asthma and chronic obstructive pulmonary
26 diseases (e.g., chronic bronchitis, emphysema). Effects to human health resulting
27 from VOC concentrations include but are not limited to irritation to the eye, nose,
28 and throat, which can reduce respiratory volume as, well as sensory nerve stimulation

1. that can compromise the immune system. Accordingly, the Project's long-term
2. operational emissions associated with VOCs and NO_x are concluded to result in a
3. significant and unavoidable impact on both a direct and cumulatively-considerable
4. basis. (FEIR pp. 4.3-39 through 4.3-40)

5. The evidence supporting these conclusions includes, without limitation, the
6. discussion of these impacts in Subsection 4.3 of the FEIR and the citations noted
7. therein, Technical Appendices B1 and B2, Responses to Comment Letter B
8. (Comments B-5 through B-12 and B-14 (FEIR pp. FEIR-150 through 157),
9. Comment Letter C (Comments C-5, C-6, C-7, and C-23 through 36; FEIR pp. FEIR-
10. 162, 163, and 167 through 177), Comment Letter E (Comments E-71, E-72, E-73,
11. and E-79; FEIR pp. FEIR-211, 212, and 214), Comment Letter G (Comments G-1
12. through G-12; FEIR pp. FEIR-218 through 22); Comment Letter K (Comments K-
13. 19, K-20, K-28, K-29, and K-64; FEIR pp. FEIR-231, 232 and 236); and Comment
14. Letter Q (Comments Q-1 through Q-15; FEIR pp. FEIR-246 through 248), and
15. responses to comment prepared by Urban Crossroads, Inc. and cited in the Final EIR
16. as "Urban Crossroads 2017d."

17. **B. Land Use and Planning**

18. ***Impact:*** *Substantial alteration of present or planned land uses.*

19. ***Land Use Threshold a):*** *The Project would result in a substantial alteration of the present land use*
20. *of the Project area.*

21. 1. **Project Impact(s):** Although the Industrial Park land use designation proposed by the
22. Project would not substantially differ from the Industrial Park and Business Park land
23. use designations that are applied to the property by the Riverside County General
24. Plan and Mead Valley Area Plan, the Project site is mostly vacant and undeveloped
25. under existing conditions. Therefore, the proposed development of two warehouse
26. buildings on the site would result in a substantial change to the site's existing land
27. use. (FEIR p. 4.10-5, 6, and 10)

28. 2. **Finding:** The Mitigation Measure and County Regulations and Design Requirements

1 (RR) outlined throughout the FEIR would reduce the Project's significant
2 environmental effects associated with the proposed land use. The Mitigation
3 Measure and RRs reflect changes or alterations that the County has required or
4 incorporated into the Project that would lessen the potentially significant impacts as
5 identified in the FEIR. (CEQA Guidelines §15091(a)(1)); however, impacts due to a
6 conflict with the site's existing land uses would remain significant and unavoidable.

7 3. Mitigation and/or County Regulations and Design Requirements (RR):

8 Refer to all mitigation measures presented in the FEIR, which address the Project's
9 significant impacts associated with a change in the site's existing land use (primarily
10 vacant) to a developed property containing two warehouse buildings. In instances
11 where significant impacts are identified in the FEIR for the Project's construction
12 and/or operational phases, mitigation measures are recommended in each applicable
13 subsection of the FEIR, where mitigation is feasible.

14 *Mitigation Measures Implementation Stage: Refer to all mitigation measures*
15 *presented in the FEIR.*

16 *Mitigation Measures Responsible Party: Refer to all mitigation measures*
17 *presented in the FEIR.*

18 4. Rationale: Mitigation is not available to reduce all of the Project's significant
19 environmental effects to less-than-significant levels, which would be caused by the
20 proposed change in the site's existing land use (primarily vacant land) to two
21 warehouse buildings and associated site improvements. Specifically, the Project
22 would result in significant unavoidable impacts under the subject areas of air quality,
23 noise, and traffic, even with adherence to mandatory regulatory requirements and the
24 application of feasible mitigation measures identified in the FEIR. Thus, the
25 proposed alteration of the site from a primarily vacant, undeveloped property to a
26 developed property containing two warehouse buildings is considered a substantial,
27 adverse change; the Project's land use impact is significant and unavoidable. (FEIR
28 p. 4.10-11)

1 The evidence supporting these conclusions includes, without limitation, the
2 discussion of these impacts throughout the FEIR and particularly in Subsections 4.3,
3 4.10, 4.11, and 4.15 of the FEIR and citations noted therein.

4 **C. Noise**

5 **Impact:** *Substantial permanent or temporary noise increases and exposure of sensitive receptors to*
6 *substantial permanent increase in noise levels.*

7 **Noise Effects on or by the Project (near-term traffic noise) Thresholds a), b), and c):** *The Project*
8 *result in a substantial permanent and temporary increases in ambient noise levels in the*
9 *project vicinity above levels existing without the project, and would expose persons to noise*
10 *levels exceeding established standards.*

- 11 1. **Project Impact(s):** No feasible mitigation measures are available to reduce the
12 Project's transportation-related noise impacts along the Oleander Avenue segments
13 west of Harvill Avenue and east of the Project's Driveway #6 under Existing + Project
14 and Year 2017 conditions. The only way to reduce the impact would be to surround
15 the front yards of the parcels adjacent to the affected Oleander Avenue segments with
16 a solid wall, which is not feasible because it would restrict access to these parcels.
17 Furthermore, the noise levels along the affected segments of Oleander Avenue would
18 not exceed 65 dBA CNEL during either the Existing + Project or the Year 2017 noise
19 scenarios. The parcels adjacent to the affected Oleander Avenue segments are
20 designated by the Riverside County General Plan for "Business Park" land uses.
21 Business Park land uses are not considered to be noise sensitive uses, and Riverside
22 County considers noise levels 65 dBA or less to be acceptable for such uses. By the
23 Year 2035, the Project's contribution of transportation-related noise along the above-
24 listed segments of Oleander Avenue would be reduced to less-than-significant levels,
25 as ambient traffic volumes increase along the roadway and the Project's overall
26 percentage of the noise levels would diminish. Regardless, because the Project's
27 greater than 5 dBA contribution of transportation-related noise along the Oleander
28 Avenue segments west of Harvill Avenue and east of the Project's Driveway #6 would

1 exceed the significance thresholds under Existing + Project and Year 2017 conditions
2 and no feasible mitigation is available to avoid the impact, the Project's short-term
3 impact would be significant and unavoidable. (FEIR p. 4.11-22, 23 and 33)

4 2. Finding: Mitigation Measure and County Regulations and Design Requirements (RR)
5 are not available to reduce the Project's transportation-related noise impacts along the
6 Oleander Avenue segments west of Harvill Avenue and east of the Project's Driveway
7 #6 under Existing + Project and Year 2017 conditions. The only way to reduce the
8 impact would be to surround the front yards of the parcels adjacent to the affected
9 Oleander Road segments with a solid wall, which is not feasible because it would
10 restrict access to these parcels.

