

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



ITEM: 3.52
(ID # 13071)

MEETING DATE:

Tuesday, August 04, 2020

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: CERTIFY REVISED PROJECT DESCRIPTION AND CORRECTION OF TYPOGRAPHICAL ERROR FOR ENVIRONMENTAL IMPACT REPORT NO. 546 for Knox Business Park Buildings D & E Project (PP25837, PP25838, CZ7872, CZ7873, and GPA1151, GPA1152). - Applicant: Trammell Crow So Cal Development, Inc. Neal Holdridge – Representative. First Supervisorial District - Mead Valley Area Plan – Community Development: Light Industrial (CD:LI). Zoning: Industrial Park (I-P). Location: Southerly of Oleander Avenue, northerly of Nance Street, westerly of Harvill Avenue, and easterly of Day Street - APNs: 314-020-010, 314-020-017, 314-040-001, 314-040-002, 314-040-003, and 314-040-008. The Revised Project Description and Correction of Typographical Error is a revision to the Final EIR for this Project, originally certified by the Riverside County Board of Supervisors on June 26, 2018. District 1. [Applicant Fees 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. **ADOPT RESOLUTION NO. 2020-184** Certifying the Revised Project Description and Correction of Typographical Error for Environmental Impact Report No. 546, based on the findings provided in the Environmental Impact Report and the resolution; and
2. **DIRECT** the Office of County Counsel to file a return on the writ with the court, describing the actions taken to comply with the court's writ of mandate.

ACTION: Policy

Charissa Leach, Assistant TLMA Director

7/29/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: August 4, 2020
xc: Planning, CoCo

Kecia R. Harper
Clerk of the Board
By:
Deputy

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

The Court further ordered that the two issues referenced above are severable from the remainder of the EIR and the County's findings and approvals in connection with the Project. **The Court further found that the required revisions do not affect the EIR's analysis or conclusions with regard to the Project's environmental impacts,** and other than the issue of preparing a revised Project Description as to the identified issue, the Project, Project Approvals, and the EIR were found by the Court to be compliant with CEQA.

Upon revision and recirculation of the Project Description, Riverside County's Board of Supervisors retains full discretion to determine whether to re-certify the Project Description. The Court retained jurisdiction over these proceedings by way of a return to its peremptory writ until the Court has determined that the County has complied with the provisions of CEQA.

In compliance with the Court order, on June 2, 2020, as Agenda Item 3.21, the Board set aside and vacated: (1) the certification of the Project Description for EIR No. 546 only and (2) that portion of Resolution No. 2018-130 certifying the Project Description; leaving all associated Project approvals, certification of the remaining portions of the EIR, and adoption of the remainder of Resolution No. 2018-130 in place.

The County then prepared a Draft Revised Project Description and corrected the typographical error concerning "blasting noise." On May 21, 2020, a Notice of Availability was made available and the Draft Project Description was published by the County. In compliance with the Court's judgment, the Draft Revised Project Description and correction of typographical errors: (1) included the actual distances between the Redwood Drive residential properties and Building D and Building D's parking area, and (2) corrected the typographical error regarding blasting noise by deleting the term "including blasting" from the statement which concerns construction activities. There were no other changes to the Project or environmental circumstances that required additional environmental review under CEQA, State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.), or the County's Rules to Implement CEQA. Comments on the Draft Revised Project Description and the corrected typographical error concerning "blasting noise" were accepted from May 21, 2020, to July 6, 2020; comments related to the two issue areas outlined above are addressed in the attached Final Revised Project Description and Correction of Typographical Errors to EIR No. 546.

The Revised Project Description and Correction of Typographical Errors to EIR No. 546 is being brought back to the Board of Supervisors for consideration and recommended certification, which would allow the County to return to the Court to demonstrate compliance with the writ of mandate and allow the Applicant to proceed with the Project.

Impact on Residents and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process.

SUPPLEMENTAL:

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees (100%)			Budget Adjustment:	No
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On May 22, 2018, Agenda Item 18.1, the Board of Supervisors (Board) tentatively approved General Plan Amendments (GPA) Nos. 1151 and 1152 and Change of Zone (CZ) Nos. 7872 and 7873, and approved Plot Plan Nos. 25837 and 25838 subject to final approvals of GPA Nos. 1151 and 1152 and CZ Nos. 7872 and 7873 (together, the Project). On June 26, 2018, Agenda Item 3.58, the Board took multiple actions that resulted in final approval of the Project, including adopting Resolution Nos. 2018-118 and 2018-130, certifying Environmental Impact Report (EIR) No. 546, and issuing final approvals of GPA Nos. 1151 and 1152 and CZ Nos. 7872 and 7873.

After the Final EIR for this Project was certified, a lawsuit challenging the EIR was filed in the Riverside Superior Court in the case *Rural Association of Mead Valley v. County of Riverside*, Riverside Superior Court Case No. RIC 1815176, which challenged the Project under the California Environmental Quality Act (CEQA, Pub. Res. Code, § 21000 et seq.). On November 26, 2019, the Court issued a Ruling on Petition for Writ of Mandate granting the Petition as to the sub-issue of the distance between proposed Building D and adjacent residential properties, and denying the Petition on all other grounds. The Court also ruled that the Final EIR be revised to correct a typographical error regarding blasting noise by deleting the term "including blasting" from the statement which concerns construction activities. As to all other challenges, the petition was denied.

On February 24, 2020, the Court filed its Judgment ordering that a peremptory writ of mandate be directed to the Respondent County of Riverside (County), ordering the County to:

(1) revise the EIR's Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D's parking area; and

(2) revise the EIR to correct the typographical error regarding blasting noise by deleting the term "including blasting" from the statement which concerns construction activities, both done as needed to comply with the Ruling.

On February 24, 2020, the Court issued its Peremptory Writ of Mandate directing the County to decertify only the EIR's Project Description and to prepare a revised Project Description to include the necessary revisions to the two issues identified above.

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

The Court further ordered that the two issues referenced above are severable from the remainder of the EIR and the County's findings and approvals in connection with the Project. **The Court further found that the required revisions do not affect the EIR's analysis or conclusions with regard to the Project's environmental impacts**, and other than the issue of preparing a revised Project Description as to the identified issue, the Project, Project Approvals, and the EIR were found by the Court to be compliant with CEQA.

Upon revision and recirculation of the Project Description, Riverside County's Board of Supervisors retains full discretion to determine whether to re-certify the Project Description. The Court retained jurisdiction over these proceedings by way of a return to its peremptory writ until the Court has determined that the County has complied with the provisions of CEQA.

In compliance with the Court order, on June 2, 2020, as Agenda Item 3.21, the Board set aside and vacated: (1) the certification of the Project Description for EIR No. 546 only and (2) that portion of Resolution No. 2018-130 certifying the Project Description; leaving all associated Project approvals, certification of the remaining portions of the EIR, and adoption of the remainder of Resolution No. 2018-130 in place.

The County then prepared a Draft Revised Project Description and corrected the typographical error concerning "blasting noise." On May 21, 2020, a Notice of Availability was made available and the Draft Project Description was published by the County. In compliance with the Court's judgment, the Draft Revised Project Description and correction of typographical errors: (1) included the actual distances between the Redwood Drive residential properties and Building D and Building D's parking area, and (2) corrected the typographical error regarding blasting noise by deleting the term "including blasting" from the statement which concerns construction activities. There were no other changes to the Project or environmental circumstances that required additional environmental review under CEQA, State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.), or the County's Rules to Implement CEQA. Comments on the Draft Revised Project Description and the corrected typographical error concerning "blasting noise" were accepted from May 21, 2020, to July 6, 2020; comments related to the two issue areas outlined above are addressed in the attached Final Revised Project Description and Correction of Typographical Errors to EIR No. 546.

The Revised Project Description and Correction of Typographical Errors to EIR No. 546 is being brought back to the Board of Supervisors for consideration and recommended certification, which would allow the County to return to the Court to demonstrate compliance with the writ of mandate and allow the Applicant to proceed with the Project.

Impact on Residents and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process.

SUPPLEMENTAL:

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

Additional Fiscal Information

All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- A. Resolution No. 2020-184
- B. Final Revised Project Description and Correction of Typographical Errors to EIR No. 546
- C. Response to Comments



Jason Farin, Principal Management Analyst

7/29/2020



Gregory L. Priaplos, Director County Counsel

7/23/2020

RESOLUTION NO. 2020-184

**CERTIFYING REVISED PROJECT DESCRIPTION AND CORRECTION OF
TYPOGRAPHICAL ERRORS TO ENVIRONMENTAL IMPACT REPORT NO. 546**

WHEREAS, on May 22, 2018, the Board of Supervisors ("Board") tentatively approved General Plan Amendment (GPA) Nos. 1151 and 1152 and Change of Zone (CZ) Nos. 7872 and 7873, and approved Plot Plan Nos. 25837 and 25838 (together, "the Project"), subject to final approvals of General Plan Amendment Nos. 1151 and 1152 and Change of Zone Nos. 7872 and 7873; and,

WHEREAS, on June 26, 2018, the Board took multiple actions, including certifying Environmental Impact Report ("EIR") No. 546 for the Project pursuant to Resolution No. 2018-130 and issuing final approvals of GPA Nos. 1151 and 1152 and CZ Nos. 7872 and 7873 pursuant to Resolution No. 2018-118 and Ordinance Nos. 348.4890 and 348.4891; and,

WHEREAS, on or about July 25, 2018, a petition for writ of mandate was filed against the Project, *Rural Association of Mead Valley v. County of Riverside*, Case No. RIC 1815176 (the "CEQA Lawsuit"), challenging the Project under the California Environmental Quality Act ("CEQA," Pub. Res. Code, § 21000 et seq.); and,

WHEREAS, on February 24, 2020, the Superior Court for the County of Riverside ("Court") entered Judgment and issued a Peremptory Writ of Mandate ordering the Respondent County of Riverside ("County") to: (1) revise its Final EIR Project Description to include the actual distances between the Redwood Drive residential properties and Building D and Building D's parking area; and (2) revise the EIR to correct the typographical error regarding blasting noise by deleting the term "including blasting" from the statement which concerns construction activities; and,

WHEREAS, the Court further ordered that: (1) the remainder of EIR No. 546 certified on June 26, 2018, is in full compliance with the California Environmental Quality Act (CEQA) and shall remain certified; and (2) the Project approvals are valid and shall remain in place; and,

WHEREAS, on June 2, 2020, as directed by the Court, the Board set aside and vacated certification of the portions of EIR No. 546 identified by the Court, with all other associated project approvals and the

1 certification of the remainder of EIR No. 546 remaining in effect; and,

2 **WHEREAS**, the County has prepared Draft Revised Project Description and Correction of
3 Typographical Errors to EIR No. 546 ("Draft Revised Project Description"), which: (1) revises its Final EIR
4 Project Description to include the actual distances between the Redwood Drive residential properties and
5 Building D and Building D's parking area; and (2) revises the EIR to correct the typographical error
6 regarding blasting noise by deleting the term "including blasting" from the statement which concerns
7 construction activities; and,

8 **WHEREAS**, the Riverside County Planning Department released the Notice of Availability and
9 circulated the Draft Revised Project Description for public review and comment as specified in the State
10 CEQA Guidelines for a 45-day period from May 21, 2020, through July 6, 2020. The County received and
11 responded to public comments on the Draft Revised Project Description in the Final Revised Project
12 Description and Correction of Typographical Errors ("Final Revised Project Description"), in accordance
13 with CEQA requirements; and,

14 **WHEREAS**, all applicable procedures of CEQA and Riverside County Rules to Implement CEQA
15 have been followed, and the Final Revised Project Description is sufficiently detailed so that all of the
16 potentially significant effects of the Project on the environment and measures necessary to avoid or
17 substantially lessen such effects have been evaluated and fully address the Court's order in accordance with
18 CEQA and the above- referenced Rules; and

19 **WHEREAS**, pursuant to State CEQA Guidelines section 15151, the evaluation of environmental
20 effect is to be completed in light of what is reasonably feasible; and,

21 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by the
22 public and affected government agencies; now, therefore,

23 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Board of Supervisors
24 of the County of Riverside, in regular session assembled on August 4, 2020 that:

- 25 A. Pursuant to the Court's order, the Final Revised Project Description revises its Final EIR
26 Project Description to include the actual distances between the Redwood Drive residential
27 properties and Building D and Building D's parking area; and (2) revises the EIR to correct
28 the typographical error regarding blasting noise by deleting the term "including blasting"

1 from the statement which concerns construction activities.

2 B. There are no other changes to the environmental conclusions and findings contained in the
3 previously adopted Resolution No. 2018-130, which certified Final EIR No. 546, adopted the
4 statement of overriding considerations, and adopted the Mitigation Monitoring and Reporting
5 Program.

6 C. There are no other changes to the Project or environmental circumstances that require
7 additional environmental review under CEQA, State CEQA Guidelines (California Code of
8 Regulations, Title 14, § 15000 et seq.), or the County's rules and regulations.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has received and considered
10 the Final Revised Project Description and that it is an accurate and objective statement that complies with
11 CEQA and reflects the County's independent judgment.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** the Final
13 Revised Project Description attached as Attachment A hereto.

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodian of the documents
15 upon which this decision is based are the Clerk of the Board of Supervisors and the County Planning
16 Department and that such documents are located at 4080 Lemon Street, Riverside, California.

17
18 ROLL CALL:

19 Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
20 Nays: None
21 Absent: None

22 The foregoing is certified to be a true copy of a resolution duly
23 adopted by said Board of Supervisors on the date therein set forth.

24 Kecia R. Harper, Clerk of said Board

25 By  Deputy

26
27
28

From: COB

Sent: Monday, August 3, 2020 8:37 AM

To: Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>; Nissen, Michele <MNissen@RIVCO.ORG>; DeArmond, Michelle <MDeArmond@RIVCO.ORG>; Shannon, Boomer <BShannon@RIVCO.ORG>; Valdivia, Mickey <Mlvaldivia@rivco.org>; Bugtai, Wendell <wbugtai@RIVCO.ORG>; Brady, Russell <rbrady@RIVCO.ORG>

Cc: George Johnson (GAJohnson@RIVCO.ORG) <GAJohnson@RIVCO.ORG>; Young, Alisa <AYoung@RIVCO.ORG>; Perez, Juan <JCPEREZ@RIVCO.ORG>; Leach, Charissa <cleach@rivco.org>

Subject: August 4, 2020 Agenda Item 3.52 Revised EIR No 546 Public Comment (Debbie Walsh RAMV)

Good morning,

The email below and attachment related to August 4, 2020 Agenda Item No 3.52 have been added to the Agenda back-up.

Thank you kindly, and please stay well and safe,

Sue Maxwell

Board Assistant

Riverside County Clerk of the Board of Supervisors

(951) 955-1069 Fax (951) 955-1071

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website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



TOGETHER, Everybody Counts!



IECounts.org

From: Debbie Walsh <abilene149@gmail.com>

Sent: Sunday, August 2, 2020 7:57 PM

To: Supervisor Jeffries - 1st District <district1@RIVCO.ORG>; District2 <District2@Rivco.org>; District3 <District3@Rivco.org>; District 4 Supervisor V. Manuel Perez <District4@RIVCO.ORG>; District5 <District5@Rivco.org>; COB <COB@RIVCO.ORG>; Nissen, Michele <MNissen@Rivco.org>; DeArmond, Michelle <MDeArmond@RIVCO.ORG>; Shannon, Boomer <BShannon@rivco.org>; Valdivia, Mickey <Mlvaldivia@rivco.org>; Bugtai, Wendell <wbugtai@RIVCO.ORG>; Brady, Russell <rbrady@RIVCO.ORG>

Subject: Agenda Item 3.52 . A REVISED PROJECT DESCRIPTION FOR FINAL EIR No. 546

Greetings:

Revised Project Description is on the agenda for May 4, 2020.

This is not a simple typographical error, but major errors took place in the EIR and Project Description. The Secondary Fire Access road is missing from the Plot Plans as required by State and County code.

The Project Description must include road improvements from Decker Road south of the Project southern boundary to Markham. No analysis took place for Decker Road south of the Project as required by CEQA. The Project failed to include secondary fire access to both warehouses which is a violation of the State and County Fire Codes and Ordinance 460. This is a very dangerous project as it is now approved directly next to homes without a secondary access road and secondary fire entrance into each of the warehouses.

Please find the attached letter regarding this item.

Thank you.

Debbie Walsh

RAMV

8/4/20 3.52

August 2, 2020

RAMV
Rural Association of Mead Valley
PO Box 2244
Perris, CA 92572
Email: abilene149@gmail.com

Riverside County Board of Supervisors
4080 Lemon Street
Riverside, CA 92502-1409

RE: Agenda Item 3.52. A REVISED PROJECT DESCRIPTION FOR FINAL EIR No. 546 for the Knox Business Park Buildings D and E Project (General Plan Amendment Nos. 1151 and 1152; Change of Zone Nos. 7872 and 7873, Plot Plan Nos. 25837 and 25838, and Tentative Parcel Map Nos. 36950 and 36962).

SCH No: 2015081081

Project Case No /Title: Knox Business Park Building D and E Project; EIR No 546

Honorable Supervisors:

Rural Association of Mead Valley (RAMV) *Rural Association of Mead Valley v. County of Riverside*, Riverside Superior Court Case No. RIC 1815176, **Knox Business Park Building D and E Project; EIR No 546**, is currently under appeal with the 4th District Court of Appeals case No. E07085.

The Revised Project Description is not a simple typographic error of the Project Description FEIR 546. There are major errors in the EIR that will affect the safety, health and welfare of the residents of Mead Valley, Lake Mathews and surrounding communities of over 30,000 residents.

The Project Description must include road improvements from Decker Road south of the Project southern boundary to Markham. No analysis took place for Decker Road south of the Project as required by CEQA. The Project failed to include secondary fire access to both warehouses which is a violation of the State and County Fire Codes and Ordinance 460. This is a very dangerous project as it is now approved directly next to homes without a secondary access road and secondary fire access to both warehouses as required by State and County Fire Code. The Warehouses are being built on speculation. WHAT WILL BE STORED INSIDE? Flammable liquids, gas, propane, combustible substances, toxic substances such as batteries, garden supplies such as ammonium nitrate. Protect the employees and residents who will live next to these warehouses.

REQUEST THE COUNTY OF RIVERSIDE BOARD OF SUPERVISORS:

Set aside and vacate the certification of the entire Environmental Impact Report No. 546. (Decertify the Project Description as well as the entire EIR 546)

Set aside and vacate the entire Resolution No. 2018-130. Decertify the Environmental Impact Report No. 546 included in the resolution.

The County Board of Supervisors deleted Tentative Parcel Map Nos. 36950 and 36962 for EIR 546. They are still included as part of the Project Description before you today.

The Parcel Maps require that Decker Road be improved as a secondary access road to Markham Street per Ordinance 460. Even without the Parcel Maps, the Plot Plans still included in the Project Description and EIR 546 include requirements that Decker Road be improved as an off-site secondary access road to the Project. The COA includes requirements that a sign be put up stating "No Trucks". This is certainly not going to deter the vast majority of truck drivers from using Decker Road as traffic backs up on Oleander, Harvill and the I-215 Freeway.

The changes to the Project at the May 22, 2018 Board meeting included "repaving" Decker Road with a 20' feet width to Redwood Street. This was called a very small "repaving" project. **Decker Road is not currently paved and therefore cannot be repaved.** Paving Decker from the southern boundaries of the Project to Redwood Drive requires extensive road work, drainage, planning and land acquisition. This is certainly not a 2-day repaving job as described at the May 22, 2018 Board Meeting. Ordinance 461 requires accessory roads (Decker Road) to be a minimum of 32' paved curb to curb. The Decker Road "repaving" paving project with a width of just 20' does not meet minimum County standards and is not included in EIR 546 Project Description or EIR.

The Project applicant provided the information for the environmental studies and paid for their review for the Decker Road "repaving" Project. Violation of California Code, Public Resources Code - PRC § 21082.1.

Judge Stamen states in the "Ruling on Petition for Writ of Mandate (CEQA)". Statements contained in boxed area.

Decker Road was not materially revised during the administrative review process. The Project Description in the EIR is incomplete. The Project Description notes Decker Road is left unimproved south of the southern Project site boundary. (AR 25821, 25823.) Just before the May 22, 2018 Board hearing tentatively approving the Project, the County proposed an edit to the conditions of approval to include "additional paving of Ellsworth Street south of the Project site to Redwood Drive." (AR 35245-35246.) The proposed additional off-site paving is not included in the EIR's Project Description.

The judge determined that Decker Road was not materially revised during the

Administrative Review Process as required by CEQA. The proposed additional off-site Decker Road "repaving" Paving Project is not included in the EIR's Project Description. This is not a minor project road repair as described, but a major road project to build a new road from the southern boundary of the Project to Redwood Drive. The County requirements in Ordinance 461 for a secondary access road is to pave the road a minimum of 32' from curb to curb. Decker Road is designated as a Secondary Highway. A 20' roadway is not up to any County standards (See Ordinance 461). Also, is the fact that there is no CEQA environmental review performed for building a new road from the southern Boundary of the Project to Redwood Drive. In addition, Ellsworth/Decker is required to be built as a secondary access road from the southern boundary of the Project to Markham Street per Ord. 460. The fire hydrant on this section of Decker Road requires a 26' roadway. Secondary access roads are required to be a minimum of 32' in width with a 60' right of way (Ordinance 461).

Judge Stamen stated, "The proposed additional off-site paving is not included in the EIR's Project Description". After the Board meeting was closed changes took place to add "repaving" from the southern boundary of the Project to Redwood Drive. The documents that followed describe a small two day repaving of the roadway just 20' in width. The supporting documents are woefully inadequate to describe the actual paving project to take place. This type of **new road project** takes months to complete the environmental review, acquisition of the right of way and funding sources to pay for the costs of the project. Creating a new County maintained paved road requires drainage, traffic studies, environmental studies, property acquisition, etc.

The County nor the Applicant own the right of way for Decker Road south of the Project to Markham Road.

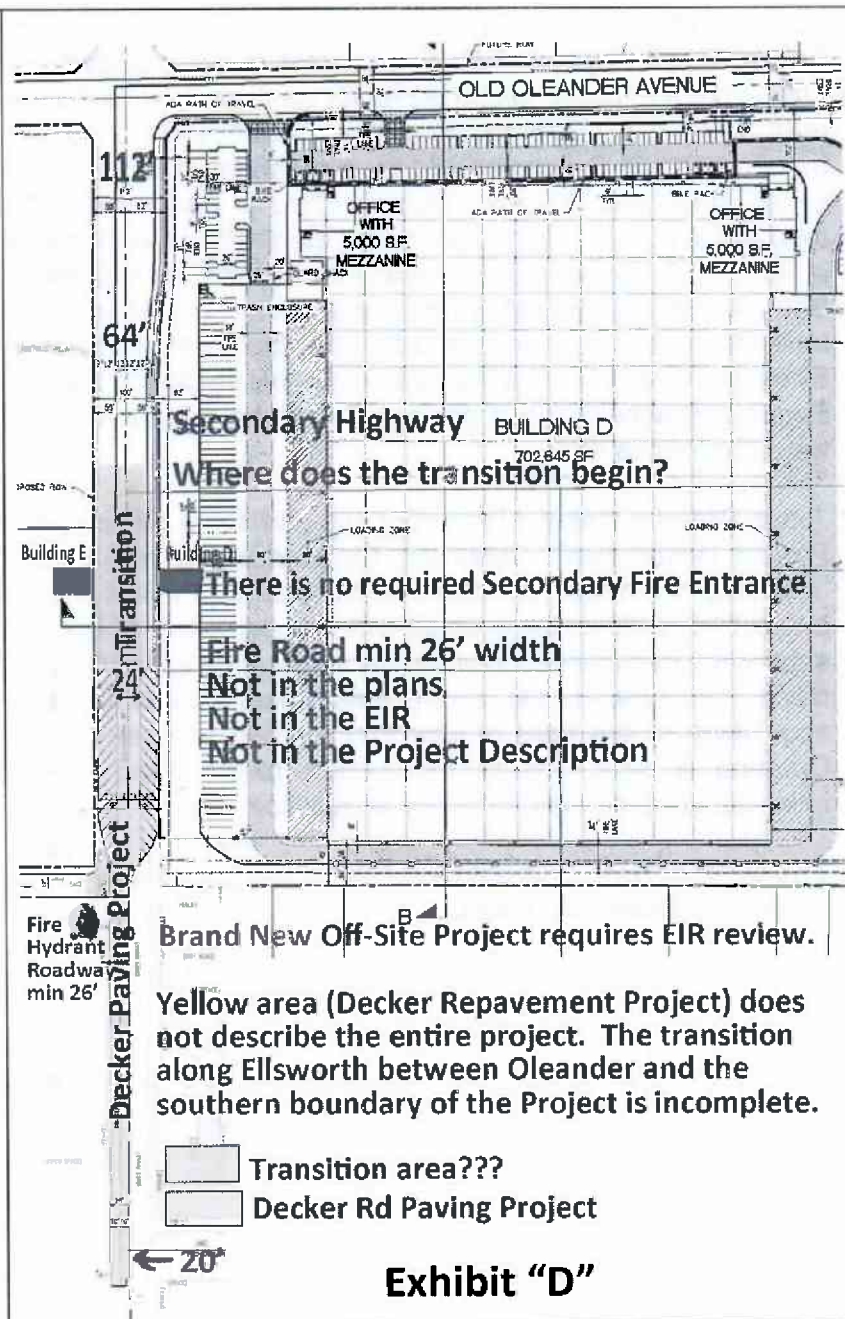
The FUNNEL AFECT

Decker Road as a Secondary Highway between Buildings D & E. Adding Decker Repaving Project requires a substantial changes to the Project road width transitioning from 112' to 64' to 24' and ultimately just 20'.

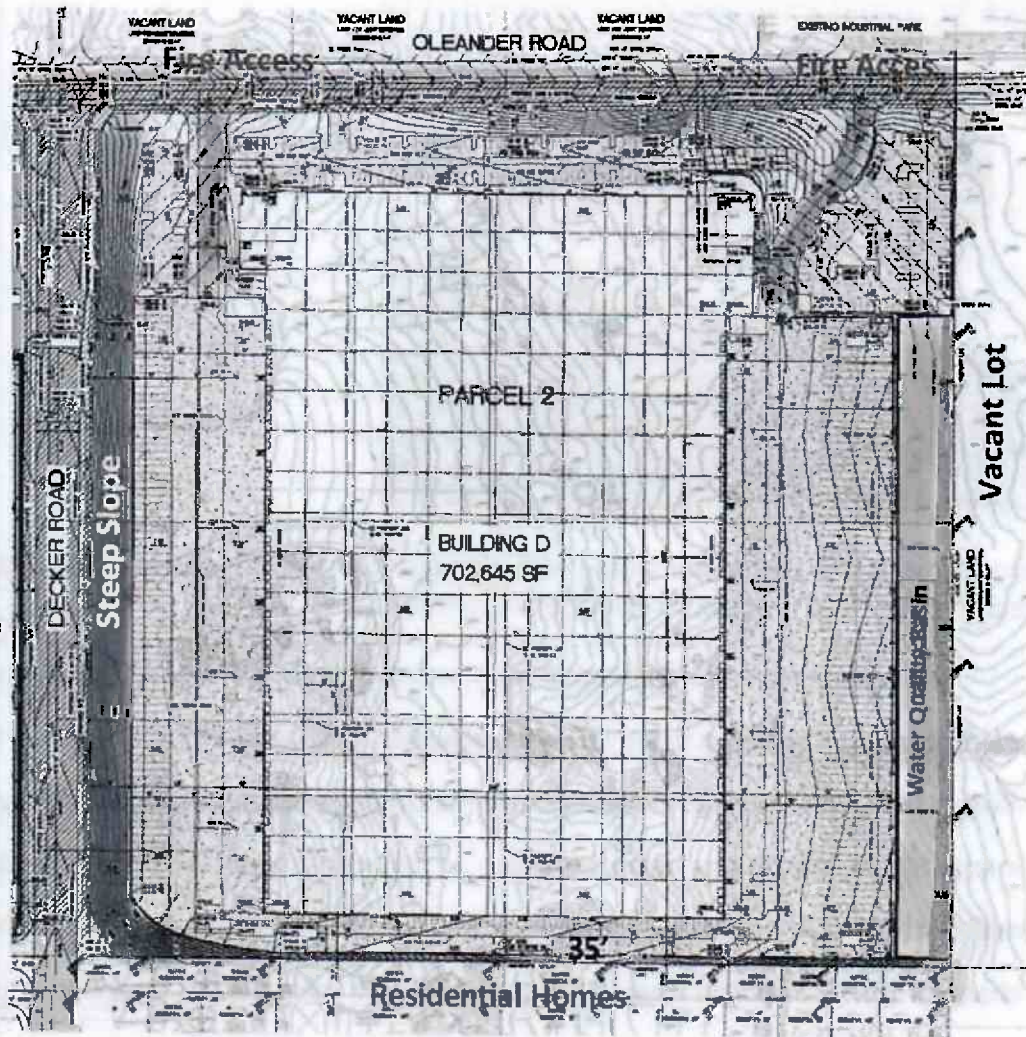
This new condition creates a funnel affect where logistics trucks are lured onto Decker Road as a Secondary Highway starts with a 112' intersection down to 64' and then 24'. How do these massive logistics trucks turn around once they enter the funnel?

Once down the funnel the trucks must continue on Decker past Redwood where the road is now dirt to Markham.

No Mitigation in the EIR for Fugitive Dust from the unpaved portion of Decker Rd. where hundreds of logistics trucks will use Decker.

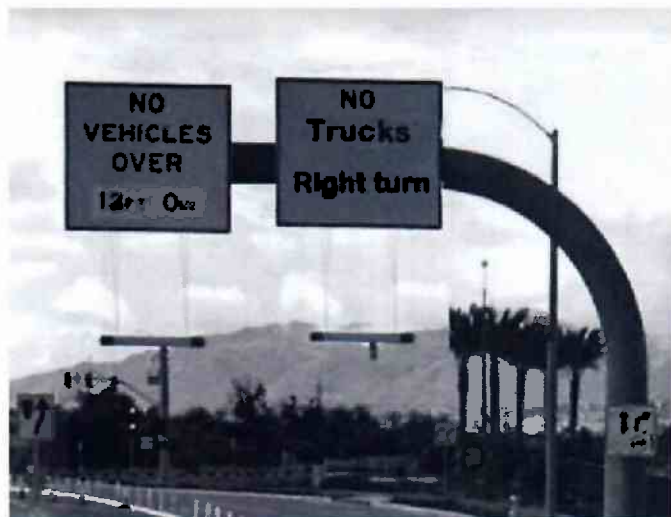


No Secondary
Fire Access or
Secondary Fire
road For
Warehouses
D&E



Secondary Fire Access road and fire access are required by State law. Both of these massive warehouses have access only on Oleander Ave. The Southern portion of the warehouse is just 70' from residential property.





Add medians and obstacles along with signage to prevent logistics trucks from accessing Decker Road South of the Project from Oleander Ave.

Not all changes are required to be included in the EIR. The additional paving work does not require revisions to the EIR or recirculation. (*Western Placer Citizens v. County of Placer* (2006) 144 Cal.App.4th 890, 899-903 [CEQA does not require a lead agency to revise a final EIR to include any new information or project changes that arise after the EIR is released, but prior to certification so long as the agency's determination that the project changes/new information was not significant new information requiring revision and recirculation of the EIR, was supported by substantial evidence in the record.] Repairing and repaving a 320-foot section of Decker at a width of 20 feet would take no more than two days to complete. (AR 47, 26965, 35240.) This is a very limited change in the scope of the Project. The proposed improvements were agreed upon to benefit the residents on

Why does this matter? It matters to the over 30,000 residents who live along Markham, Decker, Day, Clark, Cajalco, El Sobrante and La Sierra Avenues where these hundreds of 77' long logistics trucks will travel each day. Over 800 truck trips per day will be generated by these two massive warehouses. A large number of these trucks will use Decker Road to Markham and travel throughout the narrow residential streets of Mead Valley to access Cajalco Road. Logistics trucks from the warehouses on Harvill are starting to use Markham to bypass the congested portions of Cajalco a two-lane road and the I-215 Freeway. The narrow country roads in Mead Valley cannot accommodate these 77' long logistics trucks. Traffic backed up behind these trucks is causing drivers to pass dangerously resulting in head on collisions on Cajalco and El Sobrante Roads. Cajalco Road is close to two elementary schools and a middle school. Parents use many of these local roads to take their children to school.

The "revised" Project Description continues to inaccurately describe the distance between the **"southern property"** line and the **"nearest" residential property, not the "average" distance between the Project "activities" and residential properties.**

The judge states there is no reason to use the 191 feet estimate. This must be removed from the "revised" Project description. Because the distance between the residential properties and Building "D" is actually 70 feet, and the distance between residential properties and Project's parking area is actually 34 feet, those are the distances that should be stated in the project.

The studies and analysis performed throughout the EIR used inaccurate information and therefore much of the EIR is based on inaccurate analysis regarding noise, air pollution, vibration, health effects, light glare and traffic congestion.

The complete EIR 546 analysis is based on inaccurate information as the distance between the residential properties along Redwood Drive and this Project are much closer and therefore the negative environmental impacts to residents are much higher.

Respondents assert that the reference in the Project Description to "276 feet" is a typographical error. (AR 760.) Respondents acknowledge that all other references in the EIR indicate 191 feet. (AR 851, 856, 862, 863, 1073, 1074, 1078, 1093 & 1105.) Respondents explain that "the 191 feet is a conservative estimate of the average distance between Project activities and residential properties." (AR 546.) Respondent argues that there is substantial evidence to support this estimate in the form of technical reports prepared by experts. (AR 1651, 2285, 4197.)

The cited portions of the record are not within the Project Description section. There is no explanation for using the 191 feet estimate, as opposed to the actual distances to the Redwood Drive properties. Because the distance between the residential properties and Building D is actually 70 feet, and the distance between the residential properties and the Project's parking area is actually 34 feet, those are the distances that should be stated in the Project Description.

EIR 546 lacks an accurate and complete Project Description. The County of Riverside ("County") failed to adopt an accurate Project Description in violation of CEQA. For these and the other reasons below, the approval of the Project was a prejudicial abuse of discretion and the approvals must be set aside. Public Resources Code § 21168.5. Sierra Club v. County of Fresno (S219783).

The Rural Association of Mead Valley (RAMV) urges the Board of Supervisors to:

Set aside and vacate the certification of the entire Environmental Impact Report No. 546. (Decertify the Project Description as well as the entire EIR 546)

Set aside and vacate the entire Resolution No. 2018-130 certifying the Environmental Impact Report No. 546. (Decertify the Project Description as well as the entire EIR 546).

The EIR fails to satisfy CEQA's important procedural and substantive requirements. The Project fails to meet California State Fire Code. As such, the Project approvals must be set aside until the EIR is fully compliant with the law.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie Walsh".

Debbie Walsh