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<p>a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds.</p>		
<p>Mitigation Measure 4.4-1: Burrowing Owl Surveys</p> <p>Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require the following: Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the <i>Staff Report on Burrowing Owl Mitigation</i> prior to vegetation removal or ground-disturbing activities. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site</p>	<p>Timing: Focused surveys: Prior to vegetation removal or ground-disturbing activities. Pre-construction surveys: No less than 14 days prior to start of Project-related activities and within 24 hours prior to ground disturbance.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: County of Riverside and Project proponent</p> <p>Monitoring and Reporting: County of Riverside</p>

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<p>monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</p> <p>Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the <i>Staff Report on Burrowing Owl Mitigation</i>. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.</p> <p>The conditions of approval shall require that a copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Plan, if required, must be provided to the County of Riverside Planning Department for review and approval (in the case of the Burrowing Owl Plan) prior to any vegetation clearing and ground disturbance activities</p>		
<p>Mitigation Measure BIO-[B]: Artificial Nighttime Lighting</p> <p>Throughout construction and the lifetime operations of the Project, the County of Riverside and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn</p>	<p>Timing: Throughout construction and the lifetime operations of the Project.</p>	<p>Implementation: County of Riverside and Project proponent</p> <p>Monitoring and Reporting: County of Riverside</p>

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and dusk when many wildlife species are most active. The County of Riverside and Project proponent shall ensure that all lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County of Riverside and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.	Methods: See Mitigation Measure	
Mitigation Measure BIO-[C]: CDFW Lake and Streambed Alteration Program Prior to construction, the Project Sponsor shall obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project Sponsor shall obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.	Timing: Prior to construction Methods: See Mitigation Measure	Implementation: County of Riverside and Project proponent Monitoring and Reporting: County of Riverside
Mitigation Measure BIO-[D]: CVMSHCP Compliance Prior to construction and issuance of any grading permit, the County of Riverside shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure the collection of payment of the CVMSHCP Local Development Mitigation Fee and transfer of revenues to the Coachella Valley Conservation Commission.	Timing: Prior to construction and issuance of any grading permit Methods: See Mitigation Measure	Implementation: County of Riverside and Project proponent Monitoring and Reporting: County of Riverside
Mitigation Measure BIO-[E]: Salvage of Sand-Dependent Covered Species Prior to vegetation removal or ground-disturbing activities, the County of Riverside will collaborate with the Coachella Valley Conservation Commission	Timing: Prior to vegetation removal of ground-disturbing activities	Implementation: County of Riverside and Project proponent Monitoring and Reporting: County of Riverside

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to plan and implement a salvage of sand-dependent Covered Species within the Project site.	Methods: See Mitigation Measure	
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Letter B Responses to Comments from the California Department of Fish and Wildlife (CDFW)

- B-1** In this introductory comment, the commenter thanks the County for the opportunity to review the Project, and explains CDFW's roles as both a Trustee Agency and a Responsible Agency. The County appreciates the comments provided by the CDFW and acknowledges that CDFW would be required, by law, to exercise its own regulatory authority under the California Fish and Game Code (CFGC). This comment is acknowledged; no further response is required.
- B-2** The footnote to Comment B-1 is acknowledged, which cites the location of the CEQA Guidelines. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote.
- B-3** The commenter provides an accurate Project description summary. This comment is acknowledged; as this comment accurately describes the proposed Project and does not identify any deficiencies with the DEIR, no further response is required.
- B-4** The commenter explains their jurisdiction over biological resources and expresses concern that the DEIR does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. The commenter requests that additional information and analyses be added to a revised DEIR, along with avoidance, minimization, and mitigation measures that avoid or reduce impacts to less than significant. This comment is acknowledged. For the reasons noted in the responses to Comments B-5 through B-22, and aside from the minor revisions made to Subsection 4.4 of the DEIR as part of this FEIR (as described below), the County and its biological experts generally disagree that the DEIR's analysis of the Project's impacts to biological resources was inadequate and further disagree with the commenter's assertion that the mitigation measures identified in the DEIR to address the Project's impacts to biological resources require supplementation.
- B-5** The commenter expresses concern that the existing environmental setting has not been adequately analyzed in the DEIR as it relates to special-status plants and natural communities. This comment is acknowledged; however, this comment does not specifically identify any deficiencies with the information and analysis presented in DEIR Subsection 4.4, *Biological Resources*. The existing biological conditions at the Project site were described in DEIR Subsection 4.4.1, including in Subsection 4.4.1(B) where special-status plant species are discussed, and Subsection 4.4.1(C) which provides a discussion of special-status animal species. The commenter is referred also to DEIR Figure 2-6, *Aerial Photograph*, which shows that the Project site largely is barren and denuded and contains very limited vegetation under existing conditions. As this comment alleges a deficiency but does not specifically identify what aspects of DEIR Subsection 4.4.1 were deficient, no revision to the DEIR is warranted pursuant to this comment. The commenter is referred also to the response to Comment B-7, which is responsive to CDFW's concerns over the DEIR's discussion of the site's existing biological conditions.



- B-6** The commenter expresses concern that the mitigation measures presented in the DEIR are not adequate to avoid or reduce impacts to biological resources to below a level of significance and recommends adding mitigation measures for artificial nighttime lighting, special-status plants, CDFW's Lake and Streambed Alteration Program, Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) compliance, and salvage of sand-dependent Covered Species, as well as revising the mitigation measures for nesting birds and burrowing owl. This comment does not identify any specific deficiencies with the mitigation measures presented in the DEIR. The commenter instead is referred to the responses to Comments B-9, B-11, B-15, B-17, B-19, B-20, and B-21, which are responsive to the individual concerns expressed by this comment letter regarding the mitigation identified by the DEIR to address the Project's impacts to biological resources.
- B-7** The commenter accurately includes text from the Project's Biological Resources Assessment. The commenter states that based on a review of recent and historical aerial imagery, the Project site does not appear to have been disturbed and recommends that a thorough floristic-based assessment of special-status plants and natural communities be performed by a qualified biologist. The commenter also recommends that the DEIR is revised to include an analysis of direct, indirect, and cumulative impacts to biological resources and identification of appropriate avoidance, minimization, and mitigation measures.

During the 2022 field assessment, the Project site was visited by professional biologists familiar with desert plant species in both March and September 2022, allowing for plants to be documented during different phenological stages. In addition, Rocks Biological Consulting (RBC) biologists conducted a follow-up site visit on July 3, 2024, to assess current biological and physical conditions, during which all plant species encountered were identified. This follow-up survey allowed the site to be assessed following a year that experienced higher than average rainfall. Although only two species not encountered during the 2022 site visit were observed in 2024, namely *Phacelia* sp. and desert plantain, overall annual cover was higher than previously documented during 2022, a year with lower-than-average rainfall. Specifically, the Project site received 2.57 inches of rainfall in 2021, 1.18 inches of rainfall in 2022, 7.11 inches in 2023, and 2.62 inches of rain in the first six months of 2024 according to the NRCS Agricultural Applied Climate Information System (AgACIS) database for the Palm Springs ASOS station (located approximately six miles west of the Project site; AgACIS 2024).

Though the Project site has not been previously cleared or graded, the land experiences frequent human disturbance, in the form of off-road vehicle activity and trash dumping. The surrounding development has resulted in non-native plant colonization, which has contributed to degradation of on-site native habitats and decreased suitability for sensitive plants. The commenter is referred also to DEIR Figure 2-6, *Aerial Photograph*, which shows that the Project site largely is barren and denuded and contains very limited vegetation under existing conditions.



CDFW's comment specifically mentions chaparral sand-verbena (*Abronia villosa* var. *aurita*), flatseeded spurge (*Euphorbia platysperma*), and Horn's milkvetch (*Astragalus hornii* var. *hornii*), which have been reported within three miles of the Project site.

Chaparral sand-verbena typically blooms between March and September and was not documented on site during biological surveys, including the March 23, 2022, survey which was conducted at the beginning of this species' bloom period. However, the more common hairy sand verbena (*Abronia villosa* var. *villosa*) was observed during the survey. Each individual *Abronia* sp. encountered on site during the survey was carefully inspected. Samples of *Abronia* sp. plants observed on site were collected and keyed in the lab using the Jepson Flora Project's Jepson eFlora to ensure accurate species identification given the regional presence of the rare chaparral sand-verbena; the species was confirmed to be the more common hairy sand verbena. Based on the observation of hairy sand verbena on-site during surveys, it is the opinion of RBC biologists that chaparral sand-verbena would have been observed if present. The nearest recorded population of this species is approximately three miles east within conserved land and occurs within sandy benches of desert washes (CDFW 2024b, Calflora 2024). In summary, it is the opinion of RBC biologists that this species has a very low or no potential to occur on-site given that it was not observed during a floristic survey on March 23, 2022, during which the more common hairy sand verbena was observed, and due to the relatively disturbed nature of on-site habitats. CDFW has not provided contrary substantial evidence.

Flat-seeded spurge typically blooms between February and September with the peak flowering/fruiting period in March based on review of specimen data in the Consortium of California Herbaria and was not documented on site during biological surveys. The site was assessed for suitable habitat in both 2022 and 2024 and the potential for species occurrence was evaluated to be low. This species has not been documented in Riverside County since 1980 (Calflora 2024). There is one record of this species within three miles of the Project site in CNDDDB; however, the notes for this record state that the exact location is unknown and the placement of the record was near the center of Thousand Palms for lack of a more specific location (CDFW 2024b). This record cites three collections from 1914, 1926, and 1964 (CDFW 2024b). While Sonoran creosote bush scrub is present on site, it is disturbed and little to no annuals were observed during field surveys within this habitat. This species was not observed during the field surveys which were conducted during the species' bloom period. Given the suspect nature of nearby database records, the disturbed nature of the site, lack of suitable active dune habitat, and lack of observations during peak-season floristic surveys, it is the opinion of RBC biologists that the potential for flat-seeded spurge is very low.

Horn's milk vetch typically blooms between April and November and was not documented on site during biological surveys. The site was assessed for suitable habitat in both 2022 and 2024 and the potential for species occurrence was evaluated to be none. This species typically is found on salty flats, lake shores (Jepson Flora Project 2024), alkali sinks, and wetland-riparian areas (Calflora 2024). These habitats are not present within the Project site. Furthermore, this species would likely have been observed if present on site due to its open and widely branched growth form and persistent seed



Pods either remaining on the plant or on the ground. No *Astragalus* spp. were observed by RBC biologists during any of the 2022 or 2024 field surveys.

There is one record of Horn's milk vetch within three miles of the Project site in CNDDDB; however, the notes for this record state that the exact location is unknown and the placement of the record was "mapped as a best guess" (CDFW 2024b). The source of the record is a 1936 collection that lists the location as three miles south of Palm Springs, foothills of San Jacinto Mountains (CDFW 2024b). Calflora (2024) does not have any dated records from Riverside County. Based on the likely inaccuracy of nearby database records, the lack of suitable habitat on site, and lack of observations during project floristic surveys, it is the opinion of RBC biologists that the potential for Horn's milk vetch is none.

Based on the foregoing, no revision to the DEIR is warranted pursuant to this comment.

- B-8** The footnote to Comment B-7 is acknowledged, which includes a link to the CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment B-7.
- B-9** The commenter provides a suggested mitigation measure for Special-Status Plants and recommends that it be included in the FEIR. The commenter refers to Attachment 1 to the comment letter for suggested revisions to existing mitigation measures as well as recommended mitigation measures to be added. Based on CDFW's input and in order to more effectively avoid and minimize potential impacts on rare plants, the EIR's mitigation measures have been updated per CDFW's recommendations to include pre-construction special-status plant species surveys. Prior to construction, rare plants surveys will be conducted by a qualified botanist during the appropriate phenological stage for proper identification, to confirm absence. If special-status plant species are encountered during pre-construction surveys, biological monitoring, no-work exclusion buffers, consultation with the appropriate agencies, and/or habitat restoration, enhancement, or preservation will be required. The revision of preconstruction survey requirements to include special-status plant species surveys will ensure avoidance of potential significant effects on sensitive plant species, if determined present. Although the commenter's general recommendations for mitigation have been incorporated, the commenter's suggested Mitigation Measures BIO-[C] and BIO-[D] are not necessary and have not been incorporated into the Final EIR. The commenter is referred to County Regulation and Design Requirement (CRDR) 4.4-2, which already requires the Project Applicant to obtain appropriate permits from the CDFW; thus, suggested Mitigation Measure BIO-[C] already is included in the DEIR as a CRDR. The commenter also is referred to CRDR 4.4-1, which already requires payment of the CVMSHCP local development fee, as also is required by Riverside County Ordinance No. 875. Additionally, the analysis in the Project's Final EIR already demonstrates that the proposed Project would be consistent with all applicable CVMSHCP requirements with



implementation of the mitigation measures identified in the Final EIR (inclusive of the commenter's suggested new/revised mitigation measures). No further response is required.

- B-10** The footnote to Comment B-7 is acknowledged, which includes a link to the U.S. Fish and Wildlife Service Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment B-7.
- B-11** The commenter provides background information on Fish and Game Code sections relating to nesting birds. The commenter states that Mitigation Measure 4.4-2 regarding nesting birds is insufficient in scope and timing to reduce impacts to nesting birds to a level less than significant. The commenter expresses concern about impacts to nesting birds including loss of nesting/foraging habitat and potential take from ground-disturbing activities and construction. The commenter states that conducting work outside the peak nesting season is an important avoidance and minimization measure. The commenter also recommends that nesting bird surveys are completed regardless of the time of year to ensure that impacts to nesting birds are avoided. The commenter provides suggested revisions to Mitigation Measure MM 4.4-2 that they recommend be included. Regarding the nesting bird mitigation language included in the DEIR, please note that language from CDFW was utilized in the mitigation language, i.e., the mitigation language was current at the time the Project's Biological Resources Assessment (BRA) was completed in 2022. The County understands that the recommendations have evolved over time, and as recommended in CDFW's comment, Mitigation Measure MM 4.4-2 has been revised to include the requested language. Specifically, a nesting bird survey will be performed prior to vegetation removal regardless of the time of year rather than only during the typical avian breeding season. Substituting this measure will be more effective in mitigating or avoiding potential significant effects on nesting birds because the conditions under which a nesting bird survey will be required are expanded. Additional language incorporated into MM 4.4-2, as requested by CDFW, clarifies the pre-construction survey methods and monitoring requirements.
- B-12** The footnote to Comment B-11 is acknowledged, which cites an article entitled "Phenological shifts conserve thermal niches." As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment B-11.
- B-13** The commenter provides background information on Fish and Game Code sections and the CDFW Natural Community Conservation Plan (NCCP) relating to burrowing owl. The commenter states that the Biological Assessment lacks details on if and how a habitat assessment for burrowing owl was conducted; expresses concern over the age of the most recent biological surveys that were conducted in September 2022; asserts that surveys for plants and wildlife were conducted concurrently; and indicates that focused surveys for burrowing owl (or other special-status plant or wildlife species) were not conducted. The commenter states that CDFW considers the Project site to



contain suitable habitat for burrowing owl and recommends the DEIR is revised to include the findings of focused surveys for burrowing owl following guidelines outlined in the Staff Report on Burrowing Owl Mitigation. Comments regarding burrowing owl regulations as well as CVMSHCP coverage and related clauses and limitations are noted. Regarding the potential for burrowing owl occurrence on-site, a habitat assessment for burrowing owl was performed as part of the initial general biological survey for the Project. Surveyors with RBC who performed the assessment are extremely familiar with burrowing owl, their habitat, and sign and have performed hundreds of burrowing owl surveys as well as owl relocation and conservation work. Due to the aging of original surveys and based on CDFW's comment, RBC biologists conducted a follow-up survey of the Project site on July 3, 2024. As with the 2022 assessment, the Project site was walked via meandering transects and examined for suitable habitat, with particular attention paid to suitable burrows. While no suitable burrows for burrowing owl were noted in 2022, the presence of ground squirrels was documented and several recent small mammal burrows were observed in 2024. Most burrows documented on site were too small to support burrowing owl without significant modification, consequently burrowing owl habitat on site is limited. Based on the presence of ground squirrels and several new burrows observed in 2024, the potential for burrowing owl to occur on the Project site has been revised from "low" to "low-to-moderate" in the Final EIR. To more effectively avoid and minimize potential impacts on burrowing owl, if present, the Project-specific mitigation measure for burrowing owl has been updated per CDFW's recommendations. Specifically, MM 4.4-1 has been revised to include focused burrowing owl surveys, in addition to preconstruction surveys, prior to ground disturbing activities, and to clarify when coordination with CDFW is required. With implementation of revised Mitigation Measure MM 4.4-1, potential impacts on burrowing owl would be less than significant, which is the same conclusion reached by the DEIR.

- B-14** The footnotes to Comment B-13 are acknowledged, which include a link to the California Department of Fish and Game "Staff Report on Burrowing Owl Mitigation"; a citation to a reference entitled "Burrowing owl (*Speotyto cunicularia*)"; and a citation to a study entitled "Space use and pesticide exposure risk of male burrowing owls in an agricultural landscape." As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes. Refer also to the response to Comment B-13.
- B-15** The commenter opines that Mitigation Measure MM 4.4-1 regarding Burrowing Owl Surveys is insufficient in scope and timing to reduce impacts to a level less than significant. The commenter provides suggested revisions to Mitigation Measure MM 4.4-1 that they recommend be included in a revised DEIR. Mitigation Measure MM 4.4-1 has been revised as part of the Final EIR to include the language suggested by the CDFW, as more fully explained in the response to Comment B-13.
- B-16** The footnotes to Comment B-13 are acknowledged, which cite two studies entitled "Effects of human land use on western burrowing owl foraging and activity budgets" and "Behavior and population ecology of the Burrowing Owl, *Speotyto cunicularia*, in the Imperial Valley of California." As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes. Refer also to the response to Comment B-13.



- B-17** The commenter states that the Project’s proposed artificial nighttime lighting has the potential to significantly and adversely affect wildlife in open-space areas adjacent to the Project and cites examples on how artificial lighting alters ecological processes. The commenter states that Mitigation Measure MM 4.4-3 and Regulatory Requirement (RR) 4.1-2 are insufficient in scope and timing to reduce impacts to a level less than significant. The commenter provides a suggested mitigation measure, Mitigation Measure BIO-[B]: Artificial Nighttime Lighting. This recommended mitigation measure has been included in its entirety in the Final EIR as Mitigation Measure MM 4.4-7. No further response is necessary.
- B-18** The footnotes to Comment B-17 are acknowledged, which include citations of five studies relating to artificial nighttime lighting. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes. Refer also to the response to Comment B-17.
- B-19** The commenter cites Fish and Game Code section 1602 regarding the Lake and Streambed Alteration Program. The commenter states that at least two ephemeral streams traverse the Project area. The commenter recommends that in addition to DEIR Mitigation Measure MM 4.4-4, an additional mitigation measure, Mitigation Measure BIO-[C]: CDFW Lake and Streambed Alteration Program, be added to ensure that impacts to streams and associated fish and wildlife are reduced to a level less than significant. Compliance with Section 1602 is a regulatory requirement, and as such this measure was included as a County Regulation and Design Requirement (CRDR). The commenter is referred to CRDR 4.4-2, which already obligates the Project Applicant to obtain a Section 1602 Streambed Alteration Permit from CDFW for Project impacts to 0.17-acre (616 linear feet) of vegetated and unvegetated streambed. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- B-20** The commenter acknowledges that the Project is located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and outside of a Conservation Area. The commenter recommends that Mitigation Measure BIO[D]: CVMSHCP Compliance be added to document the County’s obligation as a Local Permittee under the CVMSHCP to impose a local development mitigation fee for the Project. The County finds that the suggested Mitigation Measure BIO-[D] is warranted. Payment of the required CVMSHCP already is a requirement of Riverside County Ordinance No. 875, *Establish a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Coachella Valley Multiple Species Habitat Conservation Plan*, and payment of such fees already is a requirement of DEIR Regulatory Requirement RR 4.4-1. Furthermore, the language included in this suggested mitigation, where it requires the County to “...ensure compliance with the [CVMSHCP]...” is ambiguous and unenforceable. Moreover, an analysis of the Project’s consistency with the CVMSHCP already is provided in DEIR Subsection 4.4 under the analysis of Threshold a., and the County finds that the mitigation measures included in DEIR Subsection 4.4 are sufficient to reduce the Project’s impacts due to a potential conflict with the CVMSHCP to below a level of significance. The commenter also is referred to the discussion of the commenter’s suggested mitigation measures and the revisions made to the DEIR to address these



concerns, as noted in the responses to Comments B-9, B-11, B-15, B-17, B-19, B-20, and B-21. Accordingly, for the foregoing reasons, no revision to the DEIR is warranted pursuant to this comment beyond the revisions noted in the responses to Comments B-9, B-11, B-15, B-17, B-19, B-20, and B-21.

- B-21** The commenter references Section 6.6.1 of the CVMSHCP and states that the Project site contains modeled habitat for CVMSHCP Covered Species including Coachella Valley round-tailed ground squirrel, flat-tailed horned lizard, and Coachella Valley milk vetch. The commenter recommends that Mitigation Measure BIO-[E]: Salvage Sand-Dependent Covered Species be added to be consistent with the CVMSHCP. Project-specific mitigation measures detailing pre-construction surveys have been revised to include salvage of sand-dependent Covered Species, if present, to more effectively avoid and minimize potentially significant effects on such species within the Project site per CDFW request. The commenter is referred to new Mitigation Measure MM 4.4-8 included in the Final EIR, which includes the language requested by the commenter. No further response is necessary.
- B-22** The commenter accurately quotes DEIR p. 3-23 regarding Project landscaping. The commenter recommends incorporating water-wise concepts in Project landscape plans including xeriscaping with local native California species and installing water-efficient and targeted irrigation systems. The commenter includes links to information on native plants suitable for the Project location as well as information on drought-tolerant landscaping and water-efficient irrigation systems. The commenter also recommends the DEIR include recommendations regarding landscaping from Section 4.0 of the CVMSHCP Table 4-112: Coachella Valley Native Plants Recommended for Landscaping. The list of tree species as referenced by this Comment is accurate; however, with exception of hardy silk tree (*Albizia julibrissin* 'Rosea'), which is considered to have a moderate tolerance to drought conditions, all of the tree species included in the Project's plant palette are considered to have a high to very high tolerance to drought. The Project's conceptual landscape plan is on file with the County as part of the Project's Plot Plan application materials. The County finds that no revisions to the Project's landscaping plan are warranted pursuant to this comment as the majority of the trees proposed as part of the Project have a high to very high tolerance to drought conditions. No further response is necessary.
- B-23** The commenter requests that any special status species and natural communities detected during Project surveys be reported to the California Natural Diversity Database (CNDDDB) and provides a link for more information on the reporting process. Comment regarding required filing noted. RBC files CNDDDB field survey forms for all observed sensitive plant and wildlife species in compliance with CEQA requirements and the requirements of RBC's Scientific Collecting Permit. No further response is necessary.
- B-24** The commenter states that environmental document filing fees are necessary for the Project and describes the fee process. The County acknowledges that payment of the CDFW environmental document filing fee is required, and this fee will be paid by the Project Applicant prior to filing the



Project's Notice of Determination (NOD) with the Riverside County Clerk. No further response is necessary.

- B-25** The commenter concludes the letter by thanking the County for the opportunity to comment and summarizes their comments. The commenter is referred to the responses to Comments B-4 through B-24, which are responsive to the individual comments presented in this comment letter.
- B-26** The commenter includes a table entitled Attachment 1: Mitigation Monitoring and Reporting Program (MMRP) which includes their suggested revisions and additions to the DEIR's mitigation measures as described in previous comments. The commenter is referred to the responses to Comments B-9, B-11, B-15, B-17, B-19, B-20, and B-21, which are responsive to the individual mitigation recommendations provided by this comment letter. No further response is required.



COMMENT LETTER C



South Coast
Air Quality Management District

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June 5, 2024

**Draft Environmental Impact Report (EIR) for the Proposed
Majestic Thousand Palms Project (Proposed Project)
(SCH No.: 2022110600)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Riverside County is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments organized by topic of concern.

South Coast AQMD Staff's Summary of Project Information in the DEIR

Based on the Draft EIR, the Proposed Project is developing a 1,238,992 square foot (sq. ft) warehouse building and a potential Imperial District (IID) joint electric substation on an 83-acre site under Plot Plan No. 220022.¹ The Proposed Project also consists of 1) General Plan Amendment No. 220004 to modify the land uses designation on the eastern half of the Proposed Project site from "Community Development – Medium Density Residential" to "Community Development – Light Industrial" and 2) Change of Zone No. 2200013 to change the zoning classification for the eastern half of the Proposed Project site from "Residential – Agricultural" to "Manufacturing – Service Commercial."² The Proposed Project is located on the northeast corner of Rio Del Sol and 30th Avenue in the Thousand Palms community.³ The warehouse would have 212 dock doors with 106 dock doors along each northern and southern building's façades. It is assumed that 20% of the warehouse space is for cold storage.⁴ In addition, the Proposed Project would construct a water tank and pump house on site with a tank capacity of 500,000 gallons.⁵ Construction of the Proposed Project is expected to commence in June 2024 and last through May 2025.⁶

South Coast AQMD Staff's Comments on the DEIR

Additional Recommended Air Quality and Greenhouse Gases Mitigation Measures and Project Design Considerations

¹ Draft EIR, Page 3-1.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.* Page 3-31.

⁵ *Ibid.* Page 3-11.

⁶ *Ibid.* Page 3-30.

C-1

C-2

C-3



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CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. To further reduce the Proposed Project's air quality impacts, South Coast AQMD staff recommends incorporating the following mitigation measures and project design considerations into the Final EIR.

Mitigation Measures for Operational Air Quality Impacts from Mobile Sources

1. Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible.

Note: Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks, such as the Advanced Clean Trucks Rule and the Heavy-duty Low NOx Omnibus Regulation, ZE and NZE trucks will become increasingly more available to use.

2. Require a phase-in schedule to incentivize the use of cleaner operating trucks to reduce any significant adverse air quality impacts.

Note: South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

3. At a minimum, require the use of a 2010 model year that meets CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. All heavy-duty haul trucks should meet CARB's lowest optional low-NOx standard starting in 2022. Where appropriate, include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document. Include the requirements in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards and make the records available for inspection. Regular inspections should be conducted by the Lead Agency to the maximum extent feasible to ensure compliance.

4. Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.

5. Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation Measures for Operational Air Quality Impacts from Other Area Sources

1. Maximize the use of solar energy by installing solar energy arrays.

C-2
(CONT.)

C-4

C-5

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2. Use light-colored paving and roofing materials.
3. Utilize only Energy Star heating, cooling, and lighting devices and appliances.

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Design Considerations for Reducing Air Quality and Health Risk Impacts

1. Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).
2. Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
3. Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside.
4. Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
5. Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

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Lastly, the South Coast AQMD also suggests that the Lead Agency conduct a review of the following references and incorporate additional mitigation measures as applicable to the Proposed Project in the Final EIR:

1. State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act⁷
2. South Coast AQMD 2022 Air Quality Management Plan,⁸ specifically:
 - a) Appendix IV-A – South Coast AQMD’s Stationary and Mobile Source Control Measures
 - b) Appendix IV-B – CARB’s Strategy for South Coast
 - c) Appendix IV-C – SCAG’s Regional Transportation Strategy and Control Measure
3. United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation⁹

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⁷ State of California Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Available at: <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>

⁸ South Coast AQMD, 2022 Air Quality Management Plan. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-management-plans/air-quality-mgt-plan>

⁹ US.EPA. Mobile Source Pollution - Environmental Justice and Transportation. Available at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>

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June 5, 2024

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, etc., air permits from South Coast AQMD will be required, and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

C-17

The Final EIR should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

C-18

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

C-19

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Danica Nguyen, Air Quality Specialist, at dnguyen1@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

SW:DN

RVC240501-03

Control Number



Letter C Responses to Comments from the South Coast Air Quality Management District (SCAQMD)

- C-1** In this introductory comment, the South Coast Air Quality Management District (SCAQMD) thanks the County for the opportunity to comment on the DEIR. The commenter provides an accurate summary of the Project description. This comment is acknowledged; no further response is required.
- C-2** The commenter states that CEQA requires all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts and references the mitigation measures and design considerations recommended by this comment letter. The commenter is referred to the responses to Comments C-4 through C-15, which are responsive to the individual measures recommended by this comment letter.
- C-3** The footnotes to Comment C-1 are acknowledged, which include page citations to the Project's DEIR. As these footnotes does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- C-4** The commenter recommends that a mitigation measure be added stating "Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks, such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NO_x emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible." As discussed in the DEIR, commercial availability of zero-emissions long-haul vehicles is at best limited at present (see DEIR at pp. 4.3-20, 4.6-8 to 4.6-9 et. al). As a result, there is no evidence in the record that the proposed mitigation requiring all heavy-duty trucks to be zero-emission is technologically or financially feasible for the Project. To the contrary, there are several factors that render such a requirement infeasible.

Firstly, trucks serving the Project site are unlikely to be owned by the building users, as most buildings are serviced by trucks or owned or leased by independent operators. The types of trucks driven by independent operators are outside of the control of Project Applicant, building users, and the County.

Second, the commenter is referred to a memorandum prepared by Urban Crossroads, titled, "Infeasibility of All-Electric Trucks Memorandum," and dated October 16, 2024, which has been added as *Technical Appendix B3* to this Final EIR (Urban Crossroads, 2024f). As noted therein, there is not enough electrical grid power to sustainably charge all of the trucks that would travel to and from the Project site. For example, one trucking company tried to electrify just 30 trucks at a terminal in Joliet, Illinois. Shortly after this plan began, local officials shut it down, commenting that it would draw more electricity than is needed to power the entire city.²⁵ Even more relevant, a California company attempted to electrify 12 forklifts, which require significantly less power than trucks. Local

²⁵ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>



power utilities told the California company that it was not possible.²⁶ In a May 2023 report by Resources for the Future, titled *Medium- and Heavy-Duty Vehicle Electrification: Challenges, Policy Solutions, and Open Research Questions*, the report states that medium- and heavy-duty electric vehicles (“MHDEVs”) charging (which may exceed several megawatts [MWs] of demand for large fleets) could destabilize electricity distribution systems.²⁷ Therefore, significant investments into the grid, transmission system, and generation capacity is required.²⁸ If the Project requires each and every truck entering the facility to be zero-emissions this would put a significant strain on California’s power grid; one the grid cannot handle in the short-term, must less sustain in the long run. (Urban Crossroads, 2024f, p. 1)

In addition to the fact that local and state electrical infrastructure cannot sustain fully electric trucks, the logistical and operational barriers of using such trucks is also extremely prohibitive. To gain widespread use, MHDEVs must be comparable to diesel vehicles in model options, range, recharge time, payloads, and maintenance.²⁹ However, considering current technologies, MHDEVs generally have ranges below 200 miles, versus more than 1,000 miles for diesel vehicles.³⁰ Additionally, recharge times are substantially longer than diesel refueling. For example, a clean diesel truck can spend 15 minutes fueling anywhere in the country and then travel about 1,200 miles before fueling again.³¹ In contrast, today’s long-haul battery electric trucks have a range of about 150-330 miles and can take up to 10 hours to charge.³² (Urban Crossroads, 2024f, p. 2)

Moreover, fleets without a charging depot will need to rely on public charging stations. Unfortunately, significant investment must first be made before widespread public charging is feasible.³³ Lastly, weight of MHDEVs is also a significant issue that will lead to increased operational barriers. Battery-electric trucks, which run on two approximately 8,000 pound lithium ion batteries, are far heavier than clean diesel trucks.³⁴ Because trucks are subject to strict federal and state weight limits, as seen by weighing stations throughout California and the United States, requiring zero-emission battery electric trucks will significantly decrease the payload of each truck, thus requiring more trucks to be on the road and increasing both traffic congestion and tailpipe emissions.³⁵ (Urban Crossroads, 2024f, p. 2)

In addition to the barriers described above, zero-emission trucks are much more costly to fleet owners. A new, clean-diesel long-haul tractor typically costs in the range of \$180,000 to \$200,000.³⁶

²⁶ *Id.*

²⁷ https://media.rff.org/documents/Report_23-03_v3.pdf

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ https://media.rff.org/documents/Report_23-03_v3.pdf

³⁴ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

³⁵ *Id.*

³⁶ *Id.*



Meanwhile, a comparable battery-electric tractor – with a quarter of the range and thus requiring frequent and long hours of charging – costs upwards of \$480,000.^{37,38} This \$300,000 upcharge is cost prohibitive for the overwhelming majority of truck carriers as more than 95% of trucking companies are small businesses operating ten (10) trucks or fewer.³⁹ Not only do the trucks themselves pose a financial burden, so does the installation of a charging station, which can exceed \$100,000.⁴⁰ Many small trucking businesses will thus be required to use public charging stations, in which the infrastructure for such charging is not widely available.⁴¹ Enacting the mitigation the commenter requests will push many truck carriers out of business, tighten capacity, and cause severe price inflation for all goods.⁴² (Urban Crossroads, 2024f, pp. 2-3)

Furthermore, if the above challenges were not enough, there is a significant constraint in sourcing enough raw minerals needed to produce the lithium-ion batteries uses in these zero-emission trucks. For example, tens of millions of tons of cobalt, graphite, lithium, and nickel will need to be produced.⁴³ It is estimated that it could take up to 35 years to acquire all the minerals needed to generate enough truck batteries for current levels of global production.⁴⁴ Additionally, expanding capacity and sourcing this amount of material creates environmental effects, that in some respects could exceed the emissions of current clean-diesel trucks.⁴⁵ (Urban Crossroads, 2024f, p. 3)

Moreover, California’s zero-emission trucking regulations have been challenged by numerous other states as an unconstitutional restraint on interstate commerce, and are at least partially unenforceable while the legal challenges are pending, and could ultimately be determined to be unlawful.

Finally, there is not IID electrical capacity to provide electric service to the local area let alone for aggressive implementation of truck EV charging. IID already is challenged to provide electrical capacity to the local area, and aggressive implementation of EV truck charging would exacerbate IID’s challenges in providing additional capacity (refer to IID’s comment letter D). Therefore, the County finds that there is no evidence in the record that the proposed mitigation requiring all heavy-duty trucks to be zero-emission is technologically or financially feasible for the Project.

Although requiring all trucks that service the Project site to be electric would be infeasible, DEIR Mitigation Measure MM 4.3-4 promotes use of alternative fuels and supports clean truck fleets as means of generally reducing Project-related vehicular-source emissions. Additionally, and as suggested by CARB, the DEIR includes mitigation (see EIR Mitigation Measures MM 4.3-1, MM

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ https://media.rff.org/documents/Report_23-03_v3.pdf

⁴¹ <https://www.ccjdigital.com/alternative-power/battery-electric/article/15545697/charging-forward-with-electric-truckcharging-stations>

⁴² *Id.*

⁴³ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁴⁴ *Id.*

⁴⁵ *Id.*



4.3-2, MM 4.3-3, as revised by this Final EIR; refer to Table F-2) requiring the provision of EV charging infrastructure on the Project site to support the accommodation of zero and near-zero emission vehicles and equipment and to make the Project site attractive for these vehicle types. In addition, the Advanced Clean Fleet Regulation already requires all drayage trucks in California to be zero-emission by 2035. (Urban Crossroads, 2024f, p. 3) The Project, through its design features and mitigation measures, anticipates that zero and near-zero emission vehicles would operate on the Project site and in the future as part of the overall statewide progression of commercial vehicle fleets transitioning towards clean fleets over time. As such, the Project will be accommodating to such vehicles as they become commercially available and feasible to utilize for Project operations.

With respect to the commenter's suggestion to use trucks powered by natural gas, while natural gas-powered trucks can solve many of the limitations that currently make battery electric trucks infeasible, natural gas-powered trucks that meet CARB's 0.02 g/BHP-hr NO_x standard currently are in limited supply, are cost prohibitive, and suffer from increased cost and limited refueling options compared to conventional diesel-powered trucks. Compared to conventional diesel trucks, the upfront cost of a compressed natural gas (CNG) truck is approximately \$10,000 higher, and this cost is significantly higher for liquefied natural gas (LNG) trucks⁴⁶. While refueling infrastructure for CNG and LNG trucks is more mature than charging stations for battery electric trucks, there remains significantly fewer refueling options compared to diesel. It is estimated that there are currently approximately 200 public-access CNG refueling stations in California, Nevada, and Arizona, with substantially fewer available for LNG trucks⁴⁷. Another potential issue with natural gas trucks is that challenges remain in meeting CARB's 0.02 g/BHP-hr NO_x emissions standard. According to a recent study funded by the South Coast Air Quality Management District (SCAQMD), the California Energy Commission (CEC), the California Air Resources Board (CARB) and SoCal Gas, a majority of natural gas trucks that were certified to meet the 0.02 g/BHP-hr NO_x standard failed to meet achieve this standard in real-world use, and NO_x emissions increased significantly as the engines and aftertreatment devices aged⁴⁸. In order to address these increased emissions and the potential for these trucks to become high emitters as they age, CARB implemented the Heavy-Duty Inspection and Maintenance (HD I/M) program for trucks. These factors introduce the potential for increased downtime and maintenance costs for natural gas trucks compared to their diesel-powered counterparts. Additionally, trucks powered by hydrogen also would not be feasible at this time. According to the Department of Energy (DoE) Alternative Fuels data center, the nearest fueling station for hydrogen-powered vehicles is located at 616 Paseo Grande in the City of Corona, or approximately 77.8 roadway miles from the Project site⁴⁹. As further noted by the DoE's Office of Energy Efficiency & Renewable Energy, the use of hydrogen fuel cells also is limited due to current fuel cell costs and durability; due to lack of hydrogen storage facilities; and a lack of hydrogen production and delivery.⁵⁰ Similar to hydrogen, battery electric trucks also would not be feasible at

⁴⁶ <https://theicct.org/sites/default/files/publications/low-nox-hdvs-compared-sept21.pdf>

⁴⁷ <https://ca-cta.org/renewable-transportation-fuels/fueling-options/>

⁴⁸ https://ww2.arb.ca.gov/sites/default/files/2021-04/Natural_Gas_HD_Engines_Fact_Sheet.pdf

⁴⁹ https://afdc.energy.gov/fuels/hydrogen_stations.html

⁵⁰ <https://www.energy.gov/eere/fuelcells/technology-validation>



this time. As of 2024, commercial availability of battery electric trucks remains extremely limited. Further, while DC fast charging stations continue to spread throughout California, the vast majority of these are intended to accommodate light-duty passenger vehicles and lack the accessibility for medium- and heavy-duty trucks. Based on data provided by the DoE Alternative Fuels Data Center, there are currently 12 publicly accessible DC fast charging with a total of 21 charging ports across the United States and Canada that are capable of accommodating heavy-duty trucks.

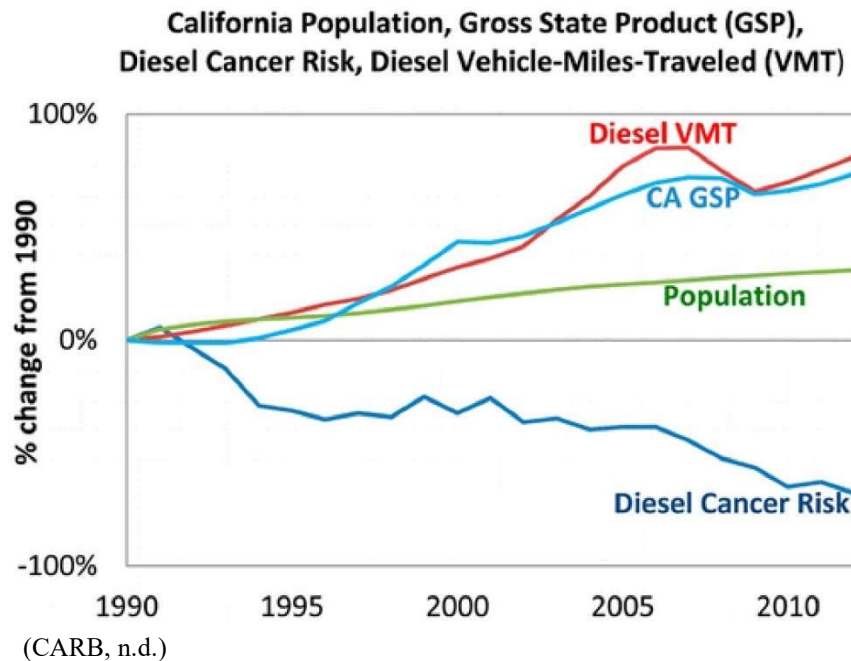
Notwithstanding the foregoing, DEIR Mitigation Measure MM 4.3-4 promotes use of alternative fuels and supports clean truck fleets as means of generally reducing Project vehicular-source emissions. The DEIR also includes measures that would reduce heavy-duty vehicle emissions to the extent feasible consistent with current regulations and feasibly available technologies. Specifically, Mitigation Measure MM 4.3-1, which has been revised as part of this Final EIR (refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*), requires the provision of Electric Vehicle (EV) charging station infrastructure for heavy-duty trucks. Mitigation Measure MM 4.3-2, which also has been revised as part of this Final EIR as described in Table F-2, requires the provision of carpool spaces for passenger vehicles and EV charging spaces that would exceed the requirements of CALGreen. Mitigation Measure MM 4.3-3 requires all on-site equipment to be powered by electricity and further requires the provision of charging stations for on-site equipment. Accordingly, the County finds that a measure requiring all Project trucks to be ZE or NZE would not be feasible, and the County further finds that the DEIR mitigation measures are equivalent to if not superior to the measure offered by the commenter.

Finally, and importantly, it should be noted that due to advances in technology, modern diesel heavy duty trucks are virtually emissions free (Ramboll, n.d.; Cummins Newsroom, 2020). For example, since 1990, modern diesel engines have reduced both diesel particulate matter and NO_x by 98%. In fact, it would take approximately 60 of today's modern clean diesel trucks to equal the emissions of a single truck from the 1980's. (Cummins Newsroom, 2020) In California, and as reflected in Figure F-1, *DPM and Diesel Vehicle Miles Trend*, this is evidenced by the fact that cancer risks have gone down dramatically over the past decades despite vast increases in vehicle miles traveled from heavy duty trucks over the same time period.

Thus, while State policy reflects an important prerogative of transitioning to electric and natural gas fueled heavy duty trucks, it is important to note that modern diesel trucks reflect the incredible progress towards emissions reductions and associate health risks that have already been made. Accordingly, no revision to the DEIR is warranted pursuant to this comment.



Figure F-1 DPM and Diesel Vehicle Miles Trend



- C-5** The commenter suggests a mitigation measure that would require a phase-in schedule incentivizing the use of clean trucks, and notes that SCAQMD staff is available to discuss such truck technologies and programs. The commenter is referred to the response to Comment C-4, which explains why a measure requiring all Project trucks to consist of ZE or NZE vehicles would not be feasible. Notwithstanding, DEIR Mitigation Measure MM 4.3-4 would promote and provide incentives for use of alternative fuels and support of “clean” truck fleets. The commenter provides no indication of how the suggested measure would demonstrably or substantially reduce the Project impacts beyond the reductions achieved through measures already incorporated in the DEIR. The County finds that the DEIR mitigation measures are equivalent to if not superior to the measure offered by the commenter. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- C-6** The commenter recommends that a mitigation measure be added stating “At a minimum, require the use of a 2010 model year that meets CARB’s 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NO_x emissions or newer, cleaner trucks. The commenter asserts that all heavy-duty haul trucks should meet CARB’s lowest optional low-NO_x standard starting in 2022 and requests an evaluation regarding the sufficiency of electricity infrastructure in the local area. The commenter further requests that operators maintain records of all trucks to verify compliance with the commenter’s suggested requirements. The requirement that all Medium-Heavy Duty Trucks (“MHDT”) and Heavy-Heavy Duty (“HHD”) trucks with a gross vehicle weight rating greater than 19,500 pounds must use year CARB compliant 2010 or newer engines already is imposed on the Project as recommended by Riverside County Board of Supervisors Policy F-3 (“Good Neighbor Policy” for Logistics and Warehouse/Distribution Uses); compliance with which already is a requirement of DEIR Mitigation Measure MM 4.3-6. Notwithstanding, in response to this



comment Mitigation Measure MM 4.3-6 has been revised to specifically include the following requirement pursuant to provision 4.1 of Riverside County Board of Supervisors Policy F-3:

b. Facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel-fueled Medium-Heavy Duty Trucks (“MHDT”) and Heavy-Heavy Duty (“HHD”) trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB compliant 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County.

With respect to the commenter’s request that the County demonstrate there is sufficient power to accommodate electrified heavy-duty trucks, the commenter is referred to the response to Comment C-4, which explains why electrified heavy-duty trucks are not feasible for the Project at this time. In addition, and as noted in this comment, compliance with CARB’s low-NO_x standard starting in 2022 is “optional,” and is not a regulatory requirement. Regardless, the Project would be required to comply with all regulations promulgated by the State, regional, and local agencies, including any future regulations requiring the use of low-NO_x vehicles. As the revision to Mitigation Measure MM 4.3-6 as noted above addresses the commenter’s concern regarding heavy-duty truck emissions of NO_x and PM associated with older trucks, no further revision to the DEIR is warranted pursuant to this comment.

C-7 The commenter recommends that a mitigation measure be added stating “Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.” The commenter implies and speculates that the Project as proposed would somehow generate substantive truck traffic beyond that evaluated and addressed in the DEIR; and that mitigation is required to in effect, ensure that the DEIR Project (not some other undefined commentor-imagined project) is ultimately implemented.

Note first that the DEIR’s truck traffic generation estimates reflect the Project as defined in the DEIR, and further that the DEIR truck traffic generation estimates comply with accepted and vetted trip generation modeling methodologies and protocols (refer to Section 4.1, *Project Trip Generation*, of the Project’s Traffic Analysis [TA], which was included as DEIR *Technical Appendix K1*). Riverside County, through implementation of the DEIR’s mitigation measures and established design review and development permit processes would ensure that future development on the Project site would be consistent with the Project described and evaluated in the DEIR. To assume that truck traffic generated by the implemented Project would differ substantively from the Project evaluated in the DEIR is at best, speculative. The TA and DEIR use reasonable and foreseeable estimates as required by CEQA.

Secondly, the TA trip generation estimates are in total conservative, and likely overstate rather than understate the Project’s potential truck traffic impacts (see pp. 5, 6, 34, 39, 44, and 45 of the Project’s



TA, DEIR *Technical Appendix K1*). Air quality impacts based on these trip generation estimates are similarly conservative, and likely overstate rather than understate the Project's truck-source air quality impacts. In this manner, the DEIR analyses and significance determinations already account for the Project's likely maximum possible impacts. To assume that traffic and air quality impacts generated by truck traffic under the implemented Project would differ substantively from what is evaluated and disclosed in the DEIR is at best, speculative.

The speculative increased truck traffic condition suggested by the commentor is not reasonable and foreseeable for proposed Project, and is patently not the Project Riverside County is considering for approval. To presuppose mitigation requiring environmental re-evaluation based on the commentor's speculative condition is unwarranted. Moreover, the commentor's increased truck traffic condition is speculative and undefined. Any mitigation to address this condition would be ambiguous and unenforceable (e.g., how and on what basis would the Lead Agency "anticipate" higher daily truck volumes?; What constitutes "higher daily truck volumes? Etc.)

Lastly, any substantive revisions or changes to any aspect of the Project evaluated in the EIR would be reviewed by the Lead Agency as required under CEQA. This alone obviates the need for the measure offered by the commentor. Accordingly, and for the foregoing reasons, no revisions to the DEIR are warranted pursuant to this comment.

- C-8** The commentor recommends that a mitigation measure be added stating "Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure, and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment." The commentor is referred to the mitigation measures presented in DEIR Subsections 4.3, *Air Quality*, and 4.8, *Greenhouse Gas Emissions*. Specifically, Mitigation Measure MM 4.3-1, which has been revised as part of this Final EIR (refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*), requires the provision EV charging stations that exceed the minimum number of EV charging stations required pursuant to CCR Title 24, and further requires that electrical rooms and exterior areas accommodate appropriately sized electrical panels and associated conduit at the locations where electric-powered trucks would park and connect to charging facilities. Mitigation Measure MM 4.3-2, which also has been revised as part of this Final EIR as indicated in Table F-2, requires the provision of appropriately sized electrical panels and conduit to accommodate EV charging stations for passenger vehicles to exceed the requirements of the California Green Standards Building Code. Mitigation Measure MM 4.3-3 requires all on-site equipment to be electrically powered, and further requires the provision of an appropriate number of charging stations. Mitigation Measure MM 4.8-2, which also has been revised as part of this Final EIR as indicated in Table F-2, requires the proposed building to be designed to accommodate renewable energy production through the provision of the maximum number of solar panels on the roof of the warehouse building in order to exceed the requirement of Climate Action Plan (CAP) Measure R2-CE1 to accommodate at least 20% of the Project's energy demand. Accordingly, as the mitigation measures presented in the DEIR already require the provision of electrical infrastructure,



electrical panels, and electrical hook ups for trucks and on-site auxiliary equipment, no revision to the DEIR is warranted pursuant to this comment.

C-9 The commenter recommends that a mitigation measure be added stating “1. Maximize the use of solar energy by installing solar energy arrays. 2. Use light-colored paving and roofing materials. 3. Utilize only Energy Star heating, cooling, and lighting devices and appliances.” The measures cited replicate or are less stringent than 2022 Title 24 Standards, the County of Riverside Climate Action Plan (CAP) measures required of the Project as described by the DEIR at page 4.8-30, and the measures in Riverside County Board of Supervisors Policy F-3 (“Good Neighbor Policy” for Logistics and Warehouse/Distribution Uses) that the Project is committed to implement as described by the DEIR on pages 4.3-55 through 4.3-57. Additionally, with respect to solar energy arrays, the commenter is referred to EIR Mitigation Measure MM 4.8-2, which has been revised as part of this Final EIR as indicated in Table F-2, requires the proposed building to be designed to accommodate the maximum number of rooftop solar as is feasible given building constraints and code requirements, and would require the Project Applicant to provide calculations demonstrating that the solar arrays achieve more than 20% of the warehouse building's energy demand through onsite renewable energy production in order to demonstrate compliance with Climate Action Plan (CAP) Measure R2-CE1. Accordingly, because the proposed Project would be subject to compliance with measures that exceed the recommended measures provided by the commenter, no revision to the DEIR is warranted pursuant to this comment.

C-10 The commenter recommends that a design consideration be added stating “Clearly mark truck routes with trailblazer signs so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, daycare centers, etc.).” Although the County finds that such a requirement is not currently warranted because improvements planned for Robert Road would not accommodate heavy-duty truck traffic and Rio del Sol is the only viable route to access the site, the County has nonetheless added the following mitigation measure to require the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access the I-10 freeway and other major circulation facilities in the local area:

[MM 4.3-9 Prior to issuance of building permits, Riverside County shall ensure that the building plans include a note requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Prior to final building inspection, the County shall verify that the required signage has been posted. The requirement to utilize Rio del Sol to access these facilities also shall be specified in future lease or sales agreements issued to prospective tenants.](#)

C-11 The commenter recommends that a design consideration be added stating, “Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.” The commenter is referred to the Project’s proposed site plan, which is depicted on DEIR Figure 3-5. As shown, all Project-related



truck traffic would be routed either directly to Rio del Sol or would be routed to 30th Avenue to access Rio del Sol. None of the entrances proposed as part of the Project face sensitive receptors. Furthermore, it is noted that the nearest sensitive receptor is located 1,329 feet to the east of the Project site (as depicted on DEIR Figure 4.3-1), and none of the Project's truck entrances are oriented to the east. Furthermore, the analysis throughout the DEIR demonstrates that the Project's localized impacts, including potential localized air quality, health risk, and noise impacts, all would be less than significant. Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Accordingly, no revision to the DEIR is warranted pursuant to this comment.

- C-12** The commenter recommends that a design consideration be added stating "Design the Proposed Project such that any truck check-in point is inside the Proposed Project site to ensure no trucks are queuing outside." The commenter is referred to the Project's proposed site plan, which is depicted on EIR Figure 3-5. As shown, the truck check-in locations (identified as "Future Guard House" on Figure 3-5) are designed to accommodate more than 320 feet of stacking space on site along the proposed driveways along Rio del Sol, and more than 500 feet of stacking space on site at the proposed access from 30th Avenue. These stacking distances would be sufficient to reasonably preclude trucks from stacking up on Rio del Sol or 30th Avenue. Furthermore, the commenter is referred to provision b. of revised EIR Mitigation Measure 4.3-6 (which was identified as provision a. in the DEIR; refer to Table F-2), which requires the following pursuant to Riverside County Board of Supervisors Policy F-3: "The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas." Accordingly, because the Project already has been designed as requested by the commenter, no revision to the DEIR is warranted pursuant to this comment.
- C-13** The commenter recommends that a design consideration be added stating "Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors." The commenter is referred to the Project's proposed site plan, which is depicted on DEIR Figure 3-5. As shown, the Project has been designed to direct truck traffic away from nearby sensitive receptors to the extent feasible, with two of the Project's main access points occurring along Rio del Sol Road. Furthermore, it is noted that the nearest sensitive receptor is located 1,329 feet to the east of the Project site (as depicted on DEIR Figure 4.3-1), and none of the Project's trucks would be routed to the east. Furthermore, the analysis throughout the DEIR demonstrates that the Project's localized impacts, including potential localized air quality, health risk, and noise impacts, all would be less than significant. Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- C-14** The commenter recommends that a design consideration be added stating "Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site." The commenter is referred to provision b. of revised EIR Mitigation Measure MM 4.3-6 (which was identified as provision a. in the DEIR; refer to Table F-2), which requires the following pursuant to



Riverside County Board of Supervisors Policy F-3: “The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.” Furthermore, approximately 484 parking spaces for truck trailers would be accommodated on site along with 732 passenger vehicle parking spaces, the provision of which would accommodate any trucks that would park overnight. No revision to the DEIR is warranted pursuant to this comment.

- C-15** The commenter suggests that the County review the following references and incorporate applicable additional mitigation measures in the FEIR: State of California – Department of Justice: Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act; South Coast AQMD 2022 Air Quality Management Plan Appendix IV-A, IV-B and IV-C; and the United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. The commenter further requests the incorporation of additional mitigation measures as applicable based on a review of these publications. The County has reviewed the references cited by SCAQMD in this comment and has considered SCAQMD’s mitigation recommendations as outlined in this comment letter. As substantiated in the responses to this comment letter, and with exception of the minor revisions and additions to the mitigation measures identified in the DEIR as noted above, the DEIR mitigation appropriately responds to and addresses the Project’s potentially significant impacts, and no additional feasible mitigation measures are available to further reduce the Project’s significant and unavoidable air quality impacts. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- C-16** The footnotes to Comment C-15 are acknowledged, which include links to each reference mentioned in comment C-15. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- C-17** The commenter states that if the Project would require the use of new stationary and portable sources including emergency generators, fire water pumps, etc., air permits from SCAQMD would be required, and the role of SCAQMD would change to a Responsible Agency. The commenter requests that the FEIR include a discussion regarding any new stationary and portable equipment requiring SCAQMD air permits and identify SCAQMD as a Responsible Agency. This comment is acknowledged. The DEIR acknowledges that permits from the SCAQMD may be required in the event that any stationary equipment is proposed, as noted in DEIR Table 3-1. With respect to the commenter’s request to identify any such future stationary equipment, the future tenant(s) of the Project’s proposed warehouse building is not known at this time, and as such it is not known what types of stationary equipment, if any, may be proposed as part of future tenant improvements. The County further acknowledges that in the event that any such permits are needed, SCAQMD is obligated to ensure that the Project’s EIR contains a sufficient project description and analysis in order to be relied upon for the issuance of any discretionary approvals that may be needed for air permits. For the reasons noted herein, the County finds that the Project’s DEIR included a comprehensive description of the proposed Project, and further finds that the analysis presented throughout the DEIR fully complies with all CEQA requirements. No further response is necessary.



- C-18** The commenter requests that the FEIR include calculations and analyses for construction and operation emissions for the new stationary and portable sources and provides a link to additional information on air permits. As noted in the response to Comment C-17, the future tenant(s) of the Project's proposed warehouse building is not known at this time, and as such it is not known what types of stationary equipment, if any, may be proposed as part of future tenant improvements. Thus, any analysis of potential impacts or air quality emissions from such stationary equipment would be speculative (see State CEQA Guidelines § 15145). Furthermore, emission modeling for known stationary or portable sources (e.g. emergency fire pumps, IID substation) was included calculation of the Project's operational air quality emissions. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- C-19** The commenter concludes the letter by requesting that the SCAQMD be provided written responses to their comments at least 10 days prior to certification of the FEIR. The commenter states that if the Lead Agency's position is at variance with recommendations in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided. The commenter again expresses appreciation for the opportunity to comment and provides contact information should any questions arise. The commenter is referred to the responses to Comments C-2 through C-18, which provides detailed reasons supported by substantial evidence as to why suggestions from the commenter were not incorporated into the Project's design, or why revisions to the DEIR, including the commenter's suggested mitigation measures, were not incorporated into the FEIR. Additionally, a copy of the Final EIR, which includes the responses to SCAQMD's comments, will be provided to the commenter at the contact information provided no less than 10 days prior to certification of the Project's EIR. No further response is necessary.



COMMENT LETTER D



IID

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June 10, 2024

Mr. Russell Brady
Contract Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

SUBJECT: NOA of an DEIR for the Majestic Thousand Palms Project

Dear Mr. Brady:

On April 26, 2024, the Imperial Irrigation District received from the the Riverside County Planning Department, the Notice of Availability of a Draft Environmental Impact Report for the Majestic Thousand Palms project. The applicant proposes the development of a 1,238,992 sq. ft. warehouse building consisting of 20,000 sq. ft. for office uses and 1,218,992 sq. ft. of warehouse space and a potential 50MVA IID electric substation on an 83-acre property located on the northeast corner of Rio Del Sol and 30th Avenue in the Thousand Palms, Riverside County, CA (APNs 648-150-034 and -035). Other proposed features include landscaping, parking areas, docking doors, and frontage improvements along Rio Del Sol Road and 30th Avenue. Off-site improvements required to implement the project entail limited off-site road improvements including the paving of Robert Road between 30th Avenue and Del Norte Way and the installation of power poles supporting overhead lines and/or underground conduits between the potential onsite IID substation and existing IID facilities.

D-1

IID has reviewed the project information and has the following comments:

1. The implementation of the substation required to accommodate the power request for the proposed project entails two (2) 50 MVA transformer banks 92/13.2 kV, site acquisition, substation design and construction, distribution getaways, transmission line extensions and commissioning. The required substation is currently anticipated to be constructed under either a form of cost-share agreement and/or pursuant to one or more reimbursement agreements with one or more joint powers authorities, with a high-level cost estimate of \$28 Million, based on 2024 IID Rates (subject to change without notice, including for adjustments in costs of materials, supply or labor). As a result, the project is not likely to be solely responsible for the entire cost of the substation, but the plan of service for the project is contingent upon the implementation of the substation and upgrades, or such portions thereof as are necessary in IID's sole discretion to accommodate new electric service to the project.

D-2



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2. The project will be required to contribute to a pro rata share of the cost of the substation and upgrades. The contribution shall be paid pursuant to one or more cost-share agreements and/or reimbursement agreement(s) with one or more joint powers authorities, or such other financial arrangement reasonably acceptable to IID. To the extent that the substation is not constructed through the aforementioned mechanisms, the project may be required to directly facilitate construction of the substation, or such portions thereof as are necessary in IID's sole discretion to accommodate electrical service to the project. D-3
3. In addition, the 13 MW (14 MVA) loading requested by the project will require the extension of eight (8) distribution feeders (conduit and cable) from the new substation to the project with a high level cost of \$6.34 Million based on 2024 IID Rates (subject to change without notice, including for adjustments in costs of materials, supply or labor). This cost is in addition to the cost-share for the substation and shall be borne by the applicant. D-4
4. To the extent the substation required to serve new electric service to the project is not constructed as outlined hereinabove, to facilitate new electric service to the project, applicant will be required to dedicate to IID a larger-than-standard 315' by 315' site (final site dimensions will be determined once evaluation is completed), pre-approved by IID, which should include the appropriate grading, fencing, permits, zoning change, environmental compliance documentation, landscaping (if required by the City), and all rights-of-way and easements for the substation, and access rights for both ingress and egress, as well as for transmission and distribution power line facilities. D-5
5. The extension of two (2) 92 kV transmission lines with an in and out configuration is also required to serve the substation from IID's existing 92 kV transmission system in the project vicinity. These extensions are a necessary and required element of the substation to serve electrical demand. D-6
6. Developer shall bear all costs associated with the construction of any additional facilities deemed necessary including but not limited to, distribution feeder/backbone extensions and distribution overhead and/or underground line extensions and upgrades necessary to extend electrical service to the project. D-7
7. The applicant will be required to install the necessary conduit/vault systems pursuant to the Permanent Plan of Service as well as distribution getaways conduit systems from the required substation. D-8
8. Applicant should be advised that pursuant to IID process, the standard time frame for the implementation of a new substation transformer (engineering, equipment D-9



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procurement and construction) requires an average of 36 months. As a result, applicant should consider adjustment of their project in-service dates accordingly.

D-9
(CONT.)

9. It is important to note that a transmission-level power flow analysis (the cost of which is to be borne by the applicant) will be required to properly assess the impacts caused by this project once a customer project application and loading calculations are received. This detailed information will allow IID to perform an accurate assessment and provide a full report of any potential impacts and mitigation measures. The conditions of service could change as a result of additional studies. The cost of the transmission-level power flow analysis is \$40,000 and can be finalized in approximately twelve (12) to fourteen (14) weeks following payment and submittal of a completed customer service application.

D-10

10. Based upon the above, by a date no later than **June 10, 2025**, the applicant must provide the following documentation to IID: 1) Evidence of issuance of all local authorizations required to initiate construction, 2) Application for the installation of underground infrastructure system and payment of accompanying fees and 3) Application for service and payment of accompanying fees. Absent receipt of such evidence and documentation by the referenced date, a new study will be required including a revised Plan of Service and any high-level cost estimates therefor as rates and costs for materials, supplies and labor are subject to change without notice.

D-11

11. Line and feeder extensions to serve the project will be made in accordance with IID Regulations:

No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
No. 15 (<http://www.iid.com/home/showdocument?id=2555>)

D-12

12. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the project development planner assigned to the area.

D-13

13. It is important to note that IID's policy is to extend its electrical facilities only to those project that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments.

D-14

13. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve the project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties.

D-15



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14. Public utility easements over all private public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.
15. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
16. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and/or distribution lines, ancillary facilities associated with the conveyance of energy service; the acquisition and dedication of real property, rights of way and/or easements for the siting and construction of electrical utility substations, electrical transmission and/or distribution lines and ancillary facilities associated with the conveyance of energy service, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
17. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will

D-16

D-17

D-18

D-19



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have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as “the whole of the action” that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

D-19
(CONT.)

18. When the project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID electrical grid), considered under the environmental factor “Utilities and Services” of the Environmental Checklist/Initial Study, to determine if the project would require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.

D-20

19. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID’s electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at <https://www.iid.com/energy/vegetation-management>.

D-21

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

D-22

Respectfully,



Donald Vargas
Compliance Administrator II

Jamie Asbury – General Manager
Mike Pacheco – Manager, Water Dept.
Matthew H Smelser – Manager, Energy Dept.
Paul Rodriguez – Deputy Mgr. Energy Dept.
Guillermo Barraza – Mgr. of Distribution Svcs. & Maint. Oprtns., Energy Dept.
Geoff Holbrook - General Counsel
Michael P. Kemp – Superintendent General, Fleet Services and Reg. & Environ. Compliance
Laura Cervantes. – Supervisor, Real Estate



Letter D Responses to Comments from the Imperial Irrigation District (IID)

- D-1** In this introductory comment, the commenter provides an accurate summary of the Project description. This comment is acknowledged; no further response is required.
- D-2** The commenter provides information about implementation of the proposed IID substation and states that the substation is anticipated to be constructed under either a form of cost-share agreement and/or pursuant to one or more reimbursement agreements with one or more joint powers authorities, with a cost estimate of \$28 Million. The commenter adds that as such, the Project is not likely to be solely responsible for the entire cost of the substation. As this comment provides general information and does not identify any deficiencies with the analyses and conclusions presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-3** The commenter provides information about financial matters related to the proposed IID substation. This information is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-4** The commenter provides information about loading and costs associated with the proposed IID substation. This information is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-5** The commenter provides information about IID's requirements related to the proposed on-site substation. This comment is acknowledged, and the Project's design already accommodates a substation site that was subject to review by IID staff. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-6** The commenter states that to serve electrical demand, the extension of two 92 kV transmission lines with an in and out configuration are required to serve the proposed substation from IID's existing transmission system in the Project vicinity. The DEIR analyzes several potential transition line routes that IID requested be studied in the DEIR. As this comment does not identify any deficiencies with the analyses and conclusions presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-7** The commenter states that the developer shall bear all costs associated with construction of additional facilities to extend electrical service to the Project. This informational comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.



- D-8** The commenter states that the applicant would be required to install necessary conduit/vault systems as well as distribution getaways conduit systems from the required IID substation. This comment is acknowledged. The DEIR analyzes the proposed IID substation and its anticipated systems. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-9** The commenter states that the standard timeframe for implementation of a new substation transformer requires an average of 36 months and Project in-service dates should be adjusted accordingly. This informational comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-10** The commenter provides process and payment information about IID's transmission-level power flow analysis. This informational comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-11** The commenter provides information about IID's Plan of Service for the proposed substation. This informational comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-12** The commenter states that line and feeder extensions to serve the Project must be made in accordance with IID regulations No. 2, No. 13 and No. 15 and provides links to the regulations. This informational comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-13** The commenter provides contact information for questions regarding electrical service for the Project. This contact information is acknowledged and no further response is warranted.
- D-14** The commenter notes that IID's policy is to extend electrical facilities only to projects that have obtained the approval of the governmental authority or decision-making body having jurisdiction over the developments. The DEIR identifies IID as a CEQA Responsible Agency for the Project (see DEIR pp. 1-14 and 3-3). As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-15** The commenter states that the applicant is required to provide rights-of-way (ROWs) and easements for proposed power line extensions and other infrastructure needed to serve the Project and is required to assure access to IID facilities on adjoining properties. The information and access requirements are acknowledged. The DEIR analyzes several potential transition line routes that IID requested be



studied in the DEIR. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.

- D-16** The commenter states that public utility easements over private public roads and 10 feet in width on both sides of the private and public roads must be dedicated to IID for construction, operation and maintenance of electrical infrastructure. The DEIR analyzes several potential transition line routes that IID requested be studied in the DEIR. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-17** The commenter states that any construction or operation on IID property or within its existing and proposed ROW or easements will require an encroachment permit, or encroachment agreement. The commenter includes a link to the permit application and instructions. This comment is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-18** The commenter states that any new, relocated, modified or reconstructed IID facilities required for the Project must be included as part of the Project's CEQA documentation. The DEIR analyzes a proposed on-site IID substation and several alternative off-site transmission line routes previously identified by IID staff. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-19** The commenter explains that piecemealing or segmenting a project is not allowed under CEQA and that the project description should include all project components, including those requiring responsible agency approval. The commenter also includes language summarizing the CEQA guidelines. The Project's DEIR included a full and detailed analysis of the Project's potential impacts to the environment, and the analysis throughout the DEIR included potential impacts associated with all Project-related components, including potential impacts associated with a potential on-site IID substation and the installation of off-site power lines as necessary to connect to existing IID power lines in the local area. Accordingly, the County finds that the DEIR did not piecemeal the environmental analysis of the proposed Project, as the DEIR evaluated the "whole of the action" in full conformance with the CEQA statutes and the State CEQA Guidelines. As this comment does not identify any specific deficiencies with the analyses and conclusions presented throughout the DEIR, and because this comment does not identify any specific Project-related components that have not already been adequately address by the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-20** The commenter advises that in order to address Project impacts in the Utilities and Services section of the EIR, a circuit study/distribution impact study, facility study, and/or system impact study must be performed in order to address whether the Project would require or result in the relocation or



construction of new or expanded electric power facilities. The commenter appears to be referring to Threshold a. in DEIR Subsection 4.20, *Utilities and Service Systems*; however, Threshold a. only discusses potential impacts due to the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage systems, and does not address potential effects associated with the provision of electrical facilities. The commenter instead is referred to the analysis of Threshold g. in DEIR Subsection 4.20, *Utilities and Service Systems*, which includes a discussion and analysis of potential impacts associated with the provision of electric services to the Project site. The commenter is referred also to the analysis presented throughout the DEIR, which account for potential impacts associated with the construction of a potential IID substation on site and the installation of power poles off site. As this comment does not identify any deficiencies with the analysis presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.

- D-21** The commenter states that it is important to adhere to the standards that limit landscaping around electrical facilities and provides a link to the IID landscaping guidelines. This informational comment and requirements to adhere to IID standards is acknowledged. As this comment does not identify any deficiencies with the analyses and conclusions presented throughout the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- D-22** The commenter concludes the letter by thanking the County for the opportunity to comment and provides contact information should any questions arise. This comment is acknowledged; no further response is required.



COMMENT LETTER E

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VIA E-MAIL ONLY

June 10, 2024

Riverside County – Planning Dept.
Attn: Russell Brady, Project Planner
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**Re: Public Comments –Majestic Thousand Palms Project including Draft
Environmental Impact Report (GPA220004, CZ2200013, PPT220022)**

Dear County of Riverside:

Please accept this letter on behalf of the Sierra Club-San Geronio Chapter regarding the Majestic Thousand Palms Project (“the Project”) including the Draft Environmental Impact Report (“the EIR” or “the Draft EIR”).

The Project is a request to develop an 83-acre site with a 1,238,992 square foot, up to 49-foot-tall warehouse building and an Imperial Irrigation District (IID) joint electric substation in the Thousand Palms community of unincorporated Riverside County, within the City of Cathedral City’s sphere of influence. The Project site is located within the Western Coachella Valley Area Plan (WCVAP) portion of unincorporated Riverside County. The Project includes a request for a General Plan Amendment to convert a portion of the site from medium density residential to light industrial, and a Change of Zone to convert a portion of the site’s zoning from residential-agriculture to manufacturing-service commercial. The Project also includes “off-site improvements” including the installation of off-site power transmission lines within the existing single-family residential neighborhoods located to the east and southeast of the Project site. The Project will also entail the construction of new paved roadways to an area currently without road infrastructure.

Single-family homes are located approximately 1,200 feet south of the Project site in the Thousand Palms community, and two elementary schools are located within two miles of the site, Della S. Lindley Elementary School and Rancho Mirage High School. Properties surrounding the Project site are undeveloped and vacant. The Thousand Palms Conservation Area is located approximately 1,200 feet to the northeast of the site.

The Project will operate as a warehouse distribution/logistics facility, and it will be

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operational 24 hours per day, seven days per week, with operations occurring in exterior areas, including loading and unloading of truck trailers. The Draft EIR assumes that 20% of the warehouse space (247,798 sf) will be used for “cold storage”, meaning the Project’s energy demands will be substantial. According to the Draft EIR, the Project’s trucks and vehicles will utilize one roadway, Rio del Sol Road, which indirectly connects with Interstate 10. The site is currently not served by public transit, bicycle trails, or pedestrian facilities, and the Project proposes no such facilities.

The Project building will include a total of 212 truck dock doors with 106 dock doors along the southern façade and 106 along the northern façade. The building is therefore designed as a “cross-dock” warehouse. The site will include approximately 732 passenger parking spaces to the east and west of the building and approximately 484 truck trailer parking spaces along the north, east and south of the building. The Project is anticipated to generate **a total of 3,488 passenger equivalent vehicle trips per day** (564 total trucks and 2,076 passenger vehicles). The Draft EIR concludes the Project will result in “significant and unavoidable” direct and cumulative air quality impacts, greenhouse gas emissions, and transportation related to vehicle miles traveled (“VMT”).

In accordance with the California Environmental Quality Act (“CEQA”), the Draft EIR must be revised with further analysis, and it must identify additional mitigation for significant impacts. In addition, EIR must examine further project alternatives, and the County must adopt the environmentally superior alternative absent adequate findings in the record of infeasibility.

Project Description

CEQA requires that the description of the proposed project subject to CEQA be complete and accurate within the EIR. (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192-193.) The Draft EIR’s description of the proposed Project is inconsistent and incomplete in several important respects.

First, the EIR’s description of roadway improvements associated with the Project is inconsistent and fails to provide adequate information by which to fully assess the level of Project impacts. On the one hand, the Draft EIR states that roadways, including 30th Avenue and Robert Road, will not be improved in connection with the Project. On the other hand, the Draft EIR states that the Project will pave Robert Road between 30th Avenue and the existing improved portion of the roadway at the intersection with Del Norte Way (currently a dirt road). The Draft EIR additionally states the Project will “construct improvements along the Project site’s frontages with Rio Sol Road and 30th Street.” These major roadway improvements (e.g., 30th Street currently “does not exist” along the Project’s “frontage”) will provide a direct connection to the residential areas to the south, therefore exposing these neighborhoods to the potential to substantial vehicle traffic, though this eventuality is not evaluated through the Draft EIR. The extent of the Project’s off-site roadway improvements must be fully disclosed and evaluated through the EIR.

Second, the site plan in Draft EIR’s Project Description section notes that the vacant, unimproved land south of the Project site is designated for “Future Development,” though this

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cumulative development is not described or evaluated in the Draft EIR. Indeed, on the site plan, the Project building is labeled “Building 1,” and it appears that improvements with respect to 30th Street are designed to provide vehicular access to the property(ies) to the south (*i.e.*, driveways).

Third, the Draft EIR describes the Project as including the construction and operation of a new power substation to serve the Project, and the site plan indicates this substation as part of the Project development. However, the Draft EIR elsewhere states that, though the substation is “necessary” to serve the Project with electricity where no electrical service to the site currently exists, the substation would “likely would be constructed at an off-site location.” The Draft EIR asserts that “[i]f constructed at an off-site location, the IID substation would not be a Project-related component, and the IID already is undertaking a separate review of the off-site substation location pursuant to the requirements of CEQA.” This constitutes improper piecemealing and segmentation of the Project within the meaning of CEQA. The substation is a component of the Project, as it is necessary for the Project’s operation, thus it must be part of the proposed Project and fully evaluated through the Draft EIR, particularly to the extent the Project provides any of the approvals for construction and operation of the substation. According to the Draft EIR’s energy section, “electricity is not currently available at the Project site, requiring installation of the electrical substation.” Hence the substation is an integral part of the Project’s development. Furthermore, this substation does not appear to be a pending IID project. (*See* ¹ [IID “list of Environmental Documents Available for Public Review”].)

In addition, **seventy-foot** power poles associated with the substation will be constructed **throughout the neighboring community** though the Draft EIR indicates that “off-site” impacts are limited to the off-site roadway improvements. The installation of seventy-foot power poles throughout single family communities creates the potential for adverse environmental impacts, particularly visual and safety issues, that must be fully evaluated through the EIR.

In sum, the substation is a major component of the Project though it is mentioned in the EIR’s Project Description section as a “Project Technical Component.” Connecting the substation to existing IID infrastructure on Ramon Road will necessitate 70-foot-high voltage transmission lines (92 kV) that are seven feet in diameter at corners. The extent of these transmission lines and their potential for impacts including aesthetic and safety (fire, wind, traffic) have not been fully disclosed or evaluated in the Draft EIR. It also appears that the substation -- at its capacity of 92 kV -- is being built to facilitate not only the Project but future growth in the area. This “growth inducement” impact must be considered through the Draft EIR. Full buildout of the area including any planned future development must be considered through the EIR. The County must also commit to the design and location of the power transmission lines to ensure that impacts are being fully disclosed and assessed in particular relative to the neighborhoods they will traverse.

¹ <https://www.iid.com/about-iid/environmental-documents-available-for-public-review>

This hyperlink and all hyperlinks cited in this letter are fully incorporated herein by reference and their contents are summarized in this letter.

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Aesthetic Impacts

As noted, the Project's implementation will likely include the installation of 70-foot power poles and lines through existing residential communities. The introduction of major overhead utility lines to residential areas, thereby altering the visual landscape, represents an adverse change over existing conditions that must be considered a potentially significant impact of the Project, contrary to the conclusion of the Draft EIR. The Draft EIR must consider appropriate mitigation for this direct impact of the proposed Project, such as the undergrounding of the utility lines. The California Public Utilities Commission states on its website that "perhaps the most noticeable benefits [of undergrounding utility lines] are aesthetic." (*See*, ².) There are also safety benefits (reduced fire risk and vulnerability to winds, and reduced risk of traffic collisions) to undergrounding utility lines. (*See, id.*) Based on the concerns of residents about "safety, aesthetics and negative impact on property values," the City of Palm Desert has prioritized the underground of utility lines and recently adopted an Undergrounding Master Plan.³ Placing the utility lines underground must be considered feasible mitigation. (*See*, ⁴.)

E-11

Again, the Draft EIR suggests that this off-site utility project - though *necessary* to serve the Project - is being evaluated separately by separate agency (IID). As noted above, this constitutes improper segmentation of the proposed Project within the meaning of CEQA.

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Air Quality Impacts

The Project will result in significant operational air quality emissions. In terms of NOx emissions, the Project at full operation will generate 169.50 pounds of NOx per day (winter); this exceeds the applicable threshold of significance by nearly three times (*i.e.*, the SCAQMD NOx threshold of significance is 55 lbs per day). Despite these significant operational impacts, the EIR fails to adopt all feasible mitigation to reduce the impacts consistent with CEQA. Moreover, the Project's Air Quality Study (Appendix B1) fails to disclose the Project's air quality emissions *with mitigation imposed* (*i.e.*, Section 3.5.7/Table 3-9 discloses *pre*-mitigation emissions). The Draft purports to state that Table 3-8 discloses the Project's operational emissions *with* mitigation measures imposed, but Table 3-8 contains data about truck fleets. (*See* p. 43.) This is relevant because the EIR does not disclose the *effectiveness* if any of the proposed air quality mitigation measures.

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The majority of the Project's air quality emissions are caused by mobile emissions. An EIR's central purpose is to identify a project's significant environmental effects and then evaluate ways of avoiding or minimizing them. (Cal. Public Resources Code, §§ 21002.1(a), 21061.) The County must adopt *any* feasible mitigation measure that can substantially lessen the project's significant air

E-14

² <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/infrastructure/electric-reliability/undergrounding-program-description>

³ <https://www.palmdesert.gov/residents/living-in-palm-desert/utilities/utility-undergrounding>

⁴ <https://www.desertsun.com/story/news/environment/2019/10/11/cost-to-bury-california-fire-prone-power-lines-why-not/3937653002/>

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quality environmental impacts including due to mobile emissions. (Cal. Pub. Res. C. § 21002; State CEQA Guidelines, § 15002(a)(3).)

In addition to any EV charging units for electric vehicles that will be installed at the site, the Project should also be conditioned to require EV charging units for heavy duty and medium duty trucks. Level 3/DC Fast (or Quick) Chargers (DCFC) should be required⁵ (*see id.* [big rig truck with battery size of 550kw and range of 250 miles take approximately 24 hours to charge with a Level 2 charger].) This comment also applies to “medium duty” vehicles such as delivery vans. *See* ⁶ [FedEx vans charge in hours with DC quick charger/Level 3].) Chargers must be required that are able to charge the battery of a Class 8 (heavy duty/big rig) truck as well as have the battery range needed to ensure these trucks could meet a “two shift” or even a “one shift” schedule. These chargers are feasible and available on the commercial market.⁷

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The Project should adopt further measures to reduce air quality impacts, including:

- Constructing the building’s roof with “light colored roofing materials.” Cool roofs retain less heat and reflect more sunlight, thus lowering energy demand and reducing the “heat island” effect of a building. The Project must be conditioned to use roofing materials with a solar reflectance index (“SRI”) of 78 for at least 75% of the roof surface (portions not covered in solar), consistent with USGBC standards. To provide measurable environmental benefit, the roofing material must be at the *highest possible* rating. (*See* ⁸; *see also, Riverside County Climate Action Plan Measure R2-L2* ⁹.)
- Obtaining LEED certification to the most current USGBC¹⁰ rating system for the industrial building, where such certification would require the applicant to implement sustainability measures that provide environmental benefits and off-set impacts.
- Installing concrete, preferably white concrete, in all parking areas. Light-colored concrete is more reflective of sunlight, thus employing concrete in all parking areas will reduce the “heat island” effect of the Project. ¹¹ ¹² Among other benefits, cooler surfaces and air reduce the need for air conditioning in vehicles. (*See, id. Riv. County Climate Action Plan Measure R2-L2.*)
- Providing landscaping in parking areas to provide 50% shade coverage within 10 years of operations. This can also reduce “heat island” effects and reduce the need for air conditioning. *See, id. Riv. County Climate Action Plan R2-L1*
- Installing and utilizing solar power for 100% of the facility’s total electricity demand including electric vehicle charging stalls in parking areas and automation within buildings. Solar power is entirely feasible and is particularly appropriate for

E-16

⁵ <https://blog.evbox.com/level-3-charging-speed>

⁶ <https://www.carscoops.com/2018/11/fedex-adds-1000-china-built-charge-f8100-electric-vans-fleet/>

⁷ <https://polb.com/port-info/news-and-press/charging-station-to-power-electric-trucks-in-port-11-30-2023/>

⁸ <https://www.energy.gov/sites/prod/files/2013/10/f3/coolroofguide.pdf>

⁹ <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-CAP-2019-2019-CAP-Update-Full.pdf>

¹⁰ <https://www.usgbc.org/leed>

¹¹ <https://coolcalifornia.arb.ca.gov/cool-pave-how>

¹² <https://heatisland.lbl.gov/coolscience/cool-pavements>

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a Project of this size, scale, and location. The Project should go beyond Title 24/CalGreen building coder requirements for the installation of solar panels and battery backup.

- Including within the building a “truck operator” lounge of a reasonable size which is available to truck operators with seating, restrooms, vending machines, and showers if size allows. The purpose of this lounge is to reduce the need for operators to wait in their cabs running either their diesel truck engine or diesel “APUs” either on- or off-site. Signage shall also be provided notifying truck operators that a lounge(s) is available for their use.
- Limiting truck idling to no more than three continuous minutes.
- Requiring all trucks that access the site to have 2014 or newer engines. This requirement will align with the Port of Long Beach’s requirement that any new registered drayage trucks must be model year 2014 or newer.¹³
- Requiring through the adopted CEQA mitigation program the installation of EV charging stations of a certain number and specification.
- The California Attorney General has published a list of best practices for warehouse developments:

<https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf> These include:

- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric only *with* the necessary electrical charging stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or

¹³ <https://polb.com/environment/clean-trucks/#program-details>

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avoid exposure to unhealthy air.

- Constructing electric truck charging stations proportional to the number of dock doors at the project. The Draft EIR indicates that truck charging will be provided only if “needed” in the future.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building’s projected energy needs.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Achieving certification of compliance with LEED green building standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB- approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

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The EIR finds that NOx (diesel-related) impacts are significant. In the aggregate, the southern-California “goods movement network” is a “major source of emissions that contribute to the region’s air pollution,” and the southern California area “continues to have the worse air quality in the nation.”¹⁴ A “key component of air pollution is nitrogen oxides (NOx). NOx is emitted whenever fuel is combusted and reacts in the air to form ozone (smog) and fine particulates.” (*Id.*) Despite “aggressive strategies” in the South Coast Air Basin, “it is estimated that NOx emissions will need to be reduced by approximately two-thirds in 2023 and three-quarters in 2030.” (*Id.*) Addressing NOx impacts associated with mobile sources is key to mitigating the Project’s significant air quality impacts. According to the SCAQMD’s Blueprint for Clean Air (2016)¹⁵, the southern California air basin will require approximately a 65 percent reduction in NOx emissions, *above and beyond existing measures*, to meet air quality standards.

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The Project should thus establish fleet efficiency requirements for vehicle fleets. This should include, at a minimum, requirements that industrial tenants shall use exclusively zero emission light and medium-duty delivery trucks and vans; and shall use near-zero and zero-

¹⁴ <https://www.ca-ilg.org/sites/main/files/file-attachments/f2012rtpscs.pdf?1383110821>

¹⁵ <https://www.aqmd.gov/docs/default-source/Agendas/aqmp/white-paper-working-groups/wp-blueprint-revdf.pdf?sfvrsn=2>

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emission technologies in heavy-duty applications such as “last mile delivery.”¹⁶ As the State moves toward its goal of zero emission goods movement, the County must ensure that the Project is in line with this important objective by also requiring the phase-in of zero emission or clean technology for heavy duty trucks. According to CARB, actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California particularly with respect to goods movement.¹⁷ Additional, feasible mitigation for operational air quality impacts includes the phase-in of electric, hybrid electric, hydrogen electric, or battery operated (*i.e.*, non-diesel) trucks. The Project should be conditioned to adopt a “Diesel Minimization Plan” whereby zero emission trucks are phased in, *e.g.*, 25% of truck fleets shall use zero emission technology by 2030, and increase that percentage by 10% per year, until 100% of trucks operating on sites are zero emission. This approach to mitigation is consistent with California regulations regarding phase-in of electric vehicles.¹⁸ ¹⁹ (California requiring manufacturers to produce zero emission trucks beginning in 2024); *see also* (discussing CARB’s Advanced Clean Truck Rule)²⁰.) A mitigation measure is feasible if it can be achieved in a reasonable period of time. (Guidelines, § 15364.)

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The Project must establish an enforceable and specified “truck route”. The EIR assumes that all Project trucks will use the local roadway, Rio del Sol Road, for access I-10. There is nothing conditioning the Project to prohibit trucks on other roadways, such as Roberts Road which traverses the residential community to the south.

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Finally, to the extent the Project purports to include “project design features” aimed at reducing air quality emissions these must be made enforceable requirements through the Project’s CEQA mitigation program. Impacts must also be assessed and disclosed apart from any “design features” especially where they are not mandatory requirements of the Project.

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Biological Resources

The Draft EIR concludes Project has the potential to impact jurisdictional waters (threshold f) at off-site locations. The proposed mitigation is ineffective in part because the level of potential impacts has not been assessed. The Draft EIR defers analysis of impacts where it states that “prior to the installation of the IID power poles, IID shall identify the location of the poles and their physical impact area.”. The Draft EIR then blanketly asserts that “if permits are required, the permits may be combined into the same permit for the warehouse component of the Project.” This does not constitute analysis of impacts or certain and effective mitigation, and it may not be legally accurate. Additionally, the DEIR offers no clear explanation of how Project development avoids

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¹⁶ <https://www.nbcnews.com/tech/tech-news/treated-sacrifices-families-breathe-toxic-fumes-california-s-warehouse-hub-n1265420>

¹⁷ <https://ww3.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf>

¹⁸ <https://ww2.arb.ca.gov/news/california-moves-accelerate-100-new-zero-emission-vehicle-sales-2035>

¹⁹ <https://www.cnbc.com/2023/03/31/california-requires-half-of-heavy-trucks-sales-to-be-electric-by-2035.html#:~:text=The%20state%27s%20rule%20requires%20manufacturers,on%20the%20road%20by%202035.>

²⁰ <https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet>

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flooding and/or downstream impacts to the wash flows traversing the Project.

Greenhouse Gas Emissions

The State of California has committed to aggressive goals for the reduction of the emissions causing global climate change. Executive Order S-3-05 establishes a 2030 target of a 40 percent GHG reduction below 1990 levels; Executive Order S-3-05 establishes a GHG emission reduction target of 80% below 1990 levels by 2050; and Executive Order B-16-2012 establishes a target for the reduction of GHG emissions from the transportation sector of 80% below 1990 levels by 2050. Roughly a billion square feet of the Inland Empire is devoted to warehouses.²¹ The Project serves to increase cumulative GHG emissions by building even more warehousing, but it fails to adopt all feasible mitigation for the cumulatively significant impact.

The Project will result in total GHG emissions of 33,130.16 MTCO₂e/yr. This is more than 10 times the screening threshold of significance of 3,000 MTCO₂e/year. As such the Project must adopt all feasible mitigation. Air quality mitigation measures listed above (including the phase-in of zero emission trucks) should be considered feasible mitigation for GHG impacts. Many of the Project's "sustainability features" are already requirements of Title 24/CalGreen, as such they cannot be considered "mitigation"; and they do not address mobile emissions, which are the greatest source of the Project's GHG emissions. For instance, the Project does not provide bike paths and the site will not be served by public transit (the "closest" public transit stops are quite far away). Accessible and safe bike paths as well as access to public transit should be considered feasible mitigation for significant GHG emissions related to mobile emissions.

In terms of renewable energy systems, including solar, the mitigation program states that the applicant shall be required to submit calculations to show the estimated energy demand of the facility and that calculations showing that 20% of the energy demand would be met by on-site renewable energy production. However, mitigation program must clearly require the installation and operation of a renewable energy systems at least consistent with Title 24/CalGreen. Moreover, the mitigation program shall require the installation and operation of a renewable energy system that meet the total energy needs of the Project building and parking lot infrastructure including a storage system. At present only the minimum amount of renewable is purportedly required (20%). Installing additional photovoltaic solar panels to cover the entire rooftop of the Project would serve to decarbonize IID's power mix, thus partially offsetting the Project's GHG impacts. Though IID has met or exceeded current state Renewable Portfolio Standards, it still procures a third of its power from natural gas (methane) and a fifth from unspecified sources, (<https://www.iid.com/energy/renewable-energy/power-content-label>) many of which likely from out of state and are GHG emitters.

Further, the Draft EIR implies that EV charging units consistent with Title 24/CalGreen will be installed, but this is not a requirement of the CEQA mitigation program. EV charging units – Level 2 units – should be considered feasible CEQA mitigation.

²¹ <https://calmatters.org/commentary/2023/09/inland-empire-warehouse-boom-rejections/>

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Furthermore, under Table 4.8-5, the Project has significant conflicts with plans adopted for the purposes of reducing GHGs, including, but not limited to:

County of Riverside Climate Action Plan (“CAP”)

Many of the Project’s CAP Screening Table measures are already requirements of Title 24/CalGreen (e.g., bike lockers) thus claiming them as “mitigation” is inappropriate. For instance, the Project takes “100” points under the Screening Table for providing circuit and capacity for the installation of EV charging stations but this is already a Code requirement. There is also no requirement in the CEQA mitigation program to provide “circuits and capacity” for “50 parking areas.” The Screening Table takes 64 points for installing EV charging stations but there is no requirement for charging stations in the mitigation program, and Sierra Club submits that “eight” stations, as indicated in a footnote on Screening Table, is the minimum that should be required for a project of this scale. The Project further takes 1 point for providing bike lockers and secure racks, but there are no bike paths as part of the Project or in the vicinity so that bicycle lockers do not seem to have a practical application. In other words, it’s unlikely that the bike paths will actually be used in a manner to reduce dependency on vehicles and thereby reduce GHGs.

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SCAG 2020-2045 RTC/SCS ²²

The EIR’s Appendix G does not evaluate Project consistency with any policies of the 2020-2025 RTP/SCS; it contains a paragraph stating that the Project will not exceed the employment growth projections of the SCAG. The Project conflicts with many SCAG goals including those aimed at reducing GHGs and improving air quality as well as decreasing VMT (it vastly increases VMT). ²³

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County of Riverside General Plan

LU 2.1 (f): the Project does not incorporate “multi-modal transportation opportunities” in that there are no bike paths and no public transit accommodations or access.

LU 4.1: the Project has no requirement of solar energy; the site has no bicycle routes.

LU 8.12: there is no requirement of local hiring so it is unclear that the Project would create a substantial number of jobs “that would be filled by residents of the County and surrounding communities” as claimed. Elsewhere in the EIR it is stated that warehouse distribution/e-commerce facilities are becoming increasingly automated.

LU 11.4: the Project does not provide bicycle paths or public transit.

LU 11.5: the Project does not “ensure that all new developments reduce [GHG] emissions”. The Project vastly increases GHG emissions.

LU 13.1 the Project does not provide land use arrangements that reduce reliance on the automobile and improve opportunities for pedestrian, bicycle and transit use in order to minimize congestion and air pollution.

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²² <https://scag.ca.gov/sites/main/files/file-attachments/23-2987-connect-socal-2024-final-ch-03-our-plan-040424.pdf?1712261395>

²³ https://www.icpds.com/assets/SCAG_2020-1642792556.pdf

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LU 13.2 the Project does not locate employment and service uses in area that are easily accessible to existing or planned transportation facilities.

OS 16.8: the Project does not provide access to public transit. The inclusion of bicycle racks is already a requirement of Title 24. The Project must go *beyond existing regulations to increase* sustainability measures. The Project must include bicycle paths to encourage the use of bicycles as an alternate mode of transportation. This would include the use of “e-bikes.”

OS 16.9: the Draft EIR does not include mitigation to provide within Project buildings “passive, solar design and day-lighting” such as sky lights. Sky lights should be required in all warehouse buildings - particularly in employee areas - to reduce the need for overhead lighting and provide enhanced working conditions for employees.

Overall, the Project does not reduce VMT and therefore is inconsistent with numerous policies and goals related to reducing vehicle dependency. The County should consider additional measures aimed at reducing VMT including *programmatic* VMT mitigation (*see* discussion below).

Furthermore, MM 4.8-1 is inadequate under CEQA. It states that the Project may implement the CAP Screening Table measures but that these “conceptual measures may be replaced with other measures as listed in Appendix D to the 2019 Riverside County CAP Update.” This does not amount to certain and enforceable mitigation under CEQA in part because performance standards are not specified, and these “other measures” will be formulated after Project approval.

Energy Demand

State CEQA Guidelines Appendix F provides that “[t]he goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include: (1) decreasing overall per capita energy consumption; (2) *decreasing* reliance on fossil fuels such as coal, natural gas and oil, and (3) *increasing* reliance on renewable energy sources.” (emphasis added) Appendix F puts “particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” The Draft EIR’s finding of less than significant with respect to energy resources is not supported.

According to the Draft EIR, the Project will consume 8,563,734 kWh/year of electricity and 3,043,533 gallons of fuel annually due to cars and trucks and 18,567 gallons of fuel for on-site cargo handling equipment. As noted above, it is unclear if the substation will generate power, and, if so, the energy consumption associated with this activity must be fully evaluated through the EIR. All of the energy demands of the substation must be fully evaluated through the EIR.

The Draft EIR’s conclusions with respect to the Project’s demands are based on assumptions that must be made mandatory conditions of the Project. First, electricity demand is calculated based information from the applicant that 20% of the building user’s electric power will come from “renewable sources.” Second, the Draft EIR does not calculate natural gas consumption based on the information provided by the applicant that the Project will not use natural gas for the “building envelope.” Third, electricity demand is calculated based on the assumption that a certain percentage

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of the building (20%) will be used for cold storage. Each of these assumptions must be made mandatory conditions of the Project’s development and operation; otherwise, impacts could be much more severe than assumed by the Draft EIR.

The Draft EIR concludes that impacts are less than significant because the Project represents a small percentage of energy consumption compared to State-wide energy usage and fuel demand. Accordingly the Project does not adopt any energy mitigation measures. The Project creates a massive demand for electricity, but does not, for instance, “increase reliance on renewable energy sources.” (See CEQA Guidelines Appendix F.) This Project must mitigate its energy impacts. The installation and utilization of a solar energy system for 100% of the facility’s total energy demands including all electric vehicle charging and cold storage uses could vastly reduce the Project’s energy impacts consistent with Guidelines Appendix F, as could complete rooftop coverage with solar to export to the grid. The County must impose measures on the Project to ensure compliance with Guidelines, Appendix F and to advance the policies and goals of Senate Bill 100 which commits to 100% clean energy in California by 2045. The Draft EIR indicates that the Project will rely on renewables for 20% of the Project’s energy demands but this is not part of the CEQA mitigation program and it is unclear how this measure will be implemented. Flat-roofed warehouse buildings must maximize their reliance on solar power including maximizing solar for export to the grid or readiness for future expansion of PV panels to meet additional energy needs (charging of electric trucks).

The Project should be required to adopt further measures to reduce VMT to reduce fuel consumption. The Project increases VMT and is therefore patently inconsistent with land use plans - local, regional, and State – that aim to reduce VMT. For instance, according to the 2022 CARB Scoping Plan²⁴,

[c]ontrary to popular belief, zero-emission vehicles (ZEV) alone are not enough to solve the climate crisis. The 2022 Scoping Plan illustrates that despite cleaner vehicles and low- carbon fuels, the path to carbon neutrality by 2045 also depends on reducing per capita VMT (the total passenger vehicle miles driven by an average person in California on any given day). To meet the carbon neutrality goal, the Scoping Plan proposes reducing VMT from 24.6 miles per day in 2019 to 18.4 miles by 2030 (a 25 percent reduction) and to 17.2 miles per day by 2045 (a 30 percent reduction).

To reduce VMT consistent with State, regional and local plans, the Project should consider an alternate development scenario involving more mixed-use development balancing professional and business park uses with commercial and warehouse uses. The Project should incorporate safe and accessible bike lanes as well as reasonable access to public transit. The County, as the lead agency for the Project, should also explore *programmatic VMT mitigation options*. Other jurisdictions like the City of Escondido are evaluating “VMT Exchange Programs” for

²⁴ <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-c-sustainable-and-equitable-communities.pdf>

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instance²⁵. (See also ²⁶ ²⁷.)

Land Use Impacts

Contrary to the conclusions of the Draft EIR including Appendix N, the Project results in significant land use impacts due to conflicts between the Project and Riverside County General Plan Policies, including:

LU 2.1 (e) Concentrate growth near or within existing urban and suburban areas to maintain the rural and open space character of Riverside County to the greatest extent possible.

LU 3.1 (d) Create street and trail networks that directly connect local destinations, and that are friendly to pedestrians, equestrians, bicyclists, and others using non-motorized forms of transportation.

LU 3.1 (g) Provide the opportunity to link communities through access to multi-modal transportation systems.

LU 3.2 Use open space, greenways, recreational lands, and watercourses as community separators.

LU 4.1 (k) Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.

LU 4.1 (p) Require that new development be designed to provide adequate space for pedestrian connectivity and access.

LU 4.1 (r) Site building's access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity.

LU 5.1 Ensure that development does not exceed the ability to adequately provide supporting infrastructure and services.

LU 7.1 [land use compatibility policies]

LU 30.1 Accommodate the continuation of existing and development of new industrial in areas appropriately designated by General Plan and area plan land use maps.

LU 30.2 Control heavy truck and vehicular access to minimize potential impacts on adjacent properties.

The Project does not provide transportation options and bikeways consistent with General Plan Policies C 1.2 and C 1.7. The Project is patently inconsistent with Policies OS 11.1, 11.2, 11.3 and 16.9 regarding solar energy systems. The EIR's Appendix N indicates that 20% of the Project's on-site energy demand "primarily would be met through solar panels." It is unclear what is meant by "primarily." As the Project is not conditioned to require solar panels, this purported measure is uncertain within the meaning of CEQA. Notably, General Plan Policy AQ 21.2 requires that any measures found necessary pursuant to the CAP Screening Tables shall be incorporated into a project's Conditions of Approval to ensure they are implemented appropriately. Appendix N further

²⁵

https://www.escondido.org/Data/Sites/1/media/Planning/VMT/EscondidoFeeProgramDocumentation_PublicReviewDraft10212022_clean.pdf

²⁶ <https://www.law.berkeley.edu/wp-content/uploads/2018/09/Implementing-SB-743.pdf>

²⁷ <https://scag.ca.gov/sites/main/files/file-attachments/ladot-vmt-mitigation-program-factsheet.pdf?1643075436>

E-37
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indicates that “the proposed building has been designed to accommodate solar panels.” The building’s roof and vast parking areas must be *maximized* with solar panels to maximize the use of renewable energy systems. Policies AQ 20.18 and AQ 26.1 similarly require the County to encourage the installation of solar panels.

E-40
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The Project is inconsistent with Policy N 14.5 in terms of site design. The Project is designed with loading docks on both sides and parking and drive aisles on all sides. The building should be designed to locate loading docks as far as practicable from residential uses such as on the north side of the building only.

E-42

Policy AQ 4.7 requires that projects shall mitigate significant air emissions “to the greatest extent possible.” Thus the Project must require *all* feasible mitigation. AQ 8.8 states the County shall promote land use patterns which reduce the number and length of motor vehicle trips. The Project vastly increases VMT as shown in VMT analysis. The Project does not meet any of the County’s screening criteria for land use projects to determine an exemption from VMT calculations, and the Project will result in 84,725 vehicle miles traveled per year. The Project will exceed the County’s adopted VMT threshold by 142.8% (Appendix K2) or 87.3% (Appendix K3).

E-43

Policy AQ 8.9 states the County shall promote land use patterns that promote alternative modes of travel; however, the Project provides no transit or pedestrian access. AQ 9.2 requires VMT reductions, and the Project increases VMT as discussed. Policies AQ 20.2, AQ 20.3, 20.4, 20.7, 22.1, and 23.1 also state that the County shall reduce VMT. Appendix N asserts these policies (along with many others) are not applicable to the Project; but the policy is applicable to *the County* that is the lead agency for the Project.

E-44

The Project is inconsistent with the goals and policies of the Western Coachella Area Plan²⁸ which “focuses growth in areas well served by public facilities and services.” (p.5) WCVAP Policy 13.2 requires that buildings shall not exceed fifty feet in height. It is stated the Project will not exceed 49 feet in height, but this must be made a condition of the Project’s approval. WCVAP Policy 13.3 discourages industrial uses which may conflict with residential land uses either directly or indirectly. As discussed, the Project does not restrict truck traffic through the residential neighborhood to the south, and, due to roadway improvements, the Project opens this neighborhood to substantial truck and vehicle traffic. Moreover, the Project will require the installation of 70-foot transmission lines throughout the neighboring community.

E-45

The Project also fails to demonstrate consistency with Riverside County’s Good Neighbor Policy (Appendix O). For instance, Policy 4.1 states that heavy duty trucks shall be limited to 2010 or newer engines. This measure is not included in the mitigation program. The Project’s MM 4.3-6 states that the “germane policy provisions” of the Good Neighbor Policy shall be specified in future tenant leases but a requirement of limiting truck operators to 2010 engines is not listed. Even

E-46

²⁸ <https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-GPA-2022-Compiled-WCVAP-4-2022-rev.pdf>

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if it were, MM 4.3-6 is written in such a manner that the “applicable” Good Neighbor Policies will be determined at some later date, after Project approval, which constitutes uncertain and deferred mitigation under CEQA. Other Good Neighbor Policies are not being required including 4.6 (truck routes) and 6.3 (on-site upgrades and community benefits such as funding for promoting alternate forms of transportation).

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The EIR must be revised in terms of conflicts with General Plan and other land use policies applicable to the Project. Additional mitigation must be imposed to ensure consistency between the Project and adopted land use plans.

E-48

Transportation

The Project requires major roadway improvements to provide access to the site, as the site is currently served by a two-lane road, dirt roads, or no roads. According to the Draft EIR, 100% of Project related traffic will use Rio del Sol Road, which is a two-lane street that serves the neighborhood commercial area to the south of the Project site. Despite the total reliance on this local roadway, the intersections of Rio del Sol Road and Watt Court, Rio del Sol Road and Pet Land Drive, were excluded from the Traffic Assessment (Appendix K1, Table 1-1). The TA also excludes the intersections along and the entirety of Roberts Road, despite the Project not restricting vehicle traffic to Rio del Sol Road. It is unclear whether Roberts Road will be improved with the Project. To the extent that the Project will improve Roberts Road between 30th Avenue and Del Norte Way, this element of the Project must be fully disclosed and evaluated through the EIR. (See, Figure 3.-18 indicating “off-site” impacts/roadway improvements).

There is nothing to justify the exclusion of these local intersections and roadways from the analysis. Moreover, the Project is only purportedly conditioned to perform improvements (widening) of Rio del Sol Road between 30th Avenue to the Project’s northern boundary, which provides no assurance that the section of Rio del Sol Road *between 30th Street and Varner Avenue* can accommodate the addition of thousands of vehicles per day due to the Project. The TA asserts that this segment of Rio del Sol Road was considered, and it concludes that 12,866 vehicles per day will be added to this roadway segment. The TA then “recommend[s] that Rio del Sol Road be widened to 4 lanes, north of Varner Road.” This is a direct impact of the Project that must be disclosed through the Draft EIR and appropriate mitigation adopted through the CEQA mitigation program. However, the Draft EIR proposes *no traffic mitigation* let alone any improvements to this segment of Rio del Sol Road. Indeed, in general, the conclusions of the TA appear to be based on the implementation of traffic improvement, but no such traffic measures are included in the mitigation program.

E-49

The County must find traffic impacts to be significant, where the EIR identifies several needed improvements. The Project is not conditioned to make any improvements or make any “fair share” payments for needed traffic improvements. Riverside County General Plan Policy C 2.4 provides that the direct project related traffic impacts of new development proposals shall be mitigated via conditions of approval requiring the construction of any improvements identified as



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necessary to meet level of service targets.

The TA model assumes that 100% of vehicle traffic will use Rio del Sol Road (Exhibits 4-1 and 4-2). Therefore the Project must establish a “truck route” to ensure that Project related traffic does not use Roberts Road as means of ingress/egress, particularly where the EIR indicates that Roberts Road may be extended with the Project.

Growth Inducement

Based on the Project’s development pattern and expansion of infrastructure, including roadways and utilities, and given the site’s proximity to undeveloped rural residential lands, the Project presents the potential for growth inducing impacts contrary to the EIR’s findings. (Guidelines, § 15126 (d).)

Project Alternatives and Findings of Fact

CEQA requires that an EIR describe “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project.” (Guidelines, § 15126.6 (a).) The “range of alternatives” presented through the EIR do not provide decisionmakers with meaningful alternatives that substantially reduce project impacts and meet most of the basic objectives of the Project. The Draft EIR should evaluate a development alternative with a greater mix of uses, such as business park or professional park uses, to reduce VMT. The County should explore a development that truly balances uses to create the type of “transit oriented” development that reduces VMT. The Draft EIR should also evaluate alternative alignments for the 70-foot-high voltage power poles required to connect the proposed substation with existing IID infrastructure located at Monterey Avenue and Ramon Road that would avoid traversing residential areas. One such alternative would be to site the poles along Rio Del Sol, and on to Varner and then Ramon Road. The former is proposed as the (non residential) route for Project-related traffic, and the latter two are already major arteries where the impacts of such poles would be negligible or greatly lessened.

To ensure that alternatives are properly assessed and considered, CEQA “contains a ‘substantive mandate’ requiring public agencies to refrain from approving projects with significant environmental effects if ‘there are feasible alternatives or mitigation measures’ that can substantially lessen or avoid those effects’.” (*County of San Diego v. Grossmont-Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 98; Pub. Res. Code § 21002.) A lead agency may not reject an alternative unless the agency makes findings supported by substantial evidence showing that the alternative is infeasible. (Public Resources Code §§ 21081 (a), 21081.5; Guidelines, §§ 15091 (a)(3), 15092.) Rejected alternatives must be “truly infeasible.” (*County of Marina v. Bd of Trustees of Calif. State Univ.* (2006) 39 Cal.4th 341, 369.) Absent findings of infeasibility supported by substantial evidence, the County here must adopt the environmentally superior alternative.

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Conclusion

For these reasons we submit that revisions to the EIR are needed, and further mitigation should be proposed. Thank you for the opportunity to comment on this Project.

←
← E-55

Sincerely,

Abigail Smith



Letter E Responses to Comments from the Sierra Club – San Gorgonio Chapter (Law Office of Abigail Smith)

- E-1** In this introductory comment, the commenter states that they represent the Sierra Club – San Gorgonio Chapter and generally provides an accurate summary of the proposed Project. However, this comment incorrectly states that the Project would “...also entail the construction of new paved roadways to an area currently without road infrastructure.” This statement is not correct, as the Project site already is served by Rio del Sol, an existing improved roadway, and the Project’s only other roadway improvements would include frontage improvements along 30th Avenue and an emergency access connection between 30th Avenue and Del Norte Road. Thus, the County finds that the Project area already is served with road infrastructure, and that the Project’s proposed roadway improvements would not represent the introduction of new roadways in “...an area currently without road infrastructure.”
- E-2** The commenter provides a summary of surrounding land uses of the Project site. The commenter inaccurately states that single-family homes are located approximately 1,200 feet south of the Project site. As shown on DEIR Figure 4.3-1, *Receptor Locations*, the nearest sensitive receptor to the Project site occurs approximately 1,329 feet (approximately 0.25-mile) east of the Project site. The remaining description of the areas surrounding the Project site as noted by this comment are accurate. No further response is necessary.
- E-3** In this comment, the commenter continues to summarize the Project. The commenter states that the Project site is not currently served by public transit, bicycle trails, or pedestrian facilities and the Project proposes no such facilities. The commenter’s description of the Project generally is accurate. However, it should be noted that as part of the Project, Rio Del Sol and 30th Avenue along the Project site’s frontage would be improved to their ultimate half-width standard which would accommodate bike lanes and sidewalks (as noted on DEIR, p. 4.18-16). As this comment does not identify any deficiencies with the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- E-4** The commenter opines that the DEIR must be revised with further analysis; must identify additional mitigation for significant impacts; must examine additional Project alternatives; and asserts that the County must adopt the environmentally superior alternative absent adequate findings in the record of infeasibility. For the reasons noted in the responses to Comments E-5 through ~~E-54E-55~~, the County finds that the DEIR included a full and complete analysis of the proposed Project and the potential alternatives to the proposed Project, included an analysis of a reasonable range of alternatives to the proposed Project, and imposed mitigation measures to reduce the Project’s significant and unavoidable impacts to the maximum feasible extent. As such, the County finds that recirculation of the EIR for an additional 45-day public review period is not warranted.
- E-5** The commenter opines that the DEIR’s description of roadway improvements is inconsistent. The commenter states that the Project’s major roadway improvements to Rio Sol Road and 30th Street would expose neighborhoods to the south to potential substantial vehicle traffic and states that this is



not evaluated in the DEIR. The commenter states that the extent of off-site roadway improvements must be fully disclosed and evaluated. The commenter is referred to p. 3-23 of the DEIR, which includes a full description of roadway improvements proposed as part of the Project, all of which also are depicted on DEIR Figure 3-15, *Roadway Cross-Sections*. As noted on DEIR p. 3-23, Robert Road would be improved with 32 feet of pavement and only is being improved to accommodate emergency access to the Project site. No Project-related trucks would utilize Robert Road to access the I-10 freeway or any other roadway facilities in the local area. In addition, and although not needed based on the design of the Project's access driveways and the limited improvements planned for Robert Road, the commenter is referred to Mitigation Measure MM 4.3-9 of this Final EIR, which has been added to address concerns expressed by the South Coast Air Quality Management District (SCAQMD). Mitigation Measure MM 4.3-9 imposes a requirement to post signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Accordingly, with mandatory compliance with Mitigation Measure MM 4.3-9, and based on the limited design proposed for Robert Road, the County finds that the DEIR fully and accurately evaluated potential impacts associated with Project-related truck trips, including potential localized impacts to air quality, diesel particulate matter, and noise along the roadways that would serve Project-related truck trips. As such, no revision to the DEIR is warranted pursuant to this comment.

- E-6** The commenter states that the Project Description section notes that land south of the Project site is designated for future development, asserts that this cumulative development is not described or evaluated in the DEIR, and states that according to the site plan, it appears that improvements with respect to 30th Street are designed to provide vehicular access to properties to the south. It should be noted that the "future development" identified on the Project's site plan is in reference to a pending application for Plot Plan No. 220021 (PPT220021), which is a separate application that is being proposed by a separate applicant and is wholly unrelated to the proposed Project that is evaluated by the DEIR. Additionally, the DEIR accounted for future development of PPT220021. Specifically, the commenter is referred to DEIR Figure 4.0-1, *Cumulative Development Projects Location Map*, and DEIR Table 4.0-1, *Cumulative Project List*. PPT 220021 is identified as "RC3" on Figure 4.0-1, and is described in DEIR Table 4.0-1 as a proposed Recreational Vehicle (RV) storage area containing 632 RV parking spaces. The commenter also is referred to the discussion of the scope of cumulative effects as presented in DEIR Subsection 4.0.2. As explicitly noted therein on DEIR p. 4.0-3, "...the near-term cumulative impact analysis of traffic-related noise impacts includes eight other past, present, and reasonably foreseeable projects within this study area in addition to the summary of projections." In addition, the commenter's claim that the Project's roadway improvements would serve the property to the south is not accurate. As described on Page 3-23 of the DEIR and depicted on DEIR Figure 3-15, improvements proposed to 30th Avenue as part of the Project would include frontage improvements only along the northern edge of the roadway. Furthermore, as a standard County condition of approval that would be imposed on PPT220021, the applicant for PPT220021 would be required to construct frontage improvements to the southern edge of Robert Road, regardless as to whether site access is proposed along Robert Road as part of PPT220021. Thus, the Project's proposed improvements to 30th Avenue would not directly provide



access to the property to the south, as incorrectly stated by this comment. As such, because the DEIR evaluated potential cumulatively-considerable impacts associated with PPT220021 and because improvements planned to 30th Avenue would not directly accommodate site access to the property to the south, no revision to the DEIR is warranted pursuant to this comment.

E-7 The commenter states that the DEIR is inconsistent in regard to description of the new power substation. The commenter states that the site plan indicates the substation is part of Project development but elsewhere, it states that the substation would likely be constructed at an off-site location, and if so the substation would not be a Project-related component. The commenter states that because the substation is a component of the Project and is necessary for Project operation, it must be fully evaluated throughout the DEIR. At the time the DEIR was published and circulated for public review, it was the County's understanding that the substation would be constructed on site. Subsequently, the IID informed the County that it is considering constructing the new substation at an off-site location. The ultimate decision as to where the new substation would be constructed is fully at the discretion of the IID, and not Riverside County. In the event that the substation is constructed at an off-site location, the substation would not comprise a Project-related component, as the IID would need to construct a new substation in the local area regardless as to whether the proposed Project is implemented because the substation already is needed to serve on-going growth in the local area. Furthermore, the County disagrees that the DEIR piecemealed the analysis of potential impacts associated with the substation and off-site power poles, as the DEIR included a full analysis of potential environmental effects associated with the construction of a new substation on site and the construction of off-site power poles and transmission lines. In short, while the ultimate location of the new substation is beyond the control of the County, the DEIR's assumption that that substation will be constructed on site, as part of the Project, likely overstates the Project's impacts and is thus conservative.

E-8 The commenter inaccurately states that the DEIR says that 70-foot power poles associated with the substation will be "constructed throughout the neighboring community" and incorrectly asserts that the DEIR evaluated only off-site roadway impacts. The commenter is referred to DEIR Figure 3-18, *Limits of Disturbance*, and the description of the Project's physical disturbances as presented in DEIR Subsection 3.6.1(B). As indicated therein:

*"Although the limits of disturbance depicted on Figure 3-18 shows full disturbance to approximately 45.8 acres along these road segments, the only areas that actually would be physically disturbed as part of the Project evaluated herein include areas where individual power poles and appurtenant facilities would be installed, resulting in impacts to a roughly maximum 10-foot by 10-foot area that would extend to a maximum depth of 15 feet at each pole location. Additionally, in the event the IID substation is constructed on site, **only one route would be selected for the proposed power poles and power lines between the proposed on-site IID substation and existing IID facilities, meaning that the majority of the off-site power pole alignments shown on Figure 3-18 would not be disturbed as part of the Project.**" (DEIR at p. 3-30; emphasis added)*



Thus, the commenter's allegation that the power poles would be "constructed throughout the neighboring community" is not accurate, as only one of the power pole alignments depicted on Figure 3-18 ultimately would be implemented. Furthermore, potential environmental effects associated with the off-site installation of the power poles are evaluated throughout the DEIR. For example, the analysis of Thresholds a. through c. in DEIR Subsection 4.1, *Aesthetics*, includes a full analysis of potential visual quality impacts associated with the off-site power poles, and this comment does not identify any deficiencies with the analysis or conclusions presented in DEIR Subsection 4.1. The commenter also is referred to the discussion and analysis of Project impacts to biological resources, cultural resources, and tribal cultural resources in DEIR Subsections 4.4, 4.5, and 4.19, respectively, all of which account for potential impacts associated with the off-site power poles. It is unclear what the commenter is referring to when referencing "safety issues" associated with the power poles. With respect to temporary construction-related impacts, the commenter is referred to the discussion and analysis of Thresholds e. and f. in DEIR Subsection 4.18, *Transportation*, which concludes there would be a potentially significant safety impact related to temporary disruptions to traffic during power pole installation, and imposes Mitigation Measure MM 4.18-1, which requires the Project Applicant to prepare and obtain Riverside County approval of a temporary traffic control plan prior to issuance of grading permits. Under long-term operating conditions, there would be no safety issues associated with the power poles, and this comment does not identify any specific safety issues under long-term conditions. As this comment does not identify any specific deficiencies with the analysis presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.

- E-9** The commenter reiterates that the substation is a major component of the Project and alleges that the transmission lines and their potential impacts have not been fully evaluated in the DEIR. The commenter also alleges that it appears that the substation is being built to also facilitate future growth in the area and the growth inducement impact must be considered in the DEIR. The commenter further states that the County must commit to the design and location of transmission lines to ensure impacts are fully assessed relative to the neighborhoods they would cross. First, and as noted in the response to Comment E-7, the ultimate decision as to where the substation and associated power poles would be constructed is up to the discretion of the IID, and not Riverside County. In addition, the commenter is referred to the response to Comment E-8, which demonstrates that the potential impacts to aesthetics and traffic safety associated with the off-site power poles and power lines were adequately addressed by the DEIR. With respect to fire hazards associated with the off-site power poles and power lines, the commenter is referred to the discussion and analysis presented in DEIR Subsection 4.21, *Wildfire*. As demonstrated therein, the Project site and off-site power pole locations are not located within an area subject to wildfire hazards. While some localized fire hazards may be associated with power lines, the Imperial Irrigation District (IID) is required by law to maintain all of its power lines clear of vegetation and other obstructions, as required by Rule 35 (Tree Trimming) of the California Public Utilities Commission (PUC) General Order No. 95.⁵¹ Regular trimming of vegetation, as required by State law, would preclude potential fire-related impacts associated with

⁵¹ Available on-line at: <https://docs.cpuc.ca.gov/published/Graphics/13352.PDF>



the off-site power lines. General Order No. 95 also includes Rules 42 through 49.8, which impose regulations related to construction of power poles, and Rule 43.1 in particular addresses required wind load resistance. Further, IID has a Wildfire Mitigation Plan that it is required to implement.⁵² Mandatory compliance with State law would ensure that any potential safety hazards associated with power poles and power lines during wind events would be less than significant. While the commenter's assertion that the size of the potential on-site substation would accommodate additional development in the local area is correct, a discussion of growth inducement, including growth that may be result from the potential on-site substation, were evaluated in the DEIR in Subsection 5.3, *Growth Inducing Impacts of the Proposed Project*. As indicated on DEIR Page 5-5, "[a]lthough the IID substation could facilitate an increase in growth in the local area, any such growth would not exceed the growth already anticipated for the local area by the County's General Plan and the WCVAP. Specifically, undeveloped lands located along the potential power pole alignments, as shown on EIR Figure 3-6, and within close proximity to the Project site are designated by the General Plan and WCVAP for a mixture of land uses, including light industrial land uses, residential land uses, recreational land uses, and commercial retail land uses. Given that large portions of the surrounding community contain undeveloped lands that already are designated for urban land uses, the proposed IID joint electric substation is not anticipated to induce substantial unplanned population growth in the local area." Thus, the County finds that the DEIR correctly concluded that the Project's growth inducing impacts would be less than significant because the areas surrounding the Project site already are planned for development with urban land uses, and no changes to the planned land uses in the surrounding area would occur as a result of the Project. Furthermore, the commenter is referred to the discussion presented in DEIR subsection 4.0.2, *Scope of Cumulative Effects*, which explains the methodology for evaluating the Project's potential cumulative effects. As noted therein, with exception of near-term traffic-related noise impacts, "...the cumulative analysis under most sections considers impacts to each issue area based on the presumed buildout of the Riverside County General Plan as well as the general plans of nearby jurisdictions that occur within the cumulative study area for each subject area." Thus, any growth that may result from the potential IID substation was evaluated throughout the cumulative analyses presented in DEIR Section 4.0. It would not be feasible to identify the specific off-site power pole locations, as the IID is responsible for identifying the ultimate alignment for the power lines as well as the precise locations of individual power poles, and to date the IID has not yet made a determination as to their preferred alignment; thus, the specific locations of the off-site power poles cannot be determined at this time. Regardless, the analysis presented throughout the DEIR accounts for potential impacts associated with the off-site power pole alignments, including potential off-site power pole alignments that may be needed to connect the Project's proposed building to the new IID substation, and the DEIR imposes mitigation measures where necessary to reduce potential impacts to less-than-significant levels. Based on the foregoing, no revision to the DEIR is warranted pursuant to this comment.

- E-10** The footnotes to Comment E-7 are acknowledged, which provides a link to the IID list of Environmental Documents for Public Review. As this footnote does not identify any deficiencies in

⁵² Available online at <https://www.iid.com/home/showpublisheddocument/20676/638012724621370000>



the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment E-7.

- E-11** The commenter opines that the installation of the power poles and lines through residential communities must be considered a potentially significant impact of the Project, and mitigation must be considered, such as undergrounding of the utility lines. The commenter references aesthetic and safety benefits of undergrounding the lines. First, there would be no unmitigated significant impacts associated with installation and operation of the IID transmission lines as support poles, as evidenced by information provided throughout the DEIR. Second, IID will require the transmission lines to be above ground due to voltage and maintenance matters. Refer to Comment Letter D wherein IID explains their requirements.
- E-12** The commenter references the DEIR's statement that the substation, if constructed off-site instead of on the Project site, would be evaluated separately by IID. The commenter reiterates their opinion that this is improper segmenting of the proposed Project. The IID is the agency responsible for providing power in the local area, and Riverside County has no control over IID's decisions on how to serve the local area with power. The IID would serve as the lead agency for the new substation, would make the ultimate determination as to where the new substation and associated transmission lines would be constructed, and the IID would be responsible for ensuring compliance with CEQA with respect to the substation and power lines. Notwithstanding, the DEIR includes a full analysis of potential environmental effects associated with the substation and associated potential transmission line alignments, should IID elect to establish the substation on the Project site. Therefore, the County finds that the DEIR did not impermissibly segment the Project, as the DEIR included a full evaluation of potential impacts to the environment, including potential impacts associated with the construction of a potential substation on the Project site. A new IID substation is required to service the local community with or without implementation of the proposed Project and as such, the substation is an independent project from the proposed Project should IID elect to establish the substation in a location other than on the Project site. Refer also to the response to Comment E-7. No revision to the DEIR is warranted pursuant to this comment.
- E-13** The commenter states that the Project's NO_x emissions exceed the threshold of significance by a large amount, alleges that the DEIR did not impose all feasible mitigation measures, and alleges the DEIR was deficient because the Project's Air Quality Impact Analysis ("AQIA"; DEIR *Technical Appendix B1*) and the analysis presented in DEIR Subsection 4.3, *Air Quality*, do not include calculations of the Project's mitigated air quality emissions as needed to determine the effectiveness of the identified mitigation measures. The commenter is referred to the discussion presented on pp. 4.3-58 and 4.3-59 of this Final EIR, which explains why it is not possible to calculate the Project's mitigated air quality emissions. As discussed therein:

"Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-107 would reduce the Project's long-term air quality emissions, although the exact reduction amount cannot be quantified. For some measures it would be overly speculative to quantify resulting emissions



reductions. For instance, while the Project would install passenger car EV charging stations it cannot be determined how many zero emission vehicles would replace gasoline-fueled vehicles as a result. Additionally, in order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest at the Project must provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles. Yet it cannot be reasonably predicted how many clean trucks would replace diesel-fueled trucks as a result. With other measures the reduction values cannot be quantified due to limitation in the modeling software, such as the requirement that all future cold storage warehousing be equipped with electrical hookups to eliminate idling of main and auxiliary engines during the loading and unloading process. Thus, even with implementation of these mitigation measures and with compliance with the anticipated regulations implemented by the EPA and CARB to improve truck efficiency, the estimated long-term emissions generated under full buildout of the proposed Project still would exceed the SCAQMD’s regional operational significance threshold for VOCs and NO_x and would cumulatively contribute to the nonattainment designations in the SSAB for O₃. Additionally, the predominance of the Project’s operational-source emissions would be generated by passenger cars and trucks accessing the Project site. Neither the Project Applicant nor the County have regulatory authority to control tailpipe or consumer product emissions, and no feasible mitigation measures beyond the measures identified herein exist that would reduce Project operational-source VOC or NO_x emissions to levels that are less than significant. Therefore, the proposed Project’s operational emissions of VOCs and NO_x would represent a significant and unavoidable impact for which additional mitigation is not available. ” (Final EIR at pp 4.3-58 and -59)

Thus, the level of reductions associated with Mitigation Measures MM 4.3-1 through MM 4.3-7 (and MM 4.3-8 through 4.3-10, which have been added as part of this Final EIR) cannot be determined either because their effectiveness cannot be guaranteed or due to limitations in the air quality modeling software. Moreover, mitigation measures are not available to reduce the Project’s air quality emissions to below a level of significance because the vast majority of the Project’s VOC and NO_x emissions are associated with motor vehicles, and neither the Project Applicant nor the County have regulatory authority to control tailpipe or consumer product emissions.

With respect to the commenter’s comment on Table 3-8 of the Project’s AQIA, this citation should be to AQIA Table 3-9, Summary of Peak Operational Emissions. This typographical error and any affected text are corrected here by reference.

Based on the preceding discussions, the County finds that the DEIR correctly concluded that feasible mitigation measures are not available to further reduce the Project’s air quality impacts, and as such the DEIR disclosed the Project’s operational air quality emissions as a significant impact that cannot be mitigated to below a level of significance. No revision to the DEIR is warranted pursuant to this comment.



- E-14** The commenter states that the majority of the Project’s air quality emissions are caused by mobile emissions and that the County must adopt any feasible measure that can substantially lessen the Project’s significant environmental impacts due to air quality emissions. The commenter specifically recommends that the Project be conditioned to require EV charging units for heavy duty and medium duty trucks as well as medium duty vehicles such as delivery vans and recommends Level 3/DC Fast (or Quick) Chargers (DCFC). The commenter adds that chargers must be able to charge the battery of a Class 8 (heavy duty/big rig) truck as well as have the battery range needed to ensure these trucks could meet a “two shift” or even a “one shift” schedule. The County acknowledges that the majority of the Project’s NO_x emissions would be derived from mobile sources; however, the majority of the Project’s emissions of VOCs are due to area source emissions from consumer products. Thus, installation of infrastructure for Electric Vehicle (EV) charging would have limited reductions in the Project’s level of VOC emissions. In addition, the County finds that Level 3 DCFCs are not warranted for the Project. As noted in a publication prepared by Lincoln Electric, entitled, “Beyond Speed: The Advantages and Limitations of Level 3 Chargers,”⁵³ Level 3 DCFCs cannot be used as a primary charging source. It is widely recommended across the industry for EV drivers to use Level 1 and Level 2 chargers for the bulk of their charging needs, and Level 3 chargers should only be used when traveling longer distances. Even when traveling longer distances, it is recommended that drivers charge no more than 80% of their battery’s capacity, as consistently charging beyond 80% (known as “calendar aging” or “cycle aging”) would result in a high risk of battery degradation. In addition, the average cost for Level 3 DCFC chargers is 10 times more expensive than the cost of Level 2 chargers, and such costs are not warranted given that Level 3 DCFC units cannot be used as the primary charging source for Project-related trucks. Accordingly, because Level 3 DCFCs would not be used as a primary charging source, the County finds that imposing a requirement to install Level 3 DCFCs would not serve to facilitate the electrification of the Project’s truck fleet, and thus would not serve to reduce the Project’s level of mobile-source air quality emissions. Furthermore, the commenter is referred to DEIR Mitigation Measure MM 4.3-1, which already requires the installation of facilities to accommodate electrification of the truck fleet, and has been modified as part of this Final EIR to also require the installation of an electrical panel and charging units along with all electrical wiring connections from the electrical panel to the charging units for any future uses that would be served by electric trucks (refer to Table F-2). Considering specific provision of Level 1 and/or Level 2 chargers, as discussed in the EIR and within these Responses, Mitigation Measure MM 4.3-1 requires the Project to install on-site electrical infrastructure (panels and conduit) that would support a variety electric vehicle charging solutions. At this concept stage of Project development, the Lead Agency considers identification of specific charging solutions (such as Level 1 or Level 2 chargers) to be premature, and potentially precludes superior solutions that may be available at the time final Project and building designs are developed. Flexibility provided under the EIR’s current requirement for provision of on-site electrical infrastructure allows the Lead Agency to allocate resources effectively and ensure that EV charging is provided efficiently. This also allows developers to provide EV charging solutions responsive to tenant demands. In any case, the Project

⁵³ Available on-line:

<https://ch-delivery.lincolnelectric.com/api/public/content/b50a31ce62e448d4bc726b42ff1a152d?v=b7595675>



would be required to install EV charging facilities consistent with CALGreen and County CAP requirements in effect at the time of building permit application.

Lastly, it is noted that current air quality modeling protocols cannot definitively quantify any emissions reductions that may result from a specific requirement for Level 1 or Level 2 chargers. Such a requirement would not materially affect estimated mobile-source emissions impacts identified in the EIR. Here, the EIR presents the likely maximum mobile-source emissions impact condition, comprising a good faith effort at disclosing the Project's potential environmental impacts, and allowing the decision-makers to take these impacts into account in their deliberations regarding the Project. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

- E-15** The footnotes to Comment E-11 are acknowledged, which provide links to the commenter's references regarding placing utilities underground. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- E-16** The commenter identifies a number of measures to reduce air quality impacts and recommends they are implemented by the Project, each of which are addressed below.
- The first suggested measure relates to cool roofs, which the commenter asserts would reduce the energy demands of the Project's warehouse building. It is noted that the provision of "cool roofs" would not serve to reduce any of the Project's air quality emissions, as "cool roofs" only would indirectly serve to reduce the Project's greenhouse gas (GHG) emissions by nominally reducing the air conditioning demands of the proposed warehouse building, and any such benefit would be marginal. In addition, the provision of "cool roofs" would not result in a decrease in the Project's significant and unavoidable impacts due to operational emissions on NO_x, as "cool roofs" would not reduce any of the Project's air quality emission sources, which include mobile sources, area sources, TRU sources, stationary sources, and on-site equipment. Notwithstanding, the commenter is referred to EIR Mitigation Measure MM 4.8-1, which requires the Project Applicant to achieve a minimum of 100 points pursuant to the Riverside County Climate Action Plan (CAP) Update (November 2019) Screening Tables (CAP Update Appendix D). The provision of cool roofs is one of the listed options to achieve between 6 and 8 of the required 100 points (refer to Feature EE5.A.3 of the CAP Update Screening Tables).
 - The second measure recommended by the commenter is to require the Project Applicant to obtain Leadership in Energy and Environmental Design (LEED) certification based on the United States Green Building Council (USGBC) to reduce the Project's significant and unavoidable air quality impacts. The commenter provides no indication of how the suggested measure would demonstrably or substantially reduce the Project impacts beyond the reductions achieved through measures already incorporated in the DEIR. Furthermore, mitigation included in the DEIR also includes requirements that the Project comply with the Riverside County CAP Update, which requires the Project Applicant to accommodate of a broad range of energy efficient design features (refer to DEIR Mitigation Measure MM 4.8-1). The County considers this measure



equivalent to if not superior to energy efficiency mitigation offered by the commenter. Indeed, measures included in the DEIR extend beyond CALGreen mandates, whether wrapped in a LEED certification package or otherwise. Please refer to DEIR Mitigation Measures MM 4.3-1 through 4.3-10 (as modified/added as part of this Final EIR; refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*), which represent the maximum feasible mitigation available to address the Project's significant and unavoidable impacts to air quality.

- The third measure recommended by the commenter suggests installing concrete, preferably white concrete, in all parking areas to reduce the Project's "heat island" effect. It should be noted that providing white concrete in the Project's parking areas would not substantially reduce the Project's significant and unavoidable air quality impacts, as the provision of white concrete would not meaningfully reduce any of the Project's air pollution or GHG emissions sources. These include mobile sources, area sources, TRU sources, stationary sources, and on-site equipment. At best, provision of white concrete parking areas would have a nominal effect on the warehouse building's energy demands from air conditioning.

Additionally, as discussed in the EIR, the Project would comply with applicable provisions of the County CAP, including mandated implementation of Project design features that would yield a minimum of 100 points pursuant to the CAP Screening Tables. Please refer to EIR Mitigation Measure MM 4.8-1. The CAP Screening Table assigns point values to each design feature, reflecting that feature's potential to reduce GHG emissions.

Screening Table Category EE10.C Miscellaneous Commercial Building Efficiencies, Measure EE10.C.3 Other, "allows innovation by the applicant to provide design features that increase the energy efficiency of the project not provided in the [Screening] table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards" (Riverside County, 2019a, Appendix D, Screening Tables, p. 15). In this regard, the CAP recognizes Light Reflecting Surfaces, including cool pavements (e.g., white concrete paving and others) as a potential design solution that could reduce energy demands, with correlating reductions in energy-source GHG emissions. The Project does not preclude implementation of cool pavements as a partial solution to attaining the mandated 100 CAP Screening Table Points. However, at this preliminary development stage of the Project, cool pavements are not demonstrably an optimal or superior design solution providing for reduction of the Project GHG emissions. As the Project is further defined, the Lead Agency will determine if and how cool pavements may be successfully integrated in the Project.

With regard to commenter's remarks regarding potential beneficial effects of cool pavements related to vehicle air conditioning, while provision of cool pavements may reduce interior vehicle temperatures, and thus reduce vehicle air conditioning energy demands at vehicle start up, any potential emissions reductions from this transitional condition (from vehicle startup to vehicle operations) would be nominal. Drivers would continue to operate vehicle air conditioning



systems for the duration of trips, irrespective of transitional A/C operational benefits that may result from cool pavements at the Project site.

As such, the provision of concrete light-colored paving would not serve to meaningfully reduce Project mobile-source GHG emissions.

- The fourth measure suggested by this comment is to provide landscaping in parking areas to provide 50% shade coverage within 10 years of operations in order to reduce “heat island” effects and the need for air conditioning. First, this suggested measure would not serve to reduce the Project’s significant and unavoidable impacts due to air quality emissions, as the provision of landscaping in parking areas would merely reduce temperatures within the parking areas, but would not result in a reduction in the Project’s operational emissions of NO_x. The Project’s emissions of NO_x are due to the Project’s anticipated mobile source, area sources, TRU sources, stationary source, and on-site equipment, and the provision of landscaping within parking areas would not affect any of these sources. In addition, providing vegetative shading within the parking areas on site would not serve to reduce the energy demands of the Project’s warehouse building. Additionally, and as noted above, the Project site is located in the middle of the desert, meaning that virtually all vehicles that travel to or from the Project site would utilize air conditioning throughout the year. As such, the provision of shaded parking areas would not serve to reduce the Project’s level of GHG emissions. Moreover, the commenter is referred to the Project’s application materials, and specifically the Project’s landscape plans. As shown therein, landscaped areas on site would encompass approximately 19.3 acres of the 83.0-acre property, representing approximately 23.3% of the total area of the Project site. Nonetheless, given the Project site’s location within a desert environment, it cannot be assured that the Project would be able to achieve 50% shade coverage within ten years. Plant materials are selected that are low water use and that thrive in a desert environment and which consequently do not have large overhanging leaf canopies. Accordingly, the County finds that imposing a requirement to achieve 50% shade coverage within 10 years is not warranted and would not measurably reduce the Project’s level of air quality and GHG emissions.
- The fifth measure suggested by this comment is to require the installation of solar panels to achieve 100% of the Project’s total electricity demand, including EV charging stalls and any automation within future buildings. The County finds that it would not be feasible to generate 100% of the Project’s electricity demands on site, as the building rooftop would not have sufficient space for solar panels necessary to achieve 100% of the energy demand supply from rooftop solar energy generation. Although the County finds that it would not be feasible to generate 100% of the Project’s electricity demands on site, as the building rooftop would not have sufficient space for solar panels necessary to achieve 100% of the energy demand supply from rooftop solar energy generation, Mitigation Measure MM 4.8-2 has been revised as part of this Final EIR in order to strengthen the requirement to accommodate on-site renewable energy production, as follows:

MM 4.8-2 ~~Pursuant to~~ In accordance with Riverside County Climate Action Plan (CAP) Update Measure R2-CE1, the Project shall offset its energy demand by at



least 20 percent through the provision of renewable energy generation. This is anticipated to be accommodated by calculating 20 percent of the total Kilovolt-Amperes (kVA) used to service the Project by the electric utility purveyor's final approved drawing showing the transformer size and installing solar panels mounted on the building rooftop sized to generate the same output as 20 percent of the total transformer capacity. The size of the transformer shall be determined by the electric utility purveyor in their final engineered drawings for construction of the Project. If the transformer size cannot be determined during the shell building permit issuance, then this requirement shall be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as the tenant's transformer load and panel size may change. Utilizing the transformer capacity and panel size, the appropriate number of solar panels shall be included with the related building permits to ensure their installation and operation. As it relates to the shell building permit, building code requirements shall be met and the roof shall be designed to accommodate the maximum amount of rooftop solar that is feasible given applicable Building Code requirements, Fire Code requirements, clearance requirements around roof-mounted equipment and skylights, transformer capacity, the electric utility purveyor's interconnection regulations, and other code compliance constraints. prior to issuance of building permits, future implementing building permits that involve more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development shall be required to offset the energy demand through renewable energy production. Renewable energy production shall be onsite generation of at least 20% of energy demand for commercial, office, industrial or manufacturing development. Prior to issuance of each building permit, the Project Applicant shall provide documentation to the County of Riverside Building & Safety Department demonstrating compliance with CAP measure R2 CE1, which shall include calculations of the building's estimated energy demands as well as calculations showing that the on-site renewable energy production would achieve at least 20% of the building's energy demands.

In addition, DEIR Mitigation Measure MM 4.8-1 requires the Project Applicant to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and there are several measures in the Screening Tables that would reduce the Project's overall level of energy demand. Accordingly, although the County finds that a measure requiring the Project Applicant to achieve 100% of the Project's energy demands through on-site energy production for speculative building users is not feasible, the County finds that the revised Mitigation Measure MM 4.8-2 would ensure that the Project accommodates the maximum amount of on-site renewable energy production as is feasible.



- The sixth measure suggested by this comment is to impose a requirement to accommodate a “truck operator” lounge of reasonable size so as to prevent the need for trucks idling on or off site. The commenter is referred to provision e. of FEIR Mitigation Measure MM 4.3-6 (provision d. of DEIR Mitigation Measure MM 4.3-6), which already requires the posting of signage to eliminate the unnecessary idling of trucks, and further imposes a requirement that trucks may not idle on site for a period exceeding five minutes (which, as discussed below, has been revised to limit idling to a maximum of three minutes). Additionally, provision g. of FEIR Mitigation Measure MM 4.3-6 (provision f. of DEIR Mitigation Measure MM 4.3-6) already requires the posting of signage and provision of information related to the shortest routes to convenience services in order to reduce the length truck operators would travel for commercial services. Accordingly, because Project-related trucks would be prohibited from idling on site for a period longer than three minutes, the County finds that a requirement to provide a “truck operator” lounge is not warranted. That said, a lounge may or may not be proposed as part of the Project’s tenant improvement plans in the future.
- The seventh measure suggested by the commenter is to impose a requirement limiting truck idling to no more than three continuous minutes. Although provision e. of FEIR Mitigation Measure MM 4.3-6 (provision d. of DEIR Mitigation Measure MM 4.3-6) already required restricting idling to a maximum of five (5) minutes in accordance with CARB anti-idling regulations, provision e. of FEIR Mitigation Measure MM 4.3-6 has been revised as follows to restrict idling to a maximum of three (3) minutes:
 - e. Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (3) minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.
- The eighth measure suggested by the commenter is to impose a requirement that all trucks that access the site must have 2014 or newer engines to align with the Port of Long Beach’s requirements. The commenter is referred to provision a. of FEIR Mitigation Measure MM 4.3-6, which has been added pursuant to comments received from SCAQMD (refer specifically to the response to Comment C-6) and requires trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB-compliant 2010 or newer engines. In addition, this comment appears to misinterpret the requirements of the Port of Long Beach with respect to the model year for drayage trucks. Specifically, pursuant to the Port of Long Beach’s Clean Air Action Plan (CAAP), any trucks that already are registered in the Port Drayage Trucks Registry (PDTR) are not required to consist of model year 2014 or newer engines. Rather, the CAAP provision requires that any *new* trucks that seek to be included on the PDTR must consist of 2014 model year or newer.⁵⁴ Any Project-related trucks that are not already registered on the PDTR

⁵⁴ Refer to the following publication from the Port of Long Beach: <https://thehelm.polb.com/download/18/clean-trucks/6673/clean-trucks-program-tariff-change-fact-sheet-091318.pdf>



and that seek to be included in the PDTR would be required to consist of model year 2014 trucks or newer, whereas the regulations allow for older Project-related trucks if they already are registered with the PDTR. As all Project-related trucks would be subject to the requirements of the CAAP and the model year requirements associated with the PDTR, no revision to the DEIR is warranted pursuant to this comment.

- In the ninth bullet, the commenter suggests adding mitigation requiring the installation of EV charging stations “of a certain number and specification.” The commenter is referred to DEIR Mitigation Measure MM 4.3-1, which already required the provision of infrastructure to accommodate the charging of electric-powered trucks. Mitigation Measure MM 4.3-1 has been supplemented as part of this Final EIR to also require the installation of an electrical panel and charging units along with all electrical wiring connections from the electrical panel to the charging units for any future uses that would be served by electric trucks (refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*). In addition, although Mitigation Measure MM 4.3-2 already required the provision of EV charging stations for passenger vehicles of five percent of the total passenger vehicle parking spaces, Mitigation Measure MM 4.3-2 has been revised as part of this Final EIR to require the Project to provide for EV parking spaces in excess of the requirements of CALGreen (refer to Table F-2). Additionally, Mitigation Measure MM 4.3-3 requires the provision of an appropriate number of charging stations to enable charging of on-site equipment. As this comment does not identify any deficiencies with the mitigation measures already imposed to require the provision of EV charging infrastructure, no revision to the DEIR is warranted pursuant to this comment.
- In the tenth bullet, the commenter lists a number of best practices based on the recommendations of the California Attorney General’s office for warehouse uses.
 - The first cited sub-provision is to require heavy-duty trucks to use 2010 or newer model engines. As noted above, the commenter is referred to provision a. of FEIR Mitigation Measure MM 4.3-6, which has been added pursuant to comments received from SCAQMD (refer specifically to the response to Comment C-6 and the revisions to the EIR described in Table F-2) and requires trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB-compliant 2010 or newer engines.
 - The second cited sub-provision is to require all heavy-duty trucks to be zero-emissions starting in 2030. While the County acknowledges that use of zero-emission trucks would reduce Project-related vehicular-source emissions, as noted on pp. 4.3-20, 4.6-21 et al. in the DEIR, the commercial availability of zero-emission long-haul vehicles to exclusively serve the Project is at best limited at present for a variety of reasons. Firstly, trucks serving the Project site are unlikely to be owned by the building users, as most buildings are serviced by trucks or owned or leased by independent operators. The types of trucks driven by independent operators are outside of the control of Project Applicant, building users, and Riverside County. Second, there is not enough electrical grid power to sustainably charge all of the trucks that would travel to and from the Project site. For example, one trucking company tried to electrify just 30 trucks at a terminal in Joliet, Illinois. Shortly after this plan



began, local officials shut it down, commenting that it would draw more electricity than is needed to power the entire city.⁵⁵ Even more relevant, a California company attempted to electrify 12 forklifts, which require significantly less power than trucks. Local power utilities told the California company that it was not possible.⁵⁶ In a May 2023 report by Resources for the Future, titled *Medium- and Heavy-Duty Vehicle Electrification: Challenges, Policy Solutions, and Open Research Questions*, the report states that medium- and heavy-duty electric vehicles (“MHDEVs”) charging (which may exceed several megawatts [MWs] of demand for large fleets) could destabilize electricity distribution systems. Additionally, due to logistical and operational barriers, MHDEVs must be comparable to diesel vehicles in model options, range, recharge time, payloads, and maintenance.⁵⁷ However, considering current technologies, MHDEVs generally have ranges below 200 miles, versus more than 1,000 miles for diesel vehicles.⁵⁸ Additionally, recharge times are substantially longer than diesel refueling. For example, a clean diesel truck can spend 15 minutes fueling anywhere in the country and then travel about 1,200 miles before fueling again.⁵⁹ In contrast, today’s long-haul battery electric trucks have a range of about 150-330 miles and can take up to 10 hours to charge.⁶⁰ Moreover, fleets without a charging depot will need to rely on public charging stations. In addition to the barriers described above, zero-emission trucks are much more costly to fleet owners. A new, clean-diesel long-haul tractor typically costs in the range of \$180,000 to \$200,000.⁶¹ Meanwhile, a comparable battery-electric tractor – with a quarter of the range and thus requiring frequent and long hours of charging – costs upwards of \$480,000.^{62,63} In addition, each charging station installation can exceed \$100,000⁶⁴ and public charging stations and required infrastructure for such charging is not widely available.⁶⁵ Additionally, there is a significant constraint in sourcing enough raw minerals needed to produce the lithium-ion batteries used in zero-emission trucks. For example, tens of millions of tons of cobalt, graphite, lithium, and nickel will need to be produced.⁶⁶ It is estimated that it could take up to 35 years to acquire all the minerals needed to generate enough truck batteries for current levels of global production.⁶⁷ Additionally, expanding capacity and sourcing this amount of material creates environmental effects, that in some

⁵⁵ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ https://media.rff.org/documents/Report_23-03_v3.pdf

⁶⁵ <https://www.ccjdigital.com/alternative-power/battery-electric/article/15545697/charging-forward-with-electric-truck-charging-stations>

⁶⁶ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁶⁷ *Id.*



respects could exceed the emissions of current clean-diesel trucks.⁶⁸ California's zero-emission trucking regulations have been challenged by numerous other states as an unconstitutional restraint on interstate commerce, and are at least partially unenforceable while the legal challenges are pending, and could ultimately be determined to be unlawful. Finally, IID is already challenged to provide electrical capacity to the local area, and aggressive implementation of EV truck charging would exacerbate IID's challenges in providing additional capacity (refer to IID's comment letter D).

Therefore, the County finds that there is no evidence in the record that the proposed mitigation requiring all heavy-duty trucks to be zero-emission is technologically or financially feasible for the Project. Although requiring all trucks that service the Project site to be electric would be infeasible, DEIR Mitigation Measure 4.3-4 promotes use of alternative fuels and supports clean truck fleets as means of generally reducing Project-related vehicular-source emissions. Additionally, the DEIR included mitigation (see DEIR Mitigation Measures MM 4.3-1, MM 4.3-2, MM 4.3-3, as revised/supplemented by this Final EIR; refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*) requiring the provision of EV charging infrastructure on the Project site to support the accommodation of zero and near-zero emission vehicles and to make the Project site attractive for these vehicle types. In addition, the Advanced Clean Fleet Regulation already requires all drayage trucks in California to be zero-emission by 2035. The Project, through its design features and mitigation measures, anticipates that zero and near-zero emission vehicles would operate on the Project site and in the future as part of the overall statewide progression of commercial vehicle fleets transitioning towards clean fleets over time. As such, the Project would be accommodating to such vehicles as they become commercially available and feasible to utilize for Project operations. Accordingly, because the County finds that fully electric heavy-duty trucks are not feasible at this time for the reasons noted above, no mitigation requiring the use of electric heavy-duty trucks is required pursuant to CEQA beyond what already is required by (revised) Final EIR Mitigation Measures MM 4.3-1, MM 4.3-2, MM 4.3-3, and MM 4.3-4. No revision to the DEIR is warranted pursuant to this comment.

- The third cited sub-provision suggests imposing a requirement that all on-site equipment should consist of electrically-powered equipment. The commenter is referred to DEIR Mitigation Measure MM 4.3-3, which already imposes a requirement that all on-site equipment must be powered by electricity and requires the provision of an appropriate number of charging stations. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- The fourth cited sub-provision suggests requiring tenants to use zero-emission light-and medium-duty vehicles as part of business operations. The vast majority of these trips would be associated with passenger vehicle trips from Project employees, and it would not be feasible for the County to enforce a requirement that all future Project employees must use zero-emission vehicles. Furthermore, CARB's Advanced Clean Cars II rule already requires

⁶⁸ *Id.*



that by 2035, 100% of all passenger vehicles sold in California must consist of zero-emission vehicles⁶⁹. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

- The fifth sub-provision suggests restricting the idling of trucks on-site to a maximum of two minutes. As noted above, provision e. of FEIR Mitigation Measure MM 4.3-6 (provision d. of DEIR Mitigation Measure MM 4.3-6) was revised to restrict trucks on site from idling for more than three minutes. A requirement for trucks to meet a two-minute idling restriction would not be feasible as it would not enable truck drivers sufficient time to conduct necessary drayage activities on site. No revision to the DEIR is warranted pursuant to this comment, beyond the revision made to Mitigation Measure MM 4.3-6 as described above.
- The sixth sub-provision suggests installing and maintaining an air monitoring station, which this comment acknowledges would not serve to reduce any of the Project's air quality or GHG emissions. As this measure would not serve to reduce any of the Project's significant environmental effects, no revision to the DEIR is warranted pursuant to this comment.
- The seventh sub-provision suggests constructing electric truck charging stations proportional to the number of dock doors. In response to this comment, Mitigation Measure MM 4.3-1 has been modified to include the following additional requirement, in addition to providing electrical conduit and appropriately-sized electrical panels (as already required by provision a.):

b. At issuance of a building permit for Tenant Improvements, if the tenant is served by electric trucks, the electrical panel and charging units shall be installed, and the electrical wiring connections shall be made from the electrical panel to the charging units, and appropriate dock seals shall be installed. If the tenant is not served by electric trucks, this requirement shall not apply.

- The eighth sub-provision suggests constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the Project site. The commenter is referred to EIR Mitigation Measure MM 4.3-2, which has been modified as part of this Final EIR to require passenger vehicle EV charging stations that exceed the requirements of CALGreen (refer to Table F-2). As this requirement already has been imposed on the Project, no revision to the DEIR is warranted pursuant to this comment.
- The ninth sub-provision suggests imposing a requirement to install solar photovoltaic systems on the Project site to meet a specified electrical generation capacity, such as equal to the building's projected energy demands. As explained above (refer to the response to the fifth measure listed under this response to Comment E-16, the future building rooftops would not have sufficient space for solar panels necessary to achieve 100% of its energy demands from solar panels. In addition, the commenter is referred to DEIR Mitigation Measure MM 4.8-2, which has been revised as part of this Final EIR as indicated in Table F-2, requires the

⁶⁹ See: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii>



proposed building to be designed to accommodate the maximum number of rooftop solar as is feasible given building constraints and code requirements, and would require the Project Applicant to provide calculations demonstrating that the solar arrays achieve more than 20% of the warehouse building's energy demand through onsite renewable energy production in order to demonstrate compliance with Climate Action Plan (CAP) Measure R2-CE1. In addition, DEIR Mitigation Measure 4.8-1 requires the Project Applicant to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and there are several measures in the Screening Tables that would serve to reduce the Project's overall level of energy demand. Accordingly, the County finds that a measure requiring the Project Applicant to achieve 100% of the Project's energy demands through on-site energy production is not feasible, and as such no revision to the DEIR is warranted pursuant to this comment.

- The tenth sub-provision suggests imposing a requirement that all stand-by emergency generators must be powered by a non-diesel fuel. The commenter provides no indication of how the suggested measure would demonstrably or substantially reduce the Project impacts beyond the reductions achieved through measures already incorporated in the DEIR. The use of back-up generators only occurs on rare occasions when there is a power outage, and air quality emissions associated with diesel-powered generators would be nominal when considered as a component of the Project's overall daily or annual emissions of air quality pollutants and GHGs. Please refer to EIR Mitigation Measures MM 4.3-1 through 4.3-10 (as modified/supplemented by this Final EIR; refer to Table F-2), which represent the maximum feasible mitigation available to address the Project's significant and unavoidable impacts to air quality.
- The eleventh sub-provision suggests adding a requirement that facility operators train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. This requirement already is included as provision f. of FEIR Mitigation Measure MM 4.3-6 (provision e. of DEIR Mitigation Measure MM 4.3-6). As this requirement already is included in DEIR Subsection 4.3, no revision to the DEIR is warranted pursuant to this comment.
- The twelfth sub-provision suggests imposing a requirement to achieve LEED certification. As noted above in the response to the second measure listed under this response to Comment E-16, the commenter provides no indication of how the suggested measure would demonstrably or substantially reduce the Project impacts beyond the reductions achieved through measures already incorporated in the DEIR. Furthermore, mitigation included in the DEIR also includes requirements that the Project comply with the Riverside County CAP Update, which requires the Project Applicant to accommodate of a broad range of energy efficient design features (refer to DEIR Mitigation Measure MM 4.8-1). The County considers this measure equivalent to if not superior to energy efficiency mitigation offered by the commenter. Indeed, measures included in the DEIR extend beyond CALGreen mandates, whether wrapped in a LEED certification package or otherwise. Please refer to EIR Mitigation Measures MM 4.3-1 through 4.3-10 (as modified/supplemented by this Final



EIR; refer to Table F-2), which represent the maximum feasible mitigation available to address the Project's significant and unavoidable impacts to air quality.

- The thirteenth sub-provision suggests imposing a requirement that meal options should be provided on site or shuttles between the facility and nearby meal destinations should be provided. No commercial retail uses are proposed as part of the Project, and as such it would not be possible to provide meal options on-site. Additionally, there are numerous potential destinations in the local area that could provide meal service to future Project employees, and it would not be feasible to require that all future Project employees must take a shuttle to destinations for meals. Rather, the commenter is referred to provision g. of FEIR Mitigation Measure MM 4.3-6 (provision f. of DEIR Mitigation Measure MM 4.3-6), which requires the posting of signage and/or the provision of handouts showing the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services, which would encourage future employees to take the shortest route possible to obtain these services. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- The fourteenth sub-provision suggests imposing a requirement to improve and maintain vegetation and tree canopy for residents in and around the Project area. This measure would not serve to reduce any of the Project's significant environmental effects, and would have no effect on the Project's level of air quality and GHG emissions. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- The fifteenth sub-provision suggests imposing a requirement that all tenants train staff in charge of keeping records of the Project's heavy-duty vehicles, to require compliance with CARB regulations, and to make records available for inspection. The commenter is referred to provision a. of FEIR Mitigation Measure MM 4.3-6, which has been added pursuant to comments received from SCAQMD (refer specifically to the response to Comment C-6 and the revisions to the Draft EIR as described in Table F-2) and requires trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB-compliant 2010 or newer engines, and requires the keeping of records of all facility owned and operated equipment that must be made available for inspection by the County. In addition, the Project would be subject to compliance with all applicable CARB regulations. Pursuant to Division 26, Part 2 of the California Health and Safety Code (HSC), CARB would have enforcement authority to ensure the Project complies with all applicable CARB rules and regulations. As the commenter's suggestions already have been incorporated into the Project's EIR where feasible, no revision to the DEIR is warranted pursuant to this comment.

E-17 The footnotes to Comments E-14 and E-16 are acknowledged, which provide links to the commenter's references regarding the commenter's suggested mitigation measures to reduce air quality impacts. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.



- E-18** The footnote to Comment E-16 is acknowledged, which provides a link to the commenter's reference regarding the commenter's suggested mitigation measures to reduce air quality impacts. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote.
- E-19** The commenter states that the Project's diesel-related NO_x impacts are significant and as such, addressing impacts associated with mobile sources is key to mitigating the Project's significant impacts. The commenter recommends that the Project establish fleet efficiency requirements for vehicle fleets including requirements that industrial tenants shall use exclusively zero emission light and medium-duty delivery trucks and vans; and shall use near-zero and zero-emission technologies in heavy-duty applications such as "last mile delivery." The commenter recommends that the County require the phase-in of zero emission or clean technology for heavy-duty trucks. The commenter also recommends that the Project be conditioned to adopt a "Diesel Minimization Plan" whereby zero emission trucks are phased in, e.g., 25% of truck fleets shall use zero emission technology by 2030, and increase that percentage by 10% per year, until 100% of trucks operating on sites are zero emission.

First, it should be noted that the Project Applicant does not propose any "last mile delivery" uses on site, and the Project's warehouse building as designed would not accommodate such a use. With respect to the commenter's assertion that requirements should be imposed to phase in zero-emission trucks, the commenter is referred to the response to Comment E-16 (refer to the discussion of the second sub-provision under the tenth bullet), which explains why a measure requiring all Project trucks to consist of ZE or NZE vehicles would not be feasible at this time. Although requiring all trucks that service the Project site to be electric would be infeasible, DEIR Mitigation Measure 4.3-4 promotes use of alternative fuels and supports clean truck fleets as means of generally reducing Project-related vehicular-source emissions. Additionally, the EIR includes mitigation (see EIR Mitigation Measures MM 4.3-1, MM 4.3-2, MM 4.3-3, which have been modified as part of this Final EIR; refer to Table F-2) requiring the provision of EV charging infrastructure on the Project site to support the accommodation of zero and near-zero emission vehicles and to make the Project site attractive for these vehicle types. In addition, the Advanced Clean Fleet Regulation already requires all drayage trucks in California to be zero-emission by 2035. The Project, through its design features and mitigation measures, anticipates that zero and near-zero emission vehicles would operate on the Project site and in the future as part of the overall statewide progression of commercial vehicle fleets transitioning towards clean fleets over time. As such, the Project will be accommodating to such vehicles as they become commercially available and feasible to utilize for Project operations.

With regard to phase in of zero-emissions vehicles/clean-vehicle technologies (Diesel Minimization Plan) suggested by the commenter, phase in of zero-emissions vehicles/clean-vehicle technologies is already required under the CARB Advanced Clean Truck Regulation. As noted in the DEIR, "[i]n June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or



complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the Future” (DEIR, p. 4.3-19). The County and Project Applicant are required to and would comply with the CARB Advanced Clean Truck Regulation as it becomes effective.

In the context of the Advanced Truck and Bus Regulation, the only effect of the commenter’s proposed Diesel Minimization Plan would be to require the upgrade or replacement of older trucks that may access the Project at an earlier date than would otherwise be mandated by the Advanced Truck and Bus Regulation. The commenter’s suggested Diesel Minimization Plan may result in an interim condition of reduced NO_x emissions. However, effectiveness and quantification of any potential interim NO_x reductions achieved through the commenter’s Diesel Minimization Plan would be speculative, and would not avoid nor significantly reduce Project operational-source NO_x emissions. Project operational-source NO_x emissions would remain significant and avoidable.

Further, the commenter’s proposed requirement that the Project industrial tenant(s) exclusively use zero emission light and medium-duty delivery trucks and vans and near-zero and zero- emission technologies in heavy-duty applications would not demonstrably reduce Basin-wide NO_x emissions. Federal and State agencies are charged with regulating and enforcing vehicle emission standards. It is not feasible for the County to effectively enforce a prohibition on vehicles or vehicle categories from entering the subject property that are otherwise permitted to operate in California and access other properties in the County, region, and state. Even if the County were to apply such restrictions as suggested by the commenter, it would merely cause warehouse operators using older truck fleets or older emissions technologies to locate in another area within in the Basin where the restriction does not apply, thereby resulting in no improvement to regional air quality. Furthermore, if a vehicle that did not meet the commenter’s suggested restrictions requirement were to attempt access the site and be denied, there would be more idling emissions and travel emissions associated with that vehicle. Suggesting that the County require more stringent emissions controls than required by either the federal government or State of California is neither practical nor feasible for the County to effectively enforce.

Accordingly, and for the foregoing reasons, no revision to the DEIR is warranted pursuant to this comment, beyond the revisions already noted above and herein in Subsection 0F.3.

- E-20** The footnotes to Comment E-19 are acknowledged, which provide links to SCAG’s Regional Transportation Plan and the SCAQMD’s Blueprint for Clean Air document. As these footnotes do



not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.

- E-21** The commenter asserts that the Project must establish an enforceable, specified truck route as there is nothing prohibiting trucks on other roadways, such as those traversing the residential community to the south. Although the County finds that such a requirement is not currently warranted because improvements planned for Robert Road would not accommodate heavy-duty truck traffic and Rio del Sol is the only viable route to access the site, the County has nonetheless added the following mitigation measure to require the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access the I-10 freeway and other major circulation facilities in the local area:

MM 4.3-9 Prior to issuance of building permits, Riverside County shall ensure that the building plans include a note requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Prior to final building inspection, the County shall verify that the required signage has been posted. The requirement to utilize Rio del Sol to access these facilities also shall be specified in future lease or sales agreements issued to prospective tenants.

- E-22** The commenter asserts that the Project's design features must be made enforceable requirements through the mitigation program. The commenter states that impacts must be assessed and disclosed apart from any design features where they are not mandatory requirements of the Project. All Project Design Features that were accounted for by the DEIR either already are shown on the Project's plans, or are imposed as County Regulations and Design Requirements (CRDRs). All of the CRDRs listed in the DEIR would be imposed as conditions of approval, and the County would review future applications for grading and building permits for compliance with the Project's application materials. As such, no revision to the DEIR is warranted pursuant to this comment.

- E-23** The commenter states that the DEIR concludes the Project has the potential to impact jurisdictional waters at off-site locations and states that the proposed mitigation is ineffective because the level of potential impacts were not assessed. The commenter also states that the DEIR does not explain how development avoids flooding and downstream impacts to the wash flows traversing the Project.

With respect to the commenter's allegation that the proposed mitigation for jurisdictional waters at off-site locations is ineffective, the County disagrees. The precise location of power poles that may be installed to serve the Project would be determined by the IID in the future, and such determination is outside of the control of Riverside County and the Project Applicant. Notwithstanding, in the event that any power poles would occur within areas containing jurisdictional resources, DEIR Mitigation Measures MM 4.4-4 and MM 4.4-5 would apply, which require compensatory mitigation at a minimum 1:1 mitigation ratio, and further require the Project Applicant to obtain the appropriate regulatory permits from the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW). Accordingly, the County finds that the DEIR's analysis



of potential impacts to jurisdictional resources provides the most comprehensive analysis available in the absence of a final determination by IID as to the precise locations of future power poles, and the County further finds that the mitigation identified by the DEIR to address these impacts to jurisdictional resources provides appropriate performance-based standards, would be fully enforceable, and would reduce to less-than-significant levels any potential impacts to jurisdictional resources.

With respect to the commenter's assertion that the DEIR did not explain how the Project would avoid flooding downstream due to wash flows traversing the Project site, the commenter is referred to the discussion and analysis of Threshold c. and f. and Thresholds e. and g. in DEIR Subsection 4.10, *Hydrology and Water Quality*. As noted under the analysis of Thresholds c. and f. in DEIR Subsection 4.10:

“With implementation of the Project’s proposed drainage plan, all runoff tributary to the Project site and generated on the Project site would be directed to proposed retention basins within the southern portions of the Project site. The vast majority of runoff tributary to or generated on the Project site would be fully detained on site and allowed to infiltrate into the groundwater table. The proposed retention basins are sized to accommodate peak runoff tributary to or generated on the Project site. As such, the Project has no potential to substantially alter the existing drainage pattern of the site or area, and a less-than-significant impact would occur. Additionally, because the vast majority of runoff tributary to or generated on the Project site would infiltrate into the groundwater table via the proposed retention basins, the Project has no potential to exceed the capacity of existing or planned stormwater drainage systems.” (DEIR at pp. 4.10-13 and -14)

As noted under the analysis of Thresholds e. and g. in DEIR Subsection 4.10:

“However, as a standard regulatory requirement (see Code of Federal Regulations Title 44 Parts 60, 65, and 72), the Project Applicant would be required to obtain a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the issuance of grading permits. As part of the CLOMR, the Project Applicant would be required to demonstrate that the hydrology changes proposed as part of the Project would meet minimum National Flood Insurance Program (NFIP) standards. The CLOMR would identify site elevations needed to ensure that future development on site is not subject to flood hazards. Following completion of grading activities, and prior to issuance of building permits, the Project Applicant would be required to obtain a Letter of Map Revision (LOMR) from FEMA officially revising FIRM Map No. 06065C1585G to show changes to floodplains, regulatory floodways, and/or flood elevations. With completion of the CLOMR and LOMR processes, the portions of the Project site planned for development with light industrial warehouse and electric substation uses would be removed from the mapped floodplain, and would no longer be subject to flooding. Accordingly, with mandatory completion of the CLOMR and LOMR processes, the Project would not impede or redirect flood flows. Additionally, because the vast majority of runoff tributary to or generated



on the Project site would be retained on site and would infiltrate into the groundwater table, the Project has no potential to increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. Impacts would be less than significant.” (DEIR at pp. 4.10-15 and -16)

As this comment does not identify any deficiencies with the discussion and analysis presented in DEIR Subsection 4.10, no revision to the DEIR is warranted pursuant to this comment.

E-24 The footnotes to Comment E-19 are acknowledged, which provide a news link regarding vehicle fleets; a link to Cal EPA’s Air Resources Board “Mobile Source Strategy” document; a link to CARB’s article entitled “California moves to accelerate to 100% new zero-emission vehicle sales by 2035”; a news article entitled “California to require half of all heavy trucks sales to be electric by 2035”; and a link to CARB’s “Advanced Clean Trucks Fact Sheet.” As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.

E-25 The commenter cites several executive orders regarding reduction of greenhouse gas emissions. The commenter opines that the Project serves to increase greenhouse gas emissions but fails to adopt all feasible mitigation for this cumulatively significant impact. The commenter states that the Project’s GHG emissions exceeds the significance threshold and as such, the Project must adopt all feasible mitigation. The commenter states that the air quality measures provided in Comment E-16 should be considered as feasible mitigation for GHG impacts. The commenter asserts that many of the Project’s sustainability features are already requirements of Title24/CalGreen and cannot be considered mitigation. The commenter concludes that accessible and safe bike paths as well as access to public transit should be considered feasible mitigation for significant GHG emissions related to mobile emissions.

With respect to the air quality mitigation measures referenced by this comment, the commenter is referred to the response to Comment E-16, which provides a response for each of the mitigation measures suggested by this comment letter. With respect to the commenter’s statement that the identified mitigation measures do not address mobile-source GHG emissions, and as noted on Page 4.3-59 of the DEIR, “...*the predominance of the Project’s operational-source emissions would be generated by passenger cars and trucks accessing the Project site. Neither the Project Applicant nor the County have regulatory authority to control tailpipe or consumer product emissions, and no feasible mitigation measures beyond the measures identified herein exist that would reduce Project operational-source VOC or NO_x emissions to levels that are less than significant.*” (DEIR at p. 4.3-59) Because neither the County nor the Project Applicant have regulatory authority over tailpipe emissions, there are no additional mitigation measures available to address the Project’s mobile-source air quality or GHG emissions beyond the mitigation measures already presented in EIR Subsections 4.3 and 4.8 (including the modified/new mitigation measures added as part of this Final EIR; refer to Table F-2). While this comment refers to the provision of safe bike paths and transit services, the Project site is located in a desert setting and the utility of using bicycles as an alternative



means of transportation for the Project is questionable. Regardless, the Project's proposed improvements to Rio del Sol and 30th Avenue along the Project site's frontages with these roadways already would accommodate safe travel by bicycles. With respect to transit service, transit routes in the local area are established by the Sunline Transit Agency (STA), and not by Riverside County. Notwithstanding, the intensity of the proposed Project could support future expanded transit access in the local area, although any such future expansion of transit service would be outside of the control of Riverside County. Accordingly, the County finds that there are no additional feasible mitigation measures to address the Project's mobile-source emissions beyond the mitigation measures already presented in EIR Subsections 4.3 and 4.8 (as modified/supplemented as part of this Final EIR; refer to Table F-2), that the Project already accommodates bicycle lanes, and that the expansion of transit is outside of the regulatory authority of the County. As this comment does not identify any feasible measures that could serve to address the Project's mobile-source emissions, no revision to the DEIR is warranted pursuant to this comment.

- E-26** The commenter asserts that the mitigation program must require the installation and operation of a renewable energy systems consistent with Title 24/CalGreen and the system must meet the total energy needs of the Project building and parking lot infrastructure including a storage system. The commenter recommends installing additional photovoltaic solar panels to cover the entire rooftop of the Project to serve to decarbonize IID's power mix, which would partially offset the Project's GHG impacts. The commenter provides a link for information regarding IID's Power Content Label.

First, the Project would be required to comply with all applicable provisions of Title 24/CalGreen as a requirement of State law, regardless as to whether the specific provisions of Title 24 or CalGreen are identified in the DEIR. Regarding the commenter's assertion that the mitigation should require photovoltaic systems to achieve 100% of the warehouse building's energy demand, the commenter is referred to the response to the fifth measure under the response to Comment E-16, which explains why it would not be feasible to generate 100% of the Project's electricity demands on site. In summary, a 100% solar-power solution is not physically viable for the Project, nor is it considered the best available power solution for the Project based on environmental and fiscal considerations.

With regard to commenter's recommendation to install photovoltaic panels that would entirely cover the Project rooftop, this is impractical on several counts as summarized below:

- Space constraints: The Project warehouse roof would have obstructions, e.g., vents, skylights, and other features that limit the potential useful area for solar panels.
- Fire safety regulations/building codes: Setbacks from the edges of the roof and pathways for firefighter access are required, which reduces the available space for solar panels. For example, The National Fire Protection Association (NFPA) requires that solar panels be set back from the ridge line of a roof to allow for fire service ventilation.



- Structural limitations: Solar panels substantially increase roof loads on supporting structural elements. Costly engineering solutions that would allow for 100 percent coverage of the Project warehouse roof are not considered the best use of available resources.
- Orientation. 100 percent solar panel coverage of the Project warehouse rooftop is an inefficient application of solar panel technology as it does not allow for maximum orientation of solar panels to capture sunlight and avoid shadows.
- Maintenance access: Reserving uncovered roof space provides necessary access for maintenance and repairs of both the roof and the solar system.

Furthermore, the IID is responsible for sourcing electricity from renewable sources pursuant to the requirements of the California Renewables Portfolio Standard (RPS), and the IID's renewable portfolio is outside of the regulatory authority of Riverside County. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

- E-27** The commenter states that the DEIR implies that EV charging units consistent with Title 24/CalGreen will be installed but is not required in the mitigation program. The commenter recommends that Level 2 EV charging units should be considered. The commenter is referred to EIR Mitigation Measures MM 4.3-1, MM 4.3-2, and MM 4.3-3 (which have been modified/supplemented as part of this Final EIR; refer to Table F-2), all of which specify requirements related to charging equipment. Revised Final EIR Mitigation Measure MM 4.3-2 specifically requires the provision of a minimum of EV charging stations at passenger vehicle parking stalls that exceed the minimum number of EV spaces required by CALGreen. Furthermore, the Project would be required to comply with all applicable provisions of Title 24/CalGreen as a requirement of State law, regardless as to whether the specific provisions of Title 24 or CalGreen are identified in the DEIR. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- E-28** The footnote to Comment E-25 is acknowledged, which provides a link to a commentary article entitled "Opponents of Inland Empire warehouse boom see glimmer of hope in recent rejections". As this footnote do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote.
- E-29** The commenter opines that the Project conflicts with the County's CAP Update, stating that many of the measures listed in the CAP Update Screening Tables already are requirements of Title 24/CalGreen. This comment does not identify any specific ways in which the Project would conflict with the CAP Update. The commenter is referred to EIR Mitigation Measures MM 4.8-1 and MM 4.8-2 (as revised/supplemented by this Final EIR; refer to Table F-2), requires the proposed building to be designed to accommodate the maximum number of rooftop solar as is feasible given building constraints and code requirements, and would require the Project Applicant to provide calculations demonstrating that the solar arrays achieve more than 20% of the warehouse building's energy demand through onsite renewable energy production in order to demonstrate compliance with



Climate Action Plan (CAP) Measure R2-CE1. The mitigation included in this Final EIR impose enforceable requirements to comply with applicable provisions of the County's CAP Update. With respect to the commenter's assertion that the measures included in Appendix D to the CAP Update already are requirements of Title 24 or CalGreen, it is not the Project's responsibility to address any real or perceived deficiencies in the adopted CAP Update. Rather, the Project is required to comply with the CAP Update as currently adopted. The analysis of Threshold b. in DEIR Subsection 4.8 demonstrates that with implementation of DEIR Mitigation Measures MM 4.8-1 and MM 4.8-2 (as revised/supplemented by this Final EIR), the Project would fully comply with all applicable CAP Update requirements. As this comment does not identify any specific deficiencies with the analysis of Threshold b. in DEIR Subsection 4.8, and rather identifies perceived deficiencies with the CAP Update itself, no revision to the DEIR is warranted pursuant to this comment.

- E-30** The commenter asserts that the Appendix G to the DEIR did not evaluate Project consistency with the policies of the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS"); also referred to as "Connect SoCal") and opines that the Project would conflict with the SCAG 2020-2045 RTC/SCS goals such as those aimed at reducing GHGs and decreasing Vehicle Miles Traveled (VMT). The commenter is referred to the analysis of Threshold a. and DEIR Table 4.11-1, *Analysis of Consistency with Connect SoCal Goals*, in DEIR Subsection 4.11, *Land Use and Planning*, which provides an analysis of Project consistency with all applicable goals and policies of Connect SoCal. The analysis of Threshold a. demonstrates that the Project would not conflict with any goals or policies identified by Connect SoCal. As this comment does not identify any deficiencies with the analysis presented in DEIR Table 4.11-1, no revision to the DEIR is warranted pursuant to this comment.
- E-31** The commenter opines that the Project conflicts with the County's General Plan and lists multiple policies and goals they believe the Project conflicts with. An inconsistency with a goal or policy of an applicable plan is not itself an environmental impact. (See *Orinda Ass'n v. Board of Supervisors* (1986) 182 Cal.App.3d 1145.) Such an inconsistency may be read to indicate a likelihood of an environmental impact or to support such a conclusion, but an inconsistency is not inherently an environmental impact itself. It is well-established that a project does not have to be consistent with each and every goal or policy in a plan to be found consistent with the overall intent of the plan. Determination of consistency requires only that the proposed project be "compatible with the objectives, policies, general land uses, and programs specified in" the applicable plan. (Cal. Gov. Code Section 66473.5.) The courts have interpreted this provision as requiring that a project be "in agreement or harmony with the terms of the applicable plan, not in rigid conformity with every detail" of it. (*San Franciscans Upholding the Downtown Plan v. City & County of San Francisco* (2002) 102 Cal.App.4th 656, 678; see also *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807.) In the case of the proposed Project, the Project's potential impacts to the environment were fully evaluated and disclosed in DEIR Section 4.0, *Environmental Analysis*. This comment does not identify any deficiencies with the analysis of Project impacts as presented in DEIR Section 4.0. In addition, under the State CEQA Guidelines, an EIR must discuss "any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." (See



State CEQA Guidelines Section 15125(d)). Here, the commenter merely provides a list of General Plan policies without providing any specific indication as to how the Project would conflict with such policies, and the commenter further fails to demonstrate how such an alleged conflict would result in a significant environmental effect that is not already evaluated and disclosed in other sections of the DEIR. With respect to the specific comments on the DEIR's analysis of Project consistency with the General Plan and Western Coachella Valley Area Plan (WCVAP):

- With respect to Policy LU 2.1(f), the Project's proposed frontage improvements along Rio del Sol and 30th Avenue would accommodate bicycles, while the County has no authority over public transit in the local area, which is instead under the control of the STA. As such, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 2.1(f).
- With respect to Policy LU 4.1, the commenter is referred to DEIR Mitigation Measure 4.8-2, which has been revised as part of this Final EIR (refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*), which explicitly requires the proposed building to be designed to accommodate the maximum number of rooftop solar as is feasible given building constraints and code requirements, and further requires the Project Applicant to provide calculations demonstrating that the solar arrays achieve more than 20% of the warehouse building's energy demand through onsite renewable energy production in order to demonstrate compliance with Climate Action Plan (CAP) Measure R2-CE1. Thus, the County finds that the commenter is incorrect in asserting that there is no requirement to provide solar energy. Refer also to the discussion above related to Policy LU 2.1(f). Accordingly, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 4.1.
- With respect to Policy LU 8.12, Policy LU 8.12 merely requires the following: "Improve the relationship and ratio between jobs and housing so that residents have an opportunity to live and work within the county." Here, the Project would generate approximately 1,203 new, recurring jobs (as noted on DEIR Page 3-33). Thus, because the County suffers from a poor jobs-housing ratio, the introduction of employment-generating land uses on the site would assist the County in improving the jobs-housing ratio within this portion of the County. Thus, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 8.12.
- With respect to Policy LU 11.4, and as noted above, the Project's proposed frontage improvements along Rio del Sol and 30th Avenue would accommodate bicycles, while the County has no authority over public transit in the local area, which is instead under the control of the STA. As such, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 11.4.
- With respect to Policy LU 11.5, Policy LU 11.5 states the following: "Ensure that all new developments reduce Greenhouse Gas emissions as prescribed in the Air Quality Element and Climate Action Plan." The Project would be subject to compliance with DEIR Mitigation Measures MM 4.8-1 and MM 4.8-2 (as modified/supplemented as part of this Final EIR (refer to Table F-2, *Errata Table of Additions, Corrections, and Revisions*), implementation of which would ensure full Project compliance with the CAP Update. Additionally, the analysis presented



in DEIR *Technical Appendix N* demonstrates that the Project would not conflict with any of the policies within the General Plan Air Quality Element. Thus, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 11.5.

- With respect to Policy LU 13.1, and as noted above, the Project's proposed frontage improvements along Rio del Sol and 30th Avenue would accommodate bicycles, while the County has no authority over public transit in the local area, which is instead under the control of the STA. Notwithstanding, the Project would introduce employment-generating land uses into a portion of the County that suffers from a poor jobs-housing ratio. By providing increased employment opportunities in the local area, the Project would serve to reduce reliance on long automobile trips. Moreover, Policy LU 13.1 is more directed towards County staff and decision-makers than it is to individual developments, as individual developments would not have the ability to establish land use arrangements in the local area, as the land use arrangements instead are established by the County's General Plan Land Use Map. Thus, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 13.1.
- With respect to Policy LU 13.2, Policy LU 13.2 does not require that all employment and service uses must be located in areas accessible to existing or planned transportation facilities. Rather, Policy LU 13.2 encourages the location of employment and service uses in areas already served by existing or planned transportation facilities. There are no components of Policy LU 13.2 that preclude development of employment-generating land uses in areas that are not already served by existing or planned transportation facilities. Accordingly, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy LU 13.2.
- With respect to Policy OS 16.8, Policy OS 16.8 states the following: "Promote coordination of new public facilities with mass transit service and other alternative transportation services, including bicycles, and design structures to enhance mass transit, bicycle, and pedestrian use." As clearly noted in this policy, Policy OS 16.8 specifically relates to the siting of new public facilities and is not related to private development projects. Accordingly, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy OS 16.8.
- With respect to Policy OS 16.9, this policy merely urges County staff and decision makers to encourage increased use of passive solar design and day lighting in existing and new structures. There are no components of the proposed Project that would inhibit the County's ability to promote passive solar design and day lighting in new or existing structures. Accordingly, the County finds that the DEIR correctly concluded that the Project would not conflict with Policy OS 16.9.

Accordingly, and based on the preceding discussions, no revision to the DEIR is warranted pursuant to this comment.

- E-32** The footnotes to Comment E-30 are acknowledged, which provide links to Chapter 3 of SCAG's Connect SoCal and the RTC/SCS document. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.



E-33 The commenter states that the Project does not reduce VMT and opines that the Project is therefore inconsistent with numerous policies and goals regarding reducing vehicle dependency. The commenter asserts that the County should consider additional measures including programmatic VMT mitigation. First, this comment references programmatic mitigation measures to address the Project's impacts due to VMT; however, a review of this comment letter shows that no such recommended mitigation measures have been provided, other than a general statement that an alternative to the Project should be considered that includes more mixed-use development (which is addressed separately as part of the response to Comment E-39). The Project would be subject to compliance with DEIR Mitigation Measures MM 4.18-2 and MM 4.18-3, which are aimed at reducing the Project's VMT to the maximum extent practicable. Moreover, the majority of the Project's traffic would be associated with heavy-duty truck trips, which have fixed places of origin and fixed destinations. Regardless, as this comment does not identify any potential mitigation measures that would serve to measurably reduce the Project's significant and unavoidable impacts due to VMT, no revision to the DEIR is warranted pursuant to this comment.

E-34 The commenter opines that MM 4.8-1 is inadequate because it does provide certain and enforceable mitigation since performance standards are not specified and other measures mentioned are to be formulated after Project approval. Mitigation Measure MM 4.8-1 merely imposes the requirement of the CAP Update to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables included as CAP Update Appendix D. As stated by the CAP Update:

“If a project can obtain 100 points from the screening table, the mitigated project will implement pertinent reduction measures such that it meets the reduction goals of the CAP and a less than significant finding can be made for the project. The menu of options in the screening table is tied to the R2 Measures in the CAP Update and the Implementation Measures (IMs) in the General Plan such that 100 points would meet the emission reductions associated with the R2 Measures and IMs. This menu allows for maximum flexibility for projects to meet its reduction allocation.” (Cap Update at p. 7-8)

Thus, a project need only to achieve a minimum of 100 points to demonstrate consistency with the Riverside County CAP Update, regardless as to which measures presented in CAP Update Appendix D are selected. Accordingly, the County finds that DEIR Mitigation Measure MM 4.8-1 provides certain and enforceable mitigation requirements that fully reflect the requirements of the County's adopted CAP Update. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

E-35 The commenter begins by summarizing CEQA Guidelines Appendix F regarding wise and efficient use of energy, and accurately cites the DEIR's estimated Project energy consumption of 8,563,734 kWh/year of electricity and 3,043,533 gallons of fuel annually due to cars and trucks and 18,567 gallons of fuel is accurate. The commenter asserts that the DEIR's finding of less than significant regarding energy resources is not supported. The commenter states that it is unclear whether the substation will generate power and if so, this energy consumption must be fully evaluated in the



DEIR. The commenter also asserts that the assumptions made regarding the Project's electricity demand must be made mandatory conditions of the Project's development and operation.

First, electric substations do not consume electricity; rather, electric substations contain the special transformer equipment that allows the voltage of electricity to be transformed (or 'switched') to a lower voltage that can be used by individual electric customers. Thus, irrespective as to whether the IID substation is constructed on site, the substation would have no effect on the Project's overall energy demands or levels of energy efficiency.

With respect to the assumptions made by the DEIR with respect to the Project's anticipated energy demands, the requirement that 20% of the Project's energy demands must come from renewable sources is a requirement of DEIR Mitigation Measure MM 4.8-2, and is based on CAP Update Measure R2-CE1. In addition, Compliance with CAP Update Measure R2-CE1 is required for all developments within the County that include more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development (CAP Update at p. 4-11). Furthermore, the requirement to comply with CAP Update Measure R2-CE1 has been included as part of Mitigation Measure MM 4.8-2 (refer to Table F-2). Thus, the County finds that it was reasonable to assume the Project would be required to comply with CAP Update Measure R2-CE1 as part of the estimation of the Project's anticipated operational energy demands.

With respect to natural gas, while it is not anticipated that the Project's warehouse building would be served with natural gas, there is a remote potential that future tenants may require the use of natural gas as part of warehouse operations. Additionally, natural gas may be needed as part of operation of the on-site electrical substation. In order to ensure that the Project does not exceed the levels of air quality and GHG emissions that have been disclosed by this EIR, Mitigation Measure MM 4.8-3 has been added. Mitigation Measure MM 4.8-3 would either prohibit the use of natural gas in the Project's warehouse building, or would require the Project Applicant to demonstrate, through updated air quality and greenhouse gas emission calculations, that the use of natural gas would not result in air pollutant or greenhouse gas emissions above those reported in this EIR. The County finds that with the addition of Mitigation Measure MM 4.8-3, any use of natural gas on site would not result in emissions exceeding what is reported by this EIR.

MM 4.8-3 The use of natural gas as part of the operation of the Project's warehouse building is prohibited. Prior to issuance of building permits, Riverside County shall review the Project's building plans to ensure that the Project's building does not include any connections to natural gas lines in the local area, and the prohibition against the use of natural gas other than for electricity generation also shall be specified in any future sales agreements. If natural gas is proposed to be used other than for electricity generation, it may be permitted but only upon the submission and County approval of air quality and greenhouse gas emission calculations demonstrating that the use of natural gas will not result



in air pollutant or greenhouse gas emissions above those reported in the Majestic Thousand Palms EIR.

With respect to the commenter's assertion that the use types anticipated for the Project's building are not enforceable, the County has added the following mitigation measure to ensure that high-cube cold storage uses within the Projects' warehouse building either do not exceed the assumed 247,798, and/or requires that any high-cube cold storage uses exceeding 247,798 s.f. must be served by fully electric trucks:

MM 4.3-10 Prior to issuance of building permits, Riverside County shall ensure that the plans do not accommodate more than 247,798 s.f. of high-cube cold storage uses within the Project's proposed warehouse building.

Accordingly, with implementation of Mitigation Measure MM 4.8-2 and with the addition of Mitigation Measures MM 4.8-3 and MM 4.3-10 (cited above), the County finds that the Project's level of energy consumption would not be greater than what is evaluated and disclosed in DEIR Subsection 4.6, *Energy*.

E-36 The commenter asserts that the Project must mitigate its energy impacts. The commenter recommends measures including the installation and utilization of a solar energy system for 100% of the facility's total energy demands including all electric vehicle charging and cold storage uses as well as complete rooftop coverage with solar to export to the grid. The commenter asserts that the County must ensure compliance with the CEQA Guidelines Appendix F and Senate Bill 100. The commenter states that the DEIR states that the Project will rely on renewables for 20% of its energy demands, but this is not part of the mitigation program and is unclear how the measure would be implemented. Lastly, the commenter states that flat-roofed warehouse buildings must maximize their reliance on solar power including maximizing solar for export to the grid or readiness for future expansion of PV panels to meet additional energy needs.

The commenter correctly notes that no mitigation measures are proposed related to the Project's energy demands. As substantiated in Subsection 4.6, *Energy*, of the Project's DEIR, the Project's energy demands would not result in a significant environmental effect. Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Thus, because DEIR Subsection 4.6 demonstrates that the Project's level of energy consumption would be less than significant, no mitigation measures are required under CEQA.

The commenter incorrectly asserts that the Project does not increase reliance on renewable energy sources. The commenter is referred to Mitigation Measure MM 4.8-2 (as modified/supplemented by this Final EIR; refer to Table F-2), which requires the provision of the maximum number of solar as is feasible and further requires the Project Applicant to provide calculations demonstrating that on-



site energy production would equal at least 20% of the Project's overall energy demands. This requirement would assist the County in increasing its reliance on renewable energy sources.

With respect to the commenter's suggestion to provide solar energy production equal to 100% of energy demands of the proposed warehouse building, the commenter is referred to the response to Comment E-15 (refer to the discussion of the fifth measure), which explains why it would not be feasible to generate 100% of the warehouse building's energy demands on site. In summary, a 100% solar-power solution is not physically viable for the Project, nor is it considered the best available power solution for the Project based on environmental and fiscal considerations

While it is acknowledged that the State has set a target through its adoption of Senate Bill 100 to achieve 100% clean energy in California by 2045, there is no requirement under Senate Bill 100 requiring individual developments to achieve 100% clean energy on a project-by-project basis. The Project would conform with all existing and future applicable energy conservation policies and regulations. In this manner, the Project promotes attainment of the State's goal to achieve 100% clean energy by 2045.

With respect to the commenter's erroneous statement that there is no assurance that the Project would meet 20% of its energy demand through on-site renewable energy production, the requirement that 20% of the Project's energy demands must come from renewable sources is a requirement of DEIR Mitigation Measure MM 4.8-2 (as modified/supplemented as part of this Final EIR; refer to Table F-2), and is based on CAP Update Measure R2-CE1. Compliance with CAP Update Measure R2-CE1 is required for all developments within the County that include more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development (CAP Update at p. 4-11). Thus, the County finds that it was reasonable to assume the Project would be required to comply with CAP Update Measure R2-CE1 as part of the estimation of the Project's anticipated operational energy demands.

Based on the preceding discussion, no revisions to the DEIR are warranted pursuant to this comment.

- E-37** The commenter asserts that the Project should adopt further measures to reduce VMT in order to reduce fuel consumption. The commenter opines that because the Project increases VMT, it is inconsistent with land use plans and includes text from the 2022 CARB Scoping Plan regarding VMT reduction. The commenter then goes on to recommend consideration of an alternative to the Project that would include more mixed-use development on site, and does not provide any recommended mitigation measures to address the Project's anticipated VMT. The commenter also recommends incorporating accessible bike lanes and access to public transit and recommends the County explore programmatic VMT options.

CEQA does not require inclusion of an alternative that reduces all impacts to less than significant levels. The purpose of an alternatives section is to identify ways to reduce or avoid significant



environmental effects. (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376.) An EIR must focus on alternatives that can avoid or substantially lessen a project's significant environmental effects. (Public Resources Code § 21002; 14 Cal. Code Regs § 15126.6(a)-(b).) Nonetheless, the No Development Alternative (NDA), as presented in DEIR subsection 6.4.1, would avoid all of the Project's significant environmental effects (including the Project's unavoidable VMT impacts), and therefore meets the commenter's request. Additionally, the commenter is referred to the discussion and analysis of the Reduced Project Alternative (RPA), which considers an alternative development plan for the Project site that would reduce the size of the proposed warehouse building by approximately 25%.

Furthermore, the analysis of Project impacts due to VMT is based on the Riverside County publication, *Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled* (December 2020; herein, "County Guidelines"). As required by the County Guidelines, for projects that include mixed uses, each land use type is separately evaluated against the VMT Thresholds of Significance identified in Figure 6 of the County Guidelines. Thus, based on the County Guidelines, even if an alternative were to be considered that incorporated commercial retail uses on site, the Project still would result in a significant and unavoidable VMT impact associated with the proposed warehouse use on site, as the County Guidelines do not allow for any credit to be taken for a mixture of uses. As such, even if the DEIR had considered an alternative that would include a mixture of uses, the Project's VMT impacts still would remain significant and unavoidable.

With respect to the commenter's suggested mitigation involving bike lanes as well as public transit, the commenter is referred to the response to Comments E-3 and E-25. With respect to the commenter's suggestion that the DEIR should consider programmatic solutions to address VMT, the commenter is referred to DEIR Mitigation Measures 4.18-2 and 4.18-3, which include a range of programmatic measures intended to reduce the Project's impacts due to VMT to the maximum feasible extent.

Accordingly, and for the reasons outlined above, the County finds that the range of alternatives presented in the DEIR fully complies with the requirements of CEQA, and no revision to the DEIR is warranted pursuant to this comment.

- E-38** The footnote to E-37 is acknowledged, which provides a link to the 2022 CARB Scoping Plan. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote.
- E-39** The commenter opines that the Project conflicts with the County's General Plan Policies in regard to land use and lists a number of land use policies. Firstly, the commenter is referred to the response to Comment E-31, which explains that an inconsistency with a General Plan policy is not inherently an environmental impact itself, and that it is well-established that a project does not have to be consistent with each and every goal or policy in a plan to be found consistent with the overall intent of the plan. Furthermore, this comment merely asserts that the Project would conflict with 11 General Plan Land



Use Element policies, but provides no indication as to how the Project would conflict with the policies cited by this comment. The commenter is referred to DEIR *Technical Appendix N*, which includes an evaluation of the Project's consistency with all General Plan and WCVAP policies. As this comment does not identify any deficiencies with the analysis presented in *Technical Appendix N*, no revisions to the DEIR is warranted pursuant to this comment.

E-40 The commenter opines that the Project is inconsistent with General Plan policies C 1.2 and C1.7 as it does not provide transportation options and bikeways. The commenter also opines that the Project is inconsistent with Policies OS 11.1, 11.2, 11.3 and 16.9 regarding solar energy systems. The commenter states that they are unclear as to what “primarily” means in the EIR Appendix N where it indicates that 20% of the Project's on-site energy demand primarily would be met through solar panels. The commenter states that General Plan Policy AQ 21.2 requires that any measures found necessary pursuant to the CAP Screening Tables shall be incorporated into a project's Conditions of Approval to ensure they are implemented appropriately. The commenter asserts that the building's roof and parking areas must be maximized with solar panels. The commenter states that Policies AQ 2018 and AQ 26.1 require the County to encourage the installation of solar panels. The commenter is referred to the response to Comment E-31, which explains that an inconsistency with a General Plan policy is not inherently an environmental impact itself, and that it is well-established that a project does not have to be consistent with each and every goal or policy in a plan to be found consistent with the overall intent of the plan. The commenter also is referred to DEIR *Technical Appendix N*, which includes an evaluation of the Project's consistency with all General Plan policies. With respect to the specific policies referenced by this comment:

- The Project would be required to comply with all State laws, including the State Solar Shade Control Act; thus, the Project would be consistent with Policy OS 11.1.
- Policy OS 11.2 directs the County to “support and encourage **voluntary** efforts to provide active and passive solar access opportunities in new developments” (*emphasis added*). As this policy provides direction to County staff and decision makers, and because the measures referenced by this policy are “voluntary,” the proposed Project would not conflict with Policy OS 11.2.
- Policy OS 11.3 states, “Permit and encourage the use of passive solar devices and other state-of-the-art energy resources.” This policy directs County staff and decision makers to permit and encourage passive solar devices and other state-of-the-art energy resources, and does not impose any Project-level requirements. As such, the Project would not conflict with Policy OS 11.3.
- Policy OS 16.9 states, “Encourage increased use of passive, solar design and day-lighting in existing and new structures.” Again, this policy directs County staff and decision makers to permit and encourage passive solar devices, and does not impose any Project-level requirements. As such, the Project would not conflict with Policy OS 16.9.
- With respect to Policies AQ 21.3, AQ 20.18, and AQ 26.1, the commenter is referred to the discussion and analysis presented in EIR Subsection 4.8, *Greenhouse Gas Emissions*. As indicated therein, mitigation measures have been imposed on the Project requiring compliance



with the Riverside County CAP Update, including the requirement that future development on site must demonstrate that a minimum of 20% of the Project's energy demand would be met through renewable energy production. The Project also would be required to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables. All of the mitigation measures identified by the EIR would be enforced as part of the Project's Conditions of Approval. With respect to the commenter's assertion that the "building's roof and vast parking areas must be maximized with solar panels," there is no such requirement in the CAP Update, as the CAP Update only requires a minimum of 20% of a building's energy demands be met through renewable energy production (i.e., solar).

- E-41** The footnotes to E-38 are acknowledged, which provide a link to the City of Escondido's VMT exchange program; a link to the Institute of Transportation Studies, Berkeley's "Implementing SB 743" document; and SCAG's "Vehicle Miles Traveled Mitigation" document. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- E-42** The commenter opines that the Project is inconsistent with Policy N 14.5 regarding site design and asserts that the building should locate loading docks as far as practical from residential uses such as on the north side of the building only. Policy N 14.5 states, "Consider the issue of adjacent residential land uses when designing and configuring all new, nonresidential development. Design and configure on-site ingress and egress points that divert traffic away from nearby noise-sensitive land uses to the greatest degree practicable." Thus, Policy N 14.5 does not include any requirement regarding the locations of truck docking courts, but instead relates to directing Project traffic away from nearby noise-sensitive land uses. The Project complies with Policy N 14.5 by directing all Project traffic to Rio del Sol and away from sensitive receptors located east and southeast of the Project site. Furthermore, the nearest sensitive receptors are located more than 0.25-mile from the Project site, and the analysis throughout the DEIR demonstrated that all of the Project localized impacts, including health risk impacts and noise impacts, would be less than significant. Accordingly, the Project has been designed to comply with Policy N 14.5, and no revision to the DEIR is warranted pursuant to this comment.
- E-43** The commenter references Policy AQ 4.7 and states that the Project must require all feasible mitigation in regard to air emissions. The commenter references Policy AQ 8.8 regarding promoting land use patterns which reduce the number and length of vehicle trips. The commenter states that the Project increases VMT and does not meet any of the County's screening criteria for land use projects to determine an exemption from VMT calculations. With respect to Policy AQ 4.7, the commenter is referred to the discussion and analysis presented in DEIR Subsection 4.3, *Air Quality*, which imposes all feasible mitigation measures available to measurably reduce the Project's significant and unavoidable impacts due to NO_x and VOC emissions, and this comment does not identify any feasible mitigation measures that have not already been imposed on the Project. With respect to Policy AQ 8.8, this policy directs County staff and decision makers to establish land use patterns that would serve to reduce VMT and does not impose any Project-level requirements. Moreover, and as



noted in DEIR *Technical Appendix N*, the Project would assist the County in reducing VMT by providing for employment-generating land uses on site that would reduce the need for County residents to commute outside of the County for employment. Thus, the County finds that the Project would not conflict with Policies AQ 4.7 or AQ 8.8, and no revision to the DEIR is warranted pursuant to this comment.

E-44 The commenter references Policy AQ 8.9 and states that the County shall promote land use patterns that promote alternative modes of travel, and asserts that the Project provides no transit or pedestrian access. The commenter also references Policy AQ 9.2 which requires VMT reductions, and states that the Project increases VMT. The commenter references Policies AQ 20.2, AQ 20.3, 20.4, 20.7, 22.1, and 23.1 which state that the County shall reduce VMT. The commenter states that DEIR Appendix N asserts these policies as well as others are not applicable to the Project; and asserts that the policy is applicable to the County that is the lead agency for the Project. The discussion in DEIR *Technical Appendix N* is correct, as it would not be possible for individual development projects to establish land use patterns that would serve to reduce VMT. While true that these policies do provide direction to County staff and decision makers, the County complied with these policies during its regular updates to its General Plan by designing land use patterns that would serve to promote reduced VMT. Moreover, and as noted in DEIR *Technical Appendix N*, the Project would assist the County in reducing VMT by providing for employment-generating land uses on site that would reduce the need for County residents to commute outside of the County for employment. Thus, the County finds that the Project would not conflict with Policies AQ 8.9, 9.2, 20.2, 20.3, 20.4, 20.7, 22.1, or 23.1, and no revision to the DEIR is warranted pursuant to this comment.

E-45 The commenter opines that the Project is inconsistent with the Western Coachella Area Plan which “focuses growth in areas well served by public facilities and services.” The commenter asserts that the Project not exceeding 49 feet in height must be made a condition of the Project’s approval in order to be consistent with WCVAP Policy 13.2. The commenter references Policy 13.3 which discourages industrial uses which may conflict with residential land uses either directly or indirectly. The commenter states that the Project does not restrict truck traffic through the residential neighborhood to the south and opines that the Project opens this neighborhood to substantial truck and vehicle traffic. The commenter also states that the Project will require the installation of 70-foot transmission lines throughout the neighboring community. The Project is located in an area that already is partially developed with light industrial businesses along Rio del Sol, and the Project site is located in an area that is served by public facilities and services. While the IID would require an additional substation in the local area, the need for this substation is due to on-going growth within the area, and would be necessary regardless as to whether the proposed Project is implemented. Thus, the Project would be consistent with the WCVAP’s direction to focus growth in areas well served by public facilities and services. With respect to the height of the proposed building, the Project’s application materials already restrict the building to a maximum of 49 feet, and the County would review all future building permit applications to ensure consistency with the Project’s Plot Plan. In the event future building permits propose heights exceeding 49 feet, then the County would require discretionary approval of an amendment to the Project’s Plot Plan, which in turn would require



additional analysis under CEQA. With respect to the portion of this comment related to truck traffic within residential communities, and as noted in the response to Comment E-5, Mitigation Measure MM 4.3-9 of this Final EIR, which has been added to address concerns expressed by SCAQMD (refer to Table F-2), imposes a requirement to post signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway, and further requires that this restriction be specified in future lease or sales agreements issued to prospective tenants; thus, with the addition of Mitigation Measure MM 4.3-9, all Project-related truck traffic would be restricted to using Rio del Sol to access I-10 and other major transportation facilities in the local area. Thus, the County finds that it is not necessary to impose a condition of approval restricting the height of the building since the building already would be restricted to a maximum height of 49 feet by the Project's Plot Plan. No revision to the DEIR is warranted pursuant to this comment.

- E-46** The commenter opines that the Project fails to demonstrate consistency with Riverside County's Good Neighbor Policy. The commenter references Policy 4.1 stating that heavy duty trucks shall be limited to 2010 or newer engines and states that this measure is not included in the mitigation program. The commenter also opines that MM 4.3-6 is written in a manner that applicable Good Neighbor Policies will be determined at a later date and constitutes uncertain and deferred mitigation. The commenter further states that other Good Neighbor Policies are not required including 4.6 (truck routes) and 6.3 (on-site upgrades and community benefits such as funding for promoting alternate forms of transportation). The commenter is referred to the response to Comment E-16, which explains that provision a. of FEIR Mitigation Measure MM 4.3-6 has been added pursuant to comments received from SCAQMD (refer specifically to the response to Comment C-6 and Table F-2) and requires trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB-compliant 2010 or newer engines. With respect to Policy 4.6 of the Good Neighbor Policy, the commenter is referred to the response to Comment E-21, which explains that Mitigation Measure MM 4.3-9 has been added requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. With respect to Good Neighbor Policy 6.3, this policy requires the implementation of measures to "offset potential air quality impacts" and is intended to "reduce the supplemental funding contribution policy listed in Section 6.4." The Project Applicant would be required to contribute funds pursuant to Section 6.4 of the Good Neighbor Policy. Furthermore, the specific on- and off-site upgrades referenced by Policy 6.3 that are intended to reduce air quality impacts are not applicable to the Project. For example, the first bullet under Policy 6.3 requires measures to directly offset NO_x emissions above and beyond existing air quality regulations, but no additional mitigation measures are available to further reduce the Project's significant and unavoidable impacts due to NO_x emissions beyond the mitigation measures already presented in DEIR Subsection 4.3. The second bullet encourages measures such as paving of dirt roads, installation of additional trees/landscaping, and installation of air filters for sensitive receptors. The Project would be required to install pavement along Rio Del Sol, 30th Avenue, and along Robert Road. Additionally, the Project incorporates the maximum amount of landscaping as is feasible given site design constraints and the Project site's location within a desert environment. The analysis in DEIR Subsection 4.3 demonstrates that the Project's localized air quality impacts would be less than significant at all sensitive receptor locations,



and pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, “[m]itigation measures are not required for effects which are not found to be significant.” The third bullet of Policy 6.3 requires the provision of additional buffers from nearby sensitive receptors that are in addition to the buffers required by Policy 3.1 of the Good Neighbor Policy. Policy 3.1 requires a minimum setback of 300 feet from nearby sensitive receptors, while the Project site is located more than 0.25-mile from the nearest sensitive receptors; thus, the Project as designed complies with the additional setback provision of Policy 6.3. The last bullet encourages the provision of project design features that promote feasible alternative forms of transportation to reduce emissions. The Project would accommodate sidewalks as part of frontage improvements along Rio del Sol and 30th Avenue, and both of these roadways also would accommodate bicycles. With respect to transit, transit service is not currently available in the local area, and the determination of future bus routes in the local area would be made by Sunline Transit Agency (STA); however, the intensity of the proposed Project would support future expanded bus routes in the local area. Accordingly, the County finds that the Project would fully comply with the Good Neighbor Policy, and no revision to the DEIR is warranted pursuant to this comment.

- E-47** The footnote to Comment E-46 is acknowledged, which provides a link to the Western Coachella Area Plan. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote.
- E-48** The commenter again asserts that the EIR must be revised due to conflicts with the General Plan and other land use policies and additional mitigation measures must be imposed. The commenter is referred to the responses to Comments E-39 through E-47, which explain that with the minor revisions to the DEIR referenced therein, the Project would not conflict with the General Plan or any other applicable land use policies. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- E-49** The commenter states that the intersections of Rio del Sol Road and Watt Court; Rio del Sol Road and Pet Land Drive; and the intersections along and the entirety of Robert Road were excluded from the Project’s Traffic Analysis (“TA”; DEIR *Technical Appendix K1*). The commenter states that it is unclear whether Robert Road will be improved under the Project and to the extent that the Project will improve Roberts Road between 30th Avenue and Del Norte Way, and that this must be fully disclosed and evaluated through the EIR. The commenter states that the Project is only purportedly conditioned to perform improvements (widening) of Rio del Sol Road between 30th Avenue to the Project’s northern boundary but provides no assurance that the section of Rio del Sol Road between 30th Avenue and Varner Avenue can accommodate the addition of thousands of vehicles per day due to the Project. The commenter states that the TA recommends that Rio del Sol Road be widened to 4 lanes, north of Varner Road and alleges that this is a direct impact of the Project that must be disclosed through the DEIR and appropriate mitigation must be adopted. The commenter further notes that the Draft EIR proposes no traffic mitigation or any improvements to this segment of Rio del Sol Road. The commenter also asserts that the County must find traffic impacts to be significant where the EIR identifies needed improvements. The commenter further incorrectly asserts that the Project is not



conditioned to make fair share payments for traffic improvements. Finally, the commenter references General Plan Policy C 2.4, which requires that traffic impacts of new development proposals shall be mitigated via conditions of approval requiring the construction of any improvements identified as necessary to meet level of service targets.

First, with respect to Robert Road, as explained in DEIR subsection 3.5.3.D, Robert Road would be paved with 32-feet of pavement and only would serve as an emergency access route, and no Project-related traffic would utilize Robert Road except in the event of emergencies. As such, Robert Road did not need to be evaluated in the Project's Traffic Study, although physical impacts associated with the installation of 32 feet of pavement along Robert Road between 30th Avenue and Del Norte Way were evaluated throughout the DEIR, as shown on DEIR Figure 3-18, *Limits of Disturbance*. In addition, and as noted in the response to Comment E-5, Mitigation Measure MM 4.3-9 of this Final EIR, which has been added to address concerns expressed by SCAQMD, imposes a requirement to post signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway, and further requires that this restriction be specified in future lease or sales agreements issued to prospective tenants; thus, with the addition of Mitigation Measure MM 4.3-9, all Project-related truck traffic would be restricted to using Rio del Sol to access I-10 and other major transportation facilities in the local area.

With regard to the commenter's statements regarding inclusion or exclusion of certain intersections from analysis, the commenter's credentials and expertise in evaluation of technical traffic analyses are unclear. The commenter's statements here also are not supported by technical analyses or expert opinion supported by facts, and as such do not comprise substantial evidence. In contrast, the Project's TA has been prepared by traffic engineering experts, employing contemporary Institute of Transportation Engineers (ITE) protocols and methodologies, and consistent with County requirements. The TA includes extensive detail, modeling employing accepted protocols, and has been prepared by experts in the field of traffic analysis and traffic engineering. It is further noted that the TA Scoping Agreement (TA Appendix 1.1) specifically identifies intersection locations warranting analysis based on the Project Trip Generation and Project Trip Distribution. The TA Scoping Agreement reflects the DEIR traffic engineers' and County's extensive technical expertise and practical experience in developing and preparing TA's that effectively focus on areas and issues of known or potential concern. The Lead Agency considers the TA generally and the TA intersection analysis specifically to constitute a good faith effort in evaluating and addressing potential effects of Project trips on the area roadway system and area LOS conditions. Moreover, pursuant to State CEQA Guidelines section 15064.3(a), "...a project's effect on automobile delay shall not constitute a significant environmental impact." Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Thus, because CEQA only requires mitigation measures for a project's significant environmental impacts, and because traffic impacts explicitly do not constitute a significant environmental impact under CEQA, the recommendations of the Project's TA are not required to be included as mitigation measures in the Project's EIR. Notwithstanding, all of the recommendations of the Project's TA



would be included in the Project's conditions of approval, thereby ensuring the Project would be consistent with General Plan Policy C 2.4.

With respect to the portion of this comment that asserts that the future widening of Rio del Sol to four lanes should have been studied as part of the Project's EIR, subsection 1.6.2 of the Project's TA notes that widening of Rio del Sol to four lanes is not warranted until Horizon Year (2045) conditions, and the widening is not warranted under near-term conditions with buildout of the proposed Project. As such, the future widening of Rio del Sol would be implemented by others in the future, and is not a Project-related improvement. Moreover, the future widening of Rio del Sol to four lanes already is planned as part of the County's General Plan Circulation Element, which designates this roadway as a "Secondary Highway" with four lanes, and impacts associated with the buildout of the County's General Plan already were evaluated as part of Riverside County EIR No. 521 (SCH No. 2009041065), which was certified in conjunction with the County's 2015 update to the General Plan.

Accordingly, and based on the preceding discussion, no revision to the DEIR is warranted pursuant to this comment.

E-50 The commenter states that the Traffic Analysis model assumes that all vehicle traffic will use Rio del Sol Road and as such, the Project must establish a truck route to ensure that Project traffic does not use Roberts Road. The commenter is referred to the response to Comment E-5, which explains that Mitigation Measure MM 4.3-9 of this Final EIR was added to address concerns expressed by SCAQMD (refer to Table F-2). Mitigation Measure MM 4.3-9 imposes a requirement to post signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway, and further requires that this restriction be specified in future lease or sales agreements issued to prospective tenants. Furthermore, Robert Road only is proposed to be improved with 32 feet of pavement and would serve only as an emergency access route; thus, no Project traffic would utilize Robert Road except in the event of an emergency. Accordingly, with the addition of Mitigation Measure MM 4.3-9, and based on the limited improvements proposed along Robert Road, no Project-related traffic would utilize Robert Road for ingress or egress.

E-51 The commenter opines that the Project presents potential for growth inducing impacts contrary to the findings of the DEIR. The commenter is referred to the discussion presented in DEIR Subsection 5.3, *Growth Inducing Impacts of the Proposed Project*, which explains why the Project would not result in any growth-inducing impacts. Furthermore, with exception of the potential IID substation, all Project-related improvements have been designed to serve only the Project, and there are no Project-related components that would remove obstacles to development or that would otherwise facilitate growth in the local area beyond what already is planned by the General Plan and WCVAP. With respect to the IID substation, the substation is warranted in the local area to serve on-going development in the local area, and the substation would be constructed by the IID regardless whether the proposed Project is implemented. Furthermore, the IID substation also would not facilitate growth beyond what already is planned by the General Plan and WCVAP. Accordingly, the County finds that the discussion presented in DEIR Subsection 5.3 accurately demonstrates that the Project's



growth-inducing impacts would be less than significant, and as such no revision to the DEIR is warranted pursuant to this comment.

- E-52** The commenter opines that the range of alternatives in the DEIR do not provide decisionmakers with meaningful alternatives that substantially reduce project impacts and meet most of the basic objectives of the Project. The commenter asserts that the DEIR should evaluate a development alternative with a greater mix of uses, such as business park or professional park uses, to reduce impacts due to VMT. CEQA does not require inclusion of an alternative that reduces all impacts to less than significant levels. The purpose of an alternatives section is to identify ways to reduce or avoid significant environmental effects. (*Laurel Heights Improvement Ass’n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376.) An EIR must focus on alternatives that can avoid or substantially lessen a project’s significant environmental effects. (Public Resources Code Section 21002; 14 Cal. Code Regs Section 15126.6(a)-(b).) Nonetheless, the No Development Alternative (NDA), as presented in DEIR subsection 6.4.1, would avoid all of the Project’s significant environmental effects and therefore meets the commenter’s request to identify an alternative that reduces VMT. Additionally, the commenter is referred to the discussion and analysis of the Reduced Project Alternative (RPA), which considers an alternative development plan for the Project site that would reduce the size of the proposed warehouse buildings by approximately 25%. Aside from the NDA, there is no feasible alternative use of the Project site that would fully avoid the Project’s significant and unavoidable environmental effects, including the Project’s significant and unavoidable impacts due to VMT. Furthermore, it is unclear from this comment how an alternative that considers mix of uses, such as business park or professional park uses, would serve to measurably reduce the Project’s significant and unavoidable impacts due to VMT. Any such alternative use would be associated with similar home-based work (HBW) VMT as the proposed Project, as employees still would have to travel to and from the Project site, and any such alternative would generate similar VMT per Service Population (SP) as the Project’s proposed warehouse building. Accordingly, the County finds that the range of alternatives presented in the DEIR fully complies with the requirements of CEQA, and no revision to the DEIR is warranted pursuant to this comment.
- E-53** The commenter asserts that the DEIR should evaluate alternative alignments for the 70-foot-high voltage power poles required to connect the proposed substation with existing IID infrastructure located at Monterey Avenue and Ramon Road and would avoid traversing residential areas, and indicates a preference to locate the poles along Rio Del Sol, Varner Road, and Ramon Road. The commenter’s preferred alignment for the power poles is acknowledged. However, the commenter is referred to the discussion presented in DEIR subsection 3.6.1.B, *Project-Related Physical Disturbances*. As discussed therein, “[t]he alignment of the proposed off-site power lines ultimately would be determined by IID in the event that the IID opts to construct the substation on site; however, for purposes of this EIR, it is assumed that the power poles could be constructed within one of several alignments.” Thus, the ultimate determination of the alignment of the power poles would be made by IID, and Riverside County has no ability to require the IID to utilize any specific routes. Moreover, potential impacts associated with the installation of the power poles were evaluated throughout the



DEIR, and this comment does not identify any deficiencies in the analysis presented. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

- E-54** The commenter opines that, absent findings of infeasibility supported by substantial evidence, the County must adopt the environmentally superior alternative, which DEIR Section 6.0 identifies as the Small Building Alternative (SBA), as described in DEIR subsection 6.4.4. The commenter’s preference is acknowledged. As described in DEIR Subsection 6.4.4, the SBA assumes the Project site would be developed with one warehouse building, but the proposed warehouse building would be reduced in size from approximately 1,238,992 s.f. under the proposed Project to approximately 175,000 s.f. under the SBA (representing a reduction in building area by approximately 85.9%). While technically feasible, developing 83.0 acres of the Project site with only 175,000 s.f. of “Light Industrial” building area would represent an inefficient form of land use and also would not allow the Project Applicant to make a reasonable return on their investment in the property. Due to the substantial reduction in building area, such an alternative also would not adequately meet the Project’s objectives to “efficiently develop” the Project site, to improve the jobs/housing balance within the area, or to facilitate job creation. Notwithstanding, the commenter’s request to adopt the SBA in lieu of the proposed Project is acknowledged, and will be considered by the Riverside County Planning Commission and Board of Supervisors as part of their deliberations over whether to approve, conditionally approve, or deny approval of the proposed Project. No revision to the DEIR is warranted pursuant to this comment.
- E-55** The commenter provides concluding statements reasserting that the EIR needs to be revised and more mitigation is needed. The commenter is referred to the responses to Comments E-5 through ~~E-54E-55~~, which are responsive to the individual concerns expressed by this comment letter. No further response is necessary.



COMMENT LETTER F



CENTER for BIOLOGICAL DIVERSITY

Because life is good.

June 10, 2024

Sent via email

Russel Brady, Project Planner
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Planning Department
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Riverside, CA 92501
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Re: Majestic Thousand Palms Draft Environmental Impact Report (SCH #2022110600)

Dear Mr. Brady:

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Majestic Thousand Palms Project (“Project”). The Center has reviewed the Draft Environmental Impact Report (DEIR) closely and is concerned about the Project’s impacts to air quality, housing, transportation, greenhouse gas emissions, and biological resources. The Center urges the County to correct the deficiencies identified below and recirculate a revised EIR for public review and comment prior to approving the Project.

F-1

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Riverside County.

F-2

I. Although the Project Will Have Significant Impacts on Air Quality, the EIR Fails to Adopt all Feasible Mitigation Measures.

The Project will have significant air quality impacts because Mitigation Measures MM 4.3-1 through MM 4.3-7 will “not reduce the Project’s operational-source NOX and VOC emissions to a level below SCAQMD regional thresholds of significance” (DEIR, S-6).

F-3

Ozone (commonly referred to as smog) is created by the atmospheric mixing of chemicals released from fossil fuel combustion – such as VOC and NOx – and sunlight. Ozone poses one of the greatest health risks, prompting the EPA to strengthen its National Ambient Air Quality Standard for Ozone in 2015. (ALA 2022.) It has been linked to an increased incidence and risk of cancer, birth defects, low birth weights and premature death, in addition to a variety of cardiac and lung diseases such as asthma, COPD, stroke, and heart attack. (Laurent 2016; ALA 2020.)

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BiologicalDiversity.org



Air quality is a significant environmental and public health concern in California. Unhealthy, polluted air contributes to and exacerbates many diseases and increases mortality rates. The U.S. government has estimated that between 10 to 12 percent of total health costs can be attributed to air pollution. (VCAPCD 2003.)

Living within areas of high air pollution increases rates of Alzheimer's, asthma, autism, dementia, heart attacks, lung cancer, childhood obesity, strokes, lung cancer, and pre-term births. Pregnant women are particularly vulnerable to air pollution, including pollution near busy roads and freeways. Studies show that women may develop high blood pressure or diabetes during pregnancy if they are close to high levels of air pollution.¹ Some pregnant women also develop an illness called pre-eclampsia that can result in high blood pressure and possible kidney damage.²

Such harmful health problems extend to the developing fetus when a pregnant mother lives near high levels of air pollution. These impacts can lead to low-birth weight and babies being born early as well as changes to the developing brain.³ These health impacts have been linked to behavior, learning or other "cognitive" problems, including autism, ADHD, and schizophrenia.⁴

For children who live or go to school near high levels of air pollution when they are young, their lung development can be significantly impacted. This leads to the development of conditions such as asthma, which has been linked to increase hospitalization for asthma attacks.⁵ Additionally, studies show more ear, nose, and throat infections for children who are near this kind of air pollution from traffic.⁶

Many of the health problems from air pollution (described above) for children can go into the teenage years. For teenagers, by the time they have graduated from high school or soon after, most teens' lungs will have reached maturity, meaning they will not likely grow any further. So

F-4
(CONT.)

¹ Malmqvist E, Jakobsson K, Tinnerberg H, Rignell-Hydbom A, Rylander L. (2013). [Gestational diabetes and preeclampsia in association with air pollution at levels below current air quality guidelines](#). *Environmental Health Perspectives*, 121(4): 488-93.

² Wu M, Ries JJ, Proietti E, Vogt D, Hahn S, Hoesli I. (2015). [Development of Late-Onset Preeclampsia in Association with Road Densities as a Proxy for Traffic-Related Air Pollution](#). *Fetal Diagnosis and Therapy*, 39(1): 21-27.

³ Ritz B, Qiu J, Lee PC, Lurmann F, Penfold B, Erin Weiss R, McConnell R, Arora C, Hobel C, Wilhelm M. (2014). [Prenatal air pollution exposure and ultrasound measures of fetal growth in Los Angeles, California](#). *Environmental Research*, 130: 7-13.

⁴ Woodward N, Finch CE, Morgan TE. (2015). [Traffic-related air pollution and brain development](#). *AIMS Environmental Science*, 2(2): 353-373.

⁵ McConnell R, Islam T, Shankardass K, Jerrett M, Lurmann F, Gilliland F, Gauderman J, Avol E, Kunzli N, Yao L, Peters J, Berhane K. (2010). [Childhood incident asthma and traffic-related air pollution at home and school](#). *Environmental Health Perspectives*, 118(7): 1021-1026.

⁶ Berhane K, Chang C-C, McConnell R, Gauderman WJ, Avol E, Rapaport E, Urman R, et al. (2016). [Association of changes in air quality with bronchitic symptoms in children in California, 1993-2012](#). *Journal of the American Medical Association*, 315(14), 1491-1501.

F-5



if a teen's lungs are smaller or don't work as well at age 18, the lungs may not grow and get healthier as they grow into an adult.⁷

Stretching into adulthood, research shows that being near air pollution for a long period of your life can give people a higher chance of having heart problems. This impact is associated with both ambient pollution (regional pollution that everyone in a community breathes) and traffic pollution (near-roadway pollution) and can lead to more deaths from heart disease.⁸ Furthermore, there are now proven links between traffic pollution and stroke, especially in middle-aged women.⁹

Overall, exposure to air pollution is linked to premature death and thus should be avoided in all future planning efforts.¹⁰ The DEIR recognizes that the Project will have a significant impact on air quality. However, the DEIR fails to adopt commonsense, available mitigation measures, or explain why adopting such measures would be infeasible.

By proposing inadequate mitigation and then concluding that the Project's air quality impacts are significant and unavoidable, the County has fallen short of CEQA's requirement that lead agencies consider all feasible mitigation to reduce or avoid the Project's significant impacts. (See Pub. Resources Code, § 21002 [It is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects."], CEQA Guidelines, §§ 15092(b), 15043, 15126.4, subd. (a)(1).) Here, the EIR adopts inadequate mitigation measures that fall far short of recommended best practices.

VOC Emissions

The EIR admits that VOC emissions during operations will exceed the thresholds adopted by BAAQMD. (DEIR, S-14) Because the impact is significant, the EIR has an obligation to adopt all feasible mitigation measures. However, the EIR adopts a mitigation measure that allows the use of architectural coating products with levels of VOC up to five times higher (DEIR, S-17) than the California Attorney General's recommendation of a 10 g/L limit. (*Id.* at ES-7; AGO 2021.) By falling so far short of the Attorney General's best practices, the EIR fails to properly mitigate a significant impact. The Project must revise RR 4.3-2 to require the use of low-VOC products with less than 10 g/L. The DEIR does not address why the limit in MM AIR-2c cannot be modified to 10 g/L to more effectively mitigate VOC emissions during operation, which are significant and do need to be mitigated.

Idling times

⁷ Gauderman WJ, Urman R, Avol E, Berhane K, McConnell R, Rappaport E, Chang R, Lurmann F, Gilliland F. (2015). [Association of Improved Air Quality with Lung Development in Children](#). *The New England Journal of Medicine*, 372(10): 905-913.

⁸ Gold DR and Mittleman MA. (2013). [New insights into pollution and the cardiovascular system: 2010 to 2012](#). *Circulation*, 127(18): 1903-1913.

⁹ Brook RD, et al. (2010). [Particulate Matter Air Pollution and Cardiovascular Disease. An Update to the Scientific Statement From the American Heart Association](#). *Circulation*, 121(21): 2331-78.

¹⁰ Jerrett M, et al. (2013). [Spatial analysis of air pollution and mortality in California](#). *American Journal of Respiratory and Critical Care Medicine*, 188(5): 593-599.

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The EIR admits that NOx emissions during operations will exceed the thresholds adopted by BAAQMD. (DEIR, S-14) Because the impact is significant, the EIR has an obligation to adopt all feasible mitigation measures. However, the EIR adopts a so-called mitigation measure that allows trucks to idle for up to five minutes—more than twice as long as the California Attorney General’s recommendation of a two-minute limit. (DEIR at S-14, AGO 2021.) Further, a five-minute idling restriction is required by the California Airborne Toxics Control Measure. Therefore, it is not truly mitigation measure, it is a promise to follow the law. As the California Attorney General notes, compliance with regulations is a baseline expectation and should not be labeled a mitigation measure. (AGO 2021.) Again, the EIR replaces a recommended, feasible mitigation measure with a much weaker substitute that does not properly mitigate a significant impact. The Project must revise MM 4.3-5 to require idling times to be kept under two minutes. The DEIR does not provide substantial evidence that limiting idling to two minutes is not feasible. Since the state law limiting idling to five minutes is enforced, it is not clear why two minutes would be any more difficult to enforce. Second, mitigation measures, by their very nature, are meant to establish higher standards than applicable law. As the California Attorney General has said, a requirement that is already a part of an applicable law should not be called a mitigation measure.

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Reduce Impacts to Sensitive Receptors

Project will increase the traffic that passes by these sensitive receptors. Because of Riverside County Policy F-3 (DEIR, S-14), the project is required to adopt some of the mitigation measures that the California Attorney General recommends to protect sensitive receptors from trucking impacts. These include:

- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets
- Screening dock doors and onsite areas with significant truck traffic with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors (AGO 2021)

Additional measures that should be added as part of this mitigation practice to comply with the California Attorney General’s best practices list and to ensure the mitigation is additive to current legal requirements are as follows:

- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors, e.g., placing these dock doors on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.

F-10

II. The Project Falsely Concludes That There Would be “Less Than Significant” Impacts to Housing.

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Although the DEIR states that “the Project would result in the conversion of the eastern +/- half of the Project site from planned residential to planned light industrial uses” (DEIR, S-48), it falsely concludes that the project would have a less than significant impact on housing.

California is in an affordable housing crisis. Every jurisdiction could benefit from the creation of additional affordable units. Taking away a housing opportunity and replacing it with an industry that will require additional housing for its future employees is taking the region in the wrong direction.

The assumption that the project would not create a demand for additional housing is incorrect because of the expansion of industrial uses that require labor previously not needed in the region. Such an increase in vocational opportunity will inherently increase the region’s housing demand and thus must be analyzed and mitigated for.

III. The EIR Fails to Properly Analyze or Mitigate Transportation Impacts.

Completion of the Project will bring substantial additional traffic to the area. As stated in the DEIR on page S-52, “the Project would result in a significant impact due to the Project’s VMT on both a direct and cumulatively-considerable basis.” Per CalEnviroScreen 4.0, this region is already heavily burdened, with traffic burdens falling in the 83rd highest percentile (CalEnviroScreen 2022). Additionally, the DEIR fails to analyze the impacts of construction and trucks on traffic. Instead they only account for the VMTs associated with employees.

Because the DEIR’s analysis omits construction-related transportation and truck VMTs, it undercounts trip generation. More traffic in an already-overburdened areas will increase delays and truck idling, which in turn will impact all of the sensitive receptors along it.

a. The DEIR Does Not Disclose the Transportation Impacts of Construction.

The DEIR fails to disclose the impact on VMT that the Project will have during construction when trucks, equipment, employees, and building materials will constantly come in and out of the Project site. (DEIR Section 4.18 generally) To construct 1,238,992 total square feet of warehouse will require substantial labor, equipment, and staff that will need to be transported to the Project site. The DEIR must carefully and completely assess the impacts that construction traffic will have on traffic and transportation in the local community. This is a major environmental impact of the Project that the DEIR ignores, in violation of CEQA. The Transportation section of the DEIR must be revised and expanded analysis to include all CEQA-required analysis.

b. The DEIR’s Analysis of Transportation Impacts During Operation Relies on Ignores Truck Trips.

The DEIR repeats the same failed analysis that ignores truck trips. The limits of the County’s jurisdiction have no bearing on the Project’s significant environmental effects. While the EIR’s conclusion that transportation impacts will be significant and unavoidable, the omission of the truck trips in the analysis does not allow for an adequate analysis of appropriate mitigation measures.

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Trucks serving facilities often idle on public streets and clog local roads when warehouses are at capacity, creating traffic congestion and hazards to local drivers who depend on these roads. (Betancourt et al. at 4.) The DEIR must account for these impacts and make a concerted effort to address them via mitigate measures.

c. The DEIR's Transportation Mitigation Measures are Insufficient.

Providing alternatives to single occupancy vehicle travel is essential to building an efficient, sustainable and equitable transportation system. Unfortunately, we have a long way to go if we are going to go to achieve this vision in the U.S. In 2013, it was reported that of all the U.S. daily commutes to work, 76.4% are of people driving alone.¹¹ According to the Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2015, our collective daily transportation in the U.S. constitutes about 27% of the total greenhouse gasses released.¹²

To change these trends, government agencies need to invest in alternative modes of transportation to not only make them cheaper to use, but more efficient than driving. While the DEIR does include some specific measures to encourage alternative modes of transportation, given the conclusion that significant impacts would remain for cumulative vehicle miles traveled (VMT) associated with the project, we believe such mitigation measures should be expanded to better support and encourage the use of public transit.

Some best practices include:

(1) Provide free public transit services for future residents and workers

This is virtually certain to result in significant ridership increases no matter where it is implemented. Evidence from previous studies indicate that ridership will usually increase from 20% to 60% in a matter of just a few months.¹³ One evaluation found that the net ridership increased by about 15% (about 45% during the off-peak periods) when there was no fee. This included the combined effects of an increase in trip frequency by prior users and an increase in the number of off-peak bus riders. Most new bus trips were diverted from other modes; very few were newly generated.¹⁴

(2) Implement Bus Only lanes

Building dedicated bus lanes are relatively cheap and quick to install, dramatically reduce congestion and increase efficiency. All of these benefits lead to increases in ridership. A summary of research suggests that bus lanes that reduce total transit door-to-door travel times by

¹¹ McKenzie, Brian. Who Drives to Work? Commuting by Automobile in the United States: 2013. Rep. N.p.: American Community Survey Reports, 2015. Print.

¹² "Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2015." EPA. Environmental Protection Agency, 09 June 2017. Web. 26 June 2017.

¹³ Studenmund, A. H., and David Connor. "The free-fare transit experiments." *Transportation Research Part A: General* 16.4 (1982): 261-269.

¹⁴ Ewing, Reid, and Robert Cervero. "Travel and the built environment: A meta-analysis." *Journal of the American planning association* 76.3 (2010): 265-294.

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5-15% will “by themselves increase urban peak ridership 2-9%.” The City of Denver found that ridership increased 2.8% in the first six months of their TTLs’ operation, even though travel speed improvements were relatively modest (3-6%), likely due to the TTL being an expansion of existing lanes that had already been operational during peak hours when TTLs yield the greatest benefits.¹⁵

(3) Optimizing bus routes to minimize overlap and ensure coverage across the city in line with demand.

Regional planning allows resources to be used efficiently and effectively to serve the areas that need it most. Houston re-specified their service after the LRT was put in place to reduce overlapping of these services and to ensure transit coverage in other areas of the city. This resulted in a 7% increase in ridership on local bus and light-rail from 2015 to 2016.¹⁶

(4) Providing high-frequency, reliable services.

The bus network can be divided into main routes and local routes, with different frequencies. Bus routes on main city arteries and roads used for longer distance travel will require a frequent service, at least every 15 minutes. This is the minimum frequency at which the service is usually considered good enough for travellers to turn up without consulting a schedule. On local routes, a less frequent service may be sufficient, depending on demand and provided that the service operates punctually according to the timetable. São Paulo has implemented this dual frequency network timetable for the night shift, increasing night-time ridership by over 70%.¹⁶

(5) Building regular bus stops for easy access.

Ensuring accessibility and convenience is essential to increasing ridership. Providing more bus stops decreases the distance residents have to travel to access such services. In Barcelona, the maximum distance between transit stops in the new bus network is 350m. In Seattle, the bus network upgrade plan will increase the percentage of households within 800m of frequent transit routes from 43% in 2015, to 73% by 2040.¹⁶

IV. Although the Project Will Have Significant Impacts on Greenhouse Gas