11 3. Mitigation Measures (MM) and/or County Regulations and Design Requirements
12 (RR):

13 Mitigation and County Regulations and Design Requirements are not available to
14 reduce transportation-related noise impacts along the Oleander Road segments west
15 of Harvill Avenue and east of the Project's Driveway #6 under Existing + Project and
16 Year 2017 conditions.

17 4. Rationale: Mitigation and County Regulations and Design Requirements are not
18 available to reduce transportation-related noise impacts along the Oleander Road
19 segments west of Harvill Avenue and east of the Project's Driveway #6 under Existing
20 + Project and Year 2017 conditions. Accordingly, impacts would remain significant
21 and avoidable on a direct and cumulatively-considerable basis.

22 The evidence supporting these conclusions includes, without limitation, the
23 discussion of these impacts in Subsection 4.11 of the FEIR and the citations noted
24 therein, FEIR Technical Appendix I, Responses to Comment Letter C (Comments C-
25 87; FEIR pp. FEIR-191) and responses to comment prepared by Urban Crossroads,
26 Inc. and cited in the Final EIR as "Urban Crossroads 2017d."

27 **D. Transportation**

28 **Impact:** *Conflict with applicable plan, ordinance, or policy related to circulation system*

1 *performance.*

2 **Threshold a):** *The Project would conflict with an applicable plan, ordinance or policy establishing*
3 *a measure of effectiveness for the performance of the circulation system, taking into account*
4 *all modes of transportation, including mass transit and non-motorized travel and relevant*
5 *components of the circulation system, including but not limited to intersections, streets,*
6 *highways and freeways, pedestrian and bicycle paths, and mass transit.*

- 7 1. **Project Impact(s):** The Project would contribute to LOS deficiencies at numerous
8 Project study area intersections under the Opening Year (2017) plus Cumulative
9 (E+A+P+C) and Horizon Year (2035) traffic scenarios. (FEIR p. 4.15-21 through 32
10 and 51)
- 11 2. **Finding:** The Mitigation Measures and County Regulations and Design
12 Requirements (RR) outlined below would reduce the Project's contributions to LOS
13 deficiencies at study area intersections but would not reduce all impacts to a level
14 below significance. The Mitigation Measure and RRs reflect changes or alterations
15 that the County has required or incorporated into the Project that would lessen the
16 potentially significant impact as identified in the FEIR. (CEQA Guidelines
17 §15091(a)(1)); however, impacts would remain significant and unavoidable.
- 18 3. **Mitigation Measures (MM) and/or County Regulations and Design Requirements**
19 **(RR):**
- 20 **RR-40 states:** Project construction activities are required to comply with the
21 California Manual on Uniform Traffic Control Devices, which specify that
22 temporary traffic controls shall be provided during construction, such as a flag
23 person, during all phases of construction to facilitate the flow of construction traffic
24 on streets abutting the Project site. To implement this requirement, the requirement
25 to comply with the temporary traffic control plan shall be noted on all grading and
26 building plans and also shall be specified in bid documents issued to prospective
27 construction contractors, including the following notes. a) Delivery trucks shall use
28 the most direct route between the construction site and the I-215 Freeway via Harley

1 Knox Boulevard and Harvill Avenue; b) Construction traffic during the AM peak
2 hour (7:00 a.m.-9:00 a.m.) and PM peak hour (4:00 p.m.-6:00 p.m.) shall be
3 minimized. The construction contractor shall assure that construction-related trips
4 (passenger cars and trucks) do not exceed 138 trips in the AM peak hour and 151
5 trips in the PM peak hour (inbound and outbound combined). The construction
6 contractor shall be responsible for periodic monitoring and shall be required to
7 supply the County of Riverside with monitoring records upon the County's request.

8 *RR-40 Implementation Stage: Prior to the issuance of building permits.*

9 *RR-40 Monitoring Stage: County of Riverside Transportation Department*

10 **RR-41 states:** Prior to issuance of building permits, the Project shall comply with
11 the County of Riverside Development Impact Fee (DIF) program, which requires the
12 Project Applicant to pay a fee to the County (less any fee credits), a portion of which
13 is used to fund local roadway improvements.

14 *RR-41 Implementation Stage: Prior to the issuance of building permits.*

15 *RR-41 Monitoring Stage: County of Riverside Transportation Department*

16 **RR-42 states:** Prior to issuance of building permits, the Project shall comply with
17 the Transportation Uniform Mitigation Fee (TUMF) program as administered by the
18 County of Riverside, which requires the Project Applicant to pay a fee that is used to
19 fund regional transportation improvements.

20 *RR-41 Implementation Stage: Prior to the issuance of building permits.*

21 *RR-41 Monitoring Stage: County of Riverside Transportation Department*

22 The following mitigation measures address the Project's cumulative impacts to the
23 local roadway network under E+A+P+C and Horizon Year traffic conditions:

24 **MM 4.15-1 states:** Prior to issuance of building permits, the Project Applicant shall
25 make a fair share monetary contribution to the County of Riverside for improvements
26 to the Ellsworth Street (previously known as Decker Road) / Oleander Avenue
27 intersection which are not included in the Riverside County Development Impact Fee
28 (DIF) program or the Transportation Uniform Mitigation Fee (TUMF) program, as

1 listed below:

- 2 • Install a traffic signal;
- 3 • Install southbound left turn lane;
- 4 • Install southbound through lane; and
- 5 • Install southbound shared through-right turn lane.

6 The Project's fair share of the above-listed improvements is 5.5%.

7 *MM 4.15-1 Implementation Stage: Prior to the issuance of building permits.*

8 *MM 4.15-1 Monitoring Party: County of Riverside Transportation*
9 *Department*

10 **MM 4.15-2 states:** Prior to issuance of building permits, the Project Applicant shall
11 make a fair share monetary contribution to the County of Riverside for improvements
12 to the Harvill Avenue / Harley Knox Boulevard intersection that are not included in
13 the Riverside County Development Impact Fee (DIF) program or the Transportation
14 Uniform Mitigation Fee (TUMF) program, as listed below:

- 15 • Modify traffic signal to implement overlap phasing on the northbound right
16 turn lanes; and
- 17 • Modify traffic signal to implement overlap phasing on the eastbound right
18 turn lane.

19 The Project's fair share of the above-listed improvements is 5.0%.

20 *MM 4.15-2 Implementation Stage: Prior to the issuance of building permits.*

21 *MM 4.15-2 Monitoring Party: County of Riverside Transportation*
22 *Department*

23 **Condition of Approval on PP 25838 and PP 25837:** The project proponent to file a request
24 with the County Transportation Department to install weight limit signs to restrict
25 trucks with gross vehicle weight rating over 14,000 lbs. from traveling on Decker
26 Road (Ellsworth Street) south of Oleander Avenue or as approved the Riverside
27 County Director of Transportation.

28 4. Rationale: County regulatory requirements and Mitigation Measures MM 4.15-1 and

1 MM 4.15-2 require the Project to pay development impact fees and participate in fair
2 share funding programs to address the Project's direct and cumulative impacts to the
3 local roadway network. Under CEQA, a fair-share monetary contribution to a
4 mitigation fund is adequate mitigation if the funds are part of a reasonable plan that
5 the relevant agency is committed to implementing. The ability of mandatory DIF
6 and TUMF payments and fair share payments under MM 4.15-1 and MM 4.15-2 to
7 alleviate the Project's cumulatively-considerable impacts under each analysis
8 scenario is discussed below. (FEIR p. 4.15-54)

9 Opening Year plus Cumulative Conditions (E+A+P+C)

10 As shown in FEIR Table 4.15-30, *Opening Year plus Cumulative (E+A+P+C)*
11 *Intersection Analysis – With Mitigation*, recommended improvements that would
12 alleviate all projected LOS deficiencies at intersections in the Project study area
13 under E+A+P+C traffic conditions. However, several of the improvements
14 identified in FEIR Table 4.15-30 are either funded by an existing mitigation funding
15 program (i.e., TUMF) with no timetable for construction (meaning the necessary
16 improvements may not be in place when the Project becomes operational and starts
17 to contribute traffic to the facilities, applicable to Intersections #10 and #11), or the
18 improvements are not included in any existing program that would ensure timely
19 construction of required improvements (such as Intersections #4 and #8).
20 Accordingly, the Project's cumulatively-considerable impacts to the intersections
21 listed below would be significant and unavoidable under E+A+P+C traffic
22 conditions. No other feasible mitigation measures for these impacts are available to
23 the Project that would have a proportional nexus to the Project's traffic impact to
24 these facilities as substantiated in the Responses to Comment cited below as
25 evidence.

- 26 • Decker Road / Oleander Avenue (Intersection #4) – under jurisdiction of
27 County of Riverside;
- 28 • Harvill Avenue / Harley Knox Boulevard (Intersection #8) – under

1 jurisdiction of County of Riverside;

- 2 • I-215 Southbound Ramps / Harley Knox Boulevard (Intersection #10) –
- 3 under jurisdiction of Caltrans and County of Riverside; and
- 4 • I-215 Northbound Ramps / Harley Knox Boulevard (Intersection #11) –
- 5 under jurisdiction of Caltrans and City of Perris. (FEIR p. 4.15-54)

6 Horizon Year (2035) Conditions

7 As shown in FEIR Table 4.15-31, *Horizon Year (2035) Intersection Analysis – With*

8 *Mitigation*, recommended improvements would alleviate all projected LOS

9 deficiencies at intersections in the Project study area under Horizon Year (2035)

10 traffic conditions. However, several of the improvements identified in Table 4.15-

11 31 are either funded by an existing mitigation funding program (i.e., TUMF) with no

12 timetable for construction (meaning the necessary improvements may not be in place

13 when the Project becomes operational and starts to contribute traffic to the facilities,

14 applicable to Intersections #10 and 11), or the improvements are not included in any

15 existing program that would ensure timely construction (such as Intersections #4 and

16 #8). Accordingly, the Project's cumulatively-considerable impacts to the

17 intersections listed below would be significant and unavoidable under Horizon Year

18 (2035) traffic conditions. No other feasible mitigation measures for these impacts

19 are available to the Project that would have a proportional nexus to the Project's

20 traffic impact to these facilities as substantiated in the Responses to Comment cited

21 below as evidence.

- 22 • Decker Road / Oleander Avenue (Intersection #4) – under jurisdiction of
- 23 County of Riverside;
- 24 • Harvill Avenue / Harley Knox Boulevard (Intersection #8) – under
- 25 jurisdiction of County of Riverside;
- 26 • I-215 Southbound Ramps / Harley Knox Boulevard (Intersection #10) –
- 27 under jurisdiction of Caltrans and County of Riverside; and
- 28 • I-215 Northbound Ramps / Harley Knox Boulevard (Intersection #11) –

1 under jurisdiction of Caltrans and City of Perris. (FEIR p. 4.15-55)

2 The evidence supporting these conclusions includes, without limitation, the
3 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
4 therein, FEIR Technical Appendices J1 and J2, Responses to Comment Letter C
5 (Comments C-4 and C-91 through 95, FEIR pp. FEIR-161, 162, 192 and 193).
6 Comment Letter E (Comments E-8, E-10 through 21, E-33, E-35, E-36, E-42, E-43,
7 E-46, E-80, E-83, and E-84; FEIR pp. FEIR-197 through 200, 202 through 205, and
8 214), Comment Letter K (Comments K-14, K-16, K-17, and K-36 through K-40;
9 FEIR pp. FEIR-230 and 233), and responses to comment prepared by Urban
10 Crossroads, Inc. and cited in the Final EIR as "Urban Crossroads 2017d."

11 ***Impact: Conflicts with congestion management program.***

12 ***Threshold b): The Project would conflict with an applicable congestion management program,***
13 ***including, but not limited to level of service standards and travel demand measures, and***
14 ***other standards established by the county congestion management agency for designated***
15 ***roads or highways.***

- 16 1. **Project Impact(s):** The Project would contribute cumulatively-considerable traffic
17 volumes at numerous intersections and freeway facilities included within the
18 Riverside County CMP roadway network under the Opening Year (2017) plus
19 Cumulative (E+A+P+C) and Horizon Year (2035) traffic scenarios. (FEIR p. 4.15-
20 51)
- 21 2. **Finding:** The Mitigation Measure and County Regulations and Design Requirements
22 (RR) outlined below would reduce impacts due to a conflict with a congestion
23 management program. The Mitigation Measure and RRs reflect changes or
24 alterations that the County has required or incorporated into the Project that would
25 lessen the potentially significant impact as identified in the FEIR. (CEQA
26 Guidelines §15091(a)(1)); however, impacts would remain significant and
27 unavoidable.
- 28 3. **Mitigation and/or County Regulations and Design Requirements (RR):**

1 **RR-41 states:** Prior to issuance of building permits, the Project shall comply with
2 the County of Riverside Development Impact Fee (DIF) program, which requires the
3 Project Applicant to pay a fee to the County (less any fee credits), a portion of which
4 is used to fund local roadway improvements.

5 *RR-40 Implementation Stage: Prior to the issuance of building permits.*

6 *RR-40 Monitoring Stage: County of riverside Transportation Department*

7 **RR-42 states:** Prior to issuance of building permits, the Project shall comply with
8 the Transportation Uniform Mitigation Fee (TUMF) program as administered by the
9 County of Riverside, which requires the Project Applicant to pay a fee that is used to
10 fund regional transportation improvements.

11 *RR-41 Implementation Stage: Prior to the issuance of building permits.*

12 *RR-41 Monitoring Stage: County of riverside Transportation Department*

13 **MM 4.15-3 states:** In the event that Caltrans or other appropriate government agency
14 establishes a fair-share funding program for cumulatively-considerable impacts to
15 freeway system segments caused by private development projects that would be
16 applicable to the Project site, prior to the issuance of a building permit for the Project,
17 the Project Applicant shall provide evidence to Riverside County that such fair-share
18 fee has been paid. If Caltrans or other appropriate government agency has not
19 established such a fee prior to building permit issuance, the Project Applicant shall
20 have no further obligation associated with this mitigation measure.

21 *MM 4.15-3 Implementation Stage: Prior to the issuance of a building permit.*

22 *MM 4.15-3 Monitoring Party: County of Riverside Transportation*
23 *Department*

24 As best practices to reduce the potential for truck drivers to make wrong turns onto
25 rural residential streets, Mitigation Measures MM 4.15-4 and 4.15-5 are included.

26 **MM 4.15-4 states:** The developer or successor in interest shall be required to install
27 and perpetually maintain durable, legible, weather-proof signs at exit driveways that
28 prohibit trucks from traveling south on Decker Road/Ellsworth Street.

1 *MM 4.15-4 Implementation Stage: Prior to building permit final inspection.*

2 *MM 4.15-4 Monitoring Party: County of Riverside Transportation*
3 *Department*

4 **MM 4.15-5 states:** A provision shall be included in building user lease agreements
5 and sales agreements that require building users to designate truck routing away from
6 southbound Decker Road/Ellsworth Street and away from residential neighborhoods.

7 *MM 4.15-5 Implementation Stage: Prior to building permit final inspection.*

8 *MM 4.15-5 Monitoring Party: County of Riverside Transportation*
9 *Department*

10 **Condition of Approval on PP 25838 and PP 25837:** The project proponent to file a request
11 with the County Transportation Department to install weight limit signs to restrict
12 trucks with gross vehicle weight rating over 14,000 lbs. from traveling on Decker
13 Road (Ellsworth Street) south of Oleander Avenue or as approved the Riverside
14 County Director of Transportation.

15 4. Rationale: All state highway system facilities in the Project study area are under the
16 jurisdiction of Caltrans. As such, the County of Riverside cannot assure the
17 construction of improvements to state highway facilities that may be needed to
18 improve traffic flow. Furthermore, Caltrans does not have any funding mechanism
19 in place at this time to allow development projects to contribute a fair-share payment
20 to contribute to future improvements and off-set cumulatively-considerable traffic
21 impacts. Mitigation Measure MM 4.15-3 requires the Project Applicant to make a
22 fair-share payment for impacts to the State Highway System if a fee program is
23 established by Caltrans or other appropriate government agency prior to the issuance
24 of Project building permits; however, there is no assurance that such a fee program
25 will be established. Also, there is no assurance that planned improvements will be
26 in place prior to the time that the Project begins to contribute traffic to the facilities.
27 Accordingly, the Project's contribution of traffic to the freeway facilities listed below
28 under E+A+P+C and/or Horizon Year (2035) conditions would represent a

1 significant and unavoidable cumulative impact. (FEIR p. 4.15-57)

2 Cumulatively Impacted CMP Freeway Mainline Segments

- 3 • I-215 Southbound, Eucalyptus Avenue to Alessandro Boulevard (Freeway
4 Segment #8);
- 5 • I-215 Southbound, Van Buren Boulevard to Harley Knox Boulevard
6 (Freeway Segment #11);
- 7 • I-215 Northbound, Martin Luther King Boulevard to Central Avenue
8 (Freeway Segment #16);
- 9 • I-215 Northbound, Box Springs Road to SR-60/I-215 Freeway (Freeway
10 Segment #18);
- 11
- 12 • I-215 Northbound, SR-60 Freeway to Eucalyptus Avenue (Freeway Segment
13 #19);
- 14 • I-215 Northbound, Eucalyptus Avenue to Alessandro Boulevard (Freeway
15 Segment #20); and
- 16 • I-215 Northbound, Van Buren Boulevard to Harley Knox Boulevard
17 (Freeway Segment #23).

18 Cumulatively Impacted CMP Freeway Off-Ramps

- 19 • I-215 Southbound Ramps / Harley Knox Boulevard (Ramp #1).

20 Cumulatively Impacted CMP Freeway Merge/Diverge Junctions

- 21 • I-215 Southbound / North of Harley Knox Boulevard (Ramp Junction #1);
- 22 • I-215 Southbound / South of Harley Knox Boulevard (Ramp Junction #2);
- 23 • I-215 Northbound / North of Harley Knox Boulevard (Ramp Junction #3);
- 24 and
- 25 • I-215 Northbound / South of Harley Knox Boulevard (Ramp Junction #4).

26 As shown in FEIR Table 4.15-30 and Table 4.15-31, Intersections #10 and #11 would
27 operate at acceptable LOS under E+A+P+C and Horizon Year (2035) conditions
28 with the addition of recommended improvements. The improvements recommended

1 for Intersections #10 and #11 are programmed – but not yet fully funded – by TUMF.
2 The Project would contribute to the TUMF program as a standard regulatory
3 requirement. Furthermore, portions of Intersections #10 and #11 are located outside
4 of the jurisdiction of the County of Riverside (portions of Intersection #10 are under
5 the jurisdiction of Caltrans and portions of Intersection #11 are under the jurisdiction
6 of the City of Perris), meaning the County cannot assure the necessary improvements
7 would not be in place when the Project becomes operational and starts to contribute
8 traffic to the facilities. Because there is no timetable for constructing the TUMF-
9 programmed improvements at Intersections #10 and #11 and because the County
10 cannot assure the construction of the recommended improvements by their time of
11 need, the Project’s cumulatively-considerable impact at these intersections is
12 determined to be significant and unavoidable under E+A+P+C and Horizon Year
13 (2035) conditions. (FEIR pp. 4.15-57 through 4.15-58)

14 The evidence supporting these conclusions includes, without limitation, the
15 discussion of these impacts in Subsection 4.15 of the FEIR and the citations noted
16 therein, FEIR Technical Appendices J1 and J2, Responses to Comment Letter C
17 (Comments C-4 and C-91 through 95, FEIR pp. FEIR-161, 162, 192 and 193).
18 Comment Letter E (Comments E-8, E-10 through 21, E-33, E-35, E-36, E-42, E-43,
19 E-46, E-80, E-83, and E-84; FEIR pp. FEIR-197 through 200, 202 through 205, and
20 214), Comment Letter K (Comments K-14, K-16, K-17, and K-36 through K-40;
21 FEIR pp. FEIR-230 and 233), and responses to comment prepared by Urban
22 Crossroads, Inc. and cited in the Final EIR as “Urban Crossroads 2017d.”

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has considered, consistent with
24 CEQA's requirements, the impacts of the Project together with all other past, present, and probable future
25 projects producing related or cumulative impacts within the affected area for each resource area, and finds
26 that:

27 **A. Aesthetics Cumulative Impacts.**

28 **Cumulative Impact Finding:** Not cumulatively considerable.

1 The Project site is not visible from any designated or eligible scenic routes and therefore
2 would not have any substantial effect upon a scenic highway corridor. Therefore, the
3 proposed Project has no potential to contribute to a cumulatively-significant scenic impact
4 to scenic highway corridors. As such, the Project would not have a cumulatively-
5 considerable effect upon a scenic highway corridor. (FEIR p. 4.1-12)

6 The Project site and surrounding area contain features that are typical to the region such as
7 bedrock outcroppings and trees that do not represent substantial scenic resources. The land
8 to the south and west of the Project site is developed under existing conditions. More
9 specifically, as shown on FEIR Figure 2-1, *Surrounding Land Uses and Development*, lands
10 north of the Project site are largely undeveloped with exception of a recently constructed
11 industrial warehouse building located north of Oleander Road and east of Harvill Avenue.
12 To the south of the Project site are scattered rural residences and business ventures, and
13 undeveloped land. Southwest of the Building E Site is a water tank owned by the Eastern
14 Municipal Water District (EMWD). To the west of the Project site are undeveloped lands,
15 beyond which are single-family homes. To the east of the Project site are undeveloped lands,
16 several scattered single-family residences and an industrial warehouse building located
17 along the eastern edge of Harvill Avenue. Approximately 0.4 miles to the east is I-215,
18 beyond which are the March Air Reserve Base (MARB) and an area of the City of Moreno
19 Valley mostly developed with industrial warehouse buildings. The undeveloped lands to the
20 north and east of the Project site contain aesthetic features similar in nature to those found
21 on the Project site. The development of a site containing exposed bedrock and sparse, low-
22 lying vegetation does not qualify as a significant impact to scenic resources. Therefore, any
23 future development of similarly-characterized land would not result in a significant
24 cumulative impact. Therefore, the Project has no potential to result in a cumulatively-
25 considerable impact to scenic resources. (FEIR p. 4.1-12)

26 Views of the Box Springs Mountains and the Russell Mountains are available from public
27 viewing areas adjacent to the Project site; however, such views are available throughout the
28 County of Riverside and are not unique to the Project site's location. Due to the distance

1 and large size of the Box Springs Mountains and the Russell Mountains, it is unlikely that
2 future development would significantly obscure views of these features. With buildout of
3 the proposed Project and other developments within the Project's viewshed, there would be
4 a less-than-significant cumulative effect to any existing scenic vistas. (FEIR p. 4.1-12)

5 The Project's design features are subject to review by the County of Riverside and are subject
6 to all applicable regulations and policies governing development. All new development in
7 the surrounding areas would be subject to the same review and regulations to ensure that
8 they do not result in the creation of an aesthetically-offensive site open to public view. The
9 Riverside County review process and mandatory compliance with regulations ensures that
10 the Project would not result in a cumulatively-considerable impact. (FEIR p. 4.1-12)

11 The Project is located in Zone B of the Mt. Palomar Nighttime Lighting Policy Area. All
12 developments in Riverside County that are within 45 miles of the observatory are subject to
13 the lighting regulations included in Riverside County Ordinance No. 655 to prevent
14 interference with nighttime use of the observatory (RR-1; FEIR pp. S-11 and 12). Similar
15 lighting regulations are enforced by other jurisdictions that fall within a 45-mile radius of
16 the observatory. Accordingly, the Project's mandatory compliance with Ordinance No. 655
17 ensures that no cumulatively-considerable impact would occur. (FEIR p. 4.1-12)

18 With respect to potential cumulative light and glare impacts, County of Riverside
19 Ordinances Nos. 655 (RR-1; FEIR pp. S-11 and 12) and 915 (RR-2; FEIR p. S-12) set
20 standards for development to ensure minimal impact upon surrounding development relating
21 to light pollution and glare. All development projects in surrounding Riverside County areas
22 would be required to comply with the same light reduction requirements. Surrounding cities
23 including but not limited to Moreno Valley, Perris, and Riverside have similar lighting
24 standards. Although cumulative development in the Project's surrounding area is expected
25 to introduce new sources of artificial lighting and potentially reflective materials, the
26 required compliance with the applicable requirements would ensure that future cumulative
27 development does not introduce substantial sources of artificial lighting or glare, including
28 light spillage onto residential properties. As such, the Project would not contribute to

1 cumulatively-considerable, adverse impacts to the existing daytime or nighttime views in
2 the area, or to exposure of residential property to unacceptable light levels. (FEIR p. 4.1-13)
3 The evidence supporting these conclusions includes the Project's application materials on
4 file with the County of Riverside and a discussion of the Project's design features in FEIR
5 Section 3.0, the discussion of impacts in Subsection 4.1 of the FEIR and the citations noted
6 therein and Responses to Comment Letter C (Comments C-12 through C-16 and C-63; FEIR
7 pp. FEIR-164, 165, and 184), Comment Letter E (Comments E-3, E-47, and E-50; FEIR pp.
8 FEIR-196, 197, 205, and 206), and Comment Letter K (Comment K-32; FEIR pp. FEIR-
9 232).

10 **B. Agriculture and Forest Resources Cumulative Impacts**

11 **Cumulative Impact Finding:** Not cumulatively considerable.

12 Agriculture

13 As discussed under Agriculture Threshold a), the Project site does not contain Prime
14 Farmland, Farmland of Statewide Importance, or Unique Farmland ("Farmland"). In
15 addition, 81.1% of the Project site's soils have Storie Index ratings that indicate severe
16 limitations for crop production. Thus, the Project as proposed on the Building D Site and
17 the Building E Site has no potential to result in a cumulatively-considerable impact to
18 Farmland as defined in CEQA Guidelines Appendix G Section II (a). (FEIR p. 4.2-13)

19 The Riverside County General Plan defines productive agricultural lands as those involved
20 in a long-term substantial investment to agricultural use and with long-term economic
21 viability for agricultural uses. The Project site does not contain any Williamson Act
22 contracts or land within a Riverside County Agricultural Preserve and the Project site has
23 not historically been used for agricultural use nor is it used for agricultural use under existing
24 conditions. Therefore, the Project as proposed on the Building D Site and Building E Site
25 has no potential to result in a cumulatively-considerable impact to land subject to a
26 Williamson Act contract or land within a Riverside County Agricultural Preserve. (FEIR p.
27 4.2-13)

28 The County of Riverside recognizes the diminishment of agricultural lands County-wide

1 over the past several decades. Riverside County General Plan EIR No. 521, which evaluated
2 the County's most recent General Plan Update, determined that future development
3 accommodated by the land use and policy changes suggested in the General Plan Update
4 (GPA No. 960) would introduce new urban uses within 300 feet of agriculturally zoned
5 property and contribute to the demand for additional development and infrastructure that
6 would further fuel the conversion of agricultural lands to non-agricultural uses. As discussed
7 in FEIR Subsection 4.2.4, the Project as proposed on the Building D and Building E Site has
8 less-than-significant potential to considerably contribute to a cumulatively impact associated
9 with land zoned and/or used for agriculture. No portion of the Project site has ever been
10 used for agricultural purposes and no agricultural uses are located on or immediately
11 adjacent to the site under existing conditions. (FEIR p. 4.2-13)

12 As discussed under Thresholds b) and c), the Building D Site and Building E Site do not
13 contain land zoned for agriculture. The Building E Site is physically separated on all but
14 one side from other A-1-1 zoned property by an EMWD water tank (the water tank site is
15 zoned A-1-1), it is unlikely and highly speculative that Project implementation on the
16 Building E Site could adversely affect off-site agriculturally zoned property. Further, the
17 Building E Site suggests a grading concept that would create a manufactured slope
18 measuring up to 14 feet in height on the west side of the proposed development pad, which
19 would separate development on the Building E Site from off-site properties zoned A-1-1.
20 Similarly, the southern boundary of the Project site would sit lower in elevation than adjacent
21 A-1-1 zoned property. Due to the physical separation by manufactured slopes, any potential
22 agricultural zoning conflict is deemed less than significant and less than cumulatively-
23 considerable. In the unlikely event that agricultural activity commences on these off-site
24 properties and continues for at least three years before the Project site is developed, the
25 proposed Project would be required to comply with Riverside County Ordinance No. 625
26 (Riverside County Right-to-Farm Ordinance) (Riverside County, 1994). As discussed under
27 Agriculture Threshold (c), mandatory compliance with Ordinance 625 (RR-3; FEIR p. S-
28 13), if necessary, would ensure that any potential conflicts between the proposed Project and

1 existing agriculturally zoned property within 300 feet of the Project site do not occur, thereby
2 resulting in a less-than-significant impact to existing agriculturally zoned properties located
3 in the Project site's vicinity. Compliance with Ordinance No. 625, if necessary, would
4 prevent or reduce any potentially cumulatively-considerable significant impacts. (FEIR, pp.
5 4.2-13 and 4.2-14)

6 As discussed under Agriculture Threshold d), due to the lack of agricultural activity and
7 Farmland in the Project site's vicinity, the Project has no potential to result in changes to the
8 existing environment which, due to their location or nature, could result in the conversion of
9 Farmland to a non-agricultural use. Thus, the Project as proposed on the Building D Site
10 and the Building E Site has no potential to result in a cumulatively-considerable impact
11 associated with other changes in the existing environment which could result in conversion
12 of Farmland, to non-agricultural use. (FEIR, p. 4.2-14)

13 Forest

14 Because the Project site is not zoned as forest land, there are no lands within the Project
15 site's vicinity that are zoned for forest land, timberland, or Timberland Production, the
16 Project site does not contain forest land and there are no forest lands within the Project site's
17 vicinity, the Project as proposed on the Building D Site and the Building E Site has no
18 potential to result in a cumulatively-considerable impact to forest resources. (FEIR p. 4.2-
19 14)

20 The evidence supporting these conclusions includes, without limitation, the discussion of
21 these impacts in Subsection 4.2 of the FEIR and the citations noted therein and Responses
22 to Comment Letter B (Comment B-4; FEIR p. FEIR-149), Comment Letter C (Comments
23 C-17 through 22; FEIR pp. FEIR-165, 166, and 167 and Comment C-63; FEIR p. FEIR-184)
24 and Comment Letter K (Comment K-11 and 12; FEIR pp. FEIR p. 229).

25 **C. Air Quality Cumulative Impacts**

26 **Cumulative Impact Finding: Cumulatively Considerable**

27 The cumulative study area for air emissions impacts is the SCAB using the summary of
28 projections approach based on General Plan buildout. Also, the SCAQMD considers all

1 impacts that are significant and direct to also be cumulatively considerable. As discussed in
2 the analysis of Air Quality Threshold a), the Project would not be consistent with the
3 SCAQMD's AQMP because SCAQMD localized significance thresholds would be
4 exceeded during Project construction, and the light industrial land use proposed by the
5 Project on a portion of the Building E Site would be more intense than the rural residential
6 land use assumed for a portion of the Building E Site by the Riverside County General Plan,
7 which was relied upon by the SCAQMD for the 2012 AQMP. Other development projects
8 in the SCAB will be under construction at the same time that the Project is under
9 construction, and amendments to General Plans are occurring throughout the SCAB to
10 increase development intensity. As such, there is a cumulative impact associated with
11 AQMP inconsistency and the Project's contribution to this inconsistency is cumulatively
12 considerable. RR-4 through RR-10 and MM 4.3-1 through MM 4.3-12 (FEIR pp. S-15
13 through 24) address this impact but would not reduce the cumulatively considerable impact
14 to less than significant. (FEIR p. 4.3-32)

15 As discussed in the analysis of Air Quality Thresholds b) and c), Project-related construction
16 emissions would exceed criteria standards pollutant thresholds established by the SCAQMD
17 for NO_x. The Project also would exceed SCAQMD's regional criteria for VOCs and NO_x
18 during long-term operation of the Project. VOCs and NO_x are precursors for ozone, a
19 pollutant for which the SCAB is in non-attainment under both federal and State criteria. The
20 SCAQMD considers all impacts that are significant on a direct basis to also be cumulatively
21 considerable because the SCAB does not attain State and federal air quality standards for
22 several pollutants, including ozone. RR-4 through RR-10 and MM 4.3-1 through MM 4.3-
23 12 (FEIR pp. S-15 through 24) address this impact but would not reduce the cumulatively
24 considerable impact to less than significant. (FEIR p. 4.3-32) The County applied a condition
25 of Approval on the Project that states: Prior to Building Final inspection, the project
26 applicant shall submit to the County a contribution of \$389,526 (for PP 25838; Building D)
27 and \$228,772 (for PP 25837; Building E) to be used by the County towards projects to off-
28 site air quality impacts in the Mead Valley Area. Funds shall be maintained separately and

1 shall not be comingled with County General Funds or spent on other County projects
2 unrelated to Mead Valley. Funds shall be used solely for purposes of benefitting the Mead
3 Valley Area.

4 As discussed in the analysis of Threshold d), the Project's construction-related emissions
5 would exceed the SCAQMD's localized significance thresholds for emissions of NO_x, PM₁₀,
6 and PM_{2.5}. Because other development projects affecting the same sensitive receptors have
7 the potential to be under construction at the same time as the proposed Project, impacts are
8 also considered to be cumulatively considerable. The Project's estimated operational
9 localized emissions of all air pollutants would not exceed localized thresholds established
10 by the SCAQMD. Regardless, MM 4.3-1 and MM 4.3-2 addressing construction activities
11 apply. As also discussed in the analysis of Air Quality Threshold d), Project-related
12 vehicular emissions would not result in a substantial contribution of CO concentrations at
13 intersections in the vicinity of the Project site and sensitive receptors would not be exposed
14 to substantial CO concentrations generated by the Project's vehicular traffic. Based on
15 existing and projected traffic volumes at intersections, there are no known CO hotspot
16 locations in the Project's traffic study area, nor are any CO hotspots expected to occur in the
17 foreseeable future. As such, there would be no significant cumulative impact. (FEIR p. 4.3-
18 33)

19 As also discussed in the analysis of Threshold d), long-term operations at the Project site
20 would not directly cause or contribute in a cumulatively-considerable manner to the
21 exposure of the MEIR, MEIW, or MEIS to substantial DPM emissions. The SCAQMD
22 considers impacts that are not significant on a direct level to also not be cumulatively
23 considerable. Accordingly, a cumulatively-considerable impact would not occur as the
24 result of the proposed Project. Regardless, RR-4 through RR-10 and MM 4.3-1 through MM
25 4.3-12 address all air pollutant emissions including DPM (FEIR pp. S-15 through 24) (FEIR
26 p. 4.3-33) Further, the County applied a condition of Approval on the Project that states:
27 Prior to Building Final inspection, the project applicant shall submit to the County a
28 contribution of \$389,526 (for PP 25838; Building D) and \$228,772 (for PP 25837; Building

1 E) to be used by the County towards projects to off-site air quality impacts in the Mead
2 Valley Area. Funds shall be maintained separately and shall not be comingled with County
3 General Funds or spent on other County projects unrelated to Mead Valley. Funds shall be
4 used solely for purposes of benefitting the Mead Valley Area.

5 For informational purposes, it is noted that stationary (loading dock) and mobile source
6 emissions from cumulative projects and from future development on currently undeveloped
7 or undeveloped parcels within 0.25-mile radius of the Project site and projects beyond 0.25-
8 mile radius that add mobile sources to the same roadway segments as the proposed Project's
9 truck route, have the potential to increase health risks in the Project vicinity associated with
10 air pollution. (Urban Crossroads, Inc., 2016b, p. 30) As indicated in FEIR Table 4.3-10,
11 *Cumulative Carcinogenic Heath Risk*, the total estimated cancer risk associated with the
12 cumulative projects is estimated to be 213.5 in 1,000,000. As indicated in FEIR Table 4.3-
13 10, the highest total cumulative with Project cancer risk for MEIR is 758.25 in 1,000,000 for
14 MEIR. The Project's maximum incremental contribution to the cumulative health risk for
15 MEIR in the Project area is 6.19 in 1,000,000 (assuming the larger sized Building E and 5.97
16 in 1,000,000 considering the currently proposed size of Building E) which is below the 10
17 in 1,000,000 incremental threshold set by SCAQMD. The highest cumulative with Project
18 cancer risk for MEIW is 752.97 in one million. The Project's maximum incremental
19 contribution to the cumulative health risk for MEIW in the Project area is 0.91 in 1,000,000
20 which below the 10 in 1,000,000 threshold set by the SCAQMD. The Project's highest
21 cumulative with Project cancer risk for MEIS is 752.07 in 1,000,000. The Project's
22 maximum incremental contribution to the cumulative health risk for MEIS in the Project
23 area is 0.01 in 1,000,000 which is below the 10 in 1,000,000 incremental threshold set by
24 SCAQMD. Therefore, pursuant to SCAQMD cumulative impact criteria, the Project's
25 MEIR, MEIW, and MEIS impacts would be less than significant on a direct basis and less-
26 than-cumulatively considerable. Regardless, RR-4 through RR-10 and MM 4.3-1 through
27 MM 4.3-12 (FEIR pp. S-15 through 24) address all air pollutant emissions, including DPM
28 (FEIR p. 4.3-33)

1 As discussed in the analysis of Threshold e), the Project proposes to develop the property
2 with two business park warehouse buildings which would not contain sensitive receptors or
3 land uses that would be considered point source emitters. Accordingly, a cumulatively-
4 considerable impact would not occur. (FEIR p. 4.3-34)

5 As discussed in the analysis of Threshold f), there are no components of the proposed
6 Project's construction or long-term operation that would result in the exposure of a
7 substantial number of sensitive receptors to objectionable odors. Accordingly, a
8 cumulatively-considerable impact would not occur. (FEIR p. 4.3-34)

9 The evidence supporting these conclusions includes, without limitation, the discussion of
10 these impacts in Subsection 4.3 of the FEIR and the citations noted therein, Technical
11 Appendices B1 and B2, Responses to Comment Letter B (Comments B-5 through B-12 and
12 B-14 (FEIR pp. FEIR-150 through 157), Comment Letter C (Comments C-5, C-6, C-7, and
13 C-23 through 36; FEIR pp. FEIR-162, 163, and 167 through 177), Comment Letter E
14 (Comments E-71, E-72, E-73, and E-79; FEIR pp. FEIR-211, 212, and 214), Comment
15 Letter G (Comments G-1 through G-12; FEIR pp. FEIR-218 through 222); Comment Letter
16 K (Comments K-19, K-20, K-28, K-29, and K-64; FEIR pp. FEIR-231, 232 and 236); and
17 Comment Letter Q (Comments Q-1 through Q-15; FEIR pp. FEIR-246 through 248), and
18 responses to comment prepared by Urban Crossroads, Inc. and cited in the Final EIR as
19 "Urban Crossroads 2017d."

20 **D. Biological Resources Cumulative Impacts**

21 **Cumulative Impact Finding:** Not Cumulatively Considerable after the incorporation of
22 Mitigation Measures and Applicable County Regulations and Design Requirements.

23 This cumulative impact analysis considers development of the Project as proposed on the
24 Building D Site and the Building E Site in conjunction with other development projects in
25 the geographic area covered by the Western Riverside County MSHCP based on a summary
26 of projections approach resulting from full General Plan buildout in Riverside County and
27 other jurisdictions in the region within the boundaries of the Western Riverside County
28 MSHCP. (FEIR p. 4.4-21)

1 The primary effects of the proposed Project, when considered with the build out of long
2 range plans in the geographic area covered by the Western Riverside County MSHCP, would
3 be the cumulative loss habitat for sensitive species. With respect to special-status species,
4 although the habitat offered on the Project site is of substantially lesser quality than habitat
5 that is found in designated MSHCP Criteria Cells within the geographic area covered by the
6 Western Riverside County MSHCP, it still provides open spaces for foraging, refuge,
7 nesting, and areas that can be used for species reproduction. (FEIR p. 4.4-21)

8 Anticipated cumulative impacts to biological resources are addressed within the Western
9 Riverside County MSHCP cumulative study area. The Western Riverside County MSHCP,
10 as currently adopted, addresses 146 "Covered Species" that represent a broad range of
11 habitats and geographical areas within Western Riverside County, including threatened and
12 endangered species and regionally- or locally-sensitive species that have specific habitat
13 requirements and conservation and management needs. The Western Riverside County
14 MSHCP addresses biological impacts for take of Covered Species within the MSHCP area.
15 Impacts to Covered Species and establishment and implementation of a regional
16 conservation strategy and other measures included in the Western Riverside County MSHCP
17 address the federal, state, and local mitigation requirements for these species and their
18 habitats. Specifically, Section 4.4 of the Western Riverside County MSHCP states that:
19 "The MSHCP was specifically designed to cover a large geographical area so that it would
20 protect numerous endangered species and habitats throughout the region. It is the projected
21 cumulative effect of future development that has required the preparation and
22 implementation of the MSHCP to protect multiple habitats and multiple endangered
23 species." It goes on to state that: "The LDMF [Local Development Mitigation Fee] is to be
24 charged throughout the Plan Area to all future development within the western part of the
25 County and the Cities in order to provide a coordinated conservation area and
26 implementation program that will facilitate the preservation of biological diversity, as well
27 as maintain the region's quality of life." (FEIR pp. 4.4-21 through 4.4-22)

28 The reason for the imposition of the Mitigation Fee over the entire region is that the loss of

1 habitat for endangered species is a regional issue resulting from the cumulative effect of
2 continuing development throughout all of the jurisdictions in Western Riverside County.
3 Finally, Section 5.1 of the Western Riverside County MSHCP states that: "It is anticipated
4 that new development in the Plan Area will fund not only the mitigation of the impacts
5 associated with its proportionate share of regional development, but also the impacts
6 associated with the future development of more than 332,000 residential units and
7 commercial and industrial development projected to be built in the Plan Area over the next
8 25 years." (FEIR p. 4.4-22)

9 As the construction of buildings, infrastructure, and all alterations of the land within areas
10 that are outside of the Criteria Area are permitted under the Western Riverside County
11 MSHCP (see MSHCP Section 2.3.7.1), cumulative impacts to biological resources with the
12 exception of MSHCP non-covered species would be less than significant on a cumulative
13 basis provided that the terms of the MSHCP are fully implemented (MSHCP Final EIR/EIS,
14 Section 4.4.1.6). The Western Riverside County MSHCP database was consulted for the
15 proposed Project and the required focused surveys for the western burrowing owl have been
16 conducted. The Project Proponent is required to pay the required MSHCP mitigation fees
17 pursuant to mitigation measures recommended by the FEIR. The Project would comply with
18 the requirements of the Western Riverside County MSHCP and, thus, would not conflict
19 with its adopted policies. Accordingly, because the proposed Project is required to comply
20 with the Western Riverside County MSHCP and pay the required MSHCP mitigation fee,
21 the Project as proposed on the Building D Site and the Building E Site would have less-than-
22 significant cumulatively-considerable impacts to MSHCP-covered species. Regarding
23 impacts to non-covered species, the Project would result in the direct loss of paniculate
24 tarplant individuals. Although paniculate tarplant is not a MSHCP-covered species, because
25 the plant species is not rare, threatened, or endangered, because its range is sufficiently
26 broad, because the CNPS listing for the species is relatively low for the species, and because
27 habitat for this species is preserved elsewhere within the MSHCP boundaries, the loss of the
28 species on the Project site is considered less than significant. Loss of individual plants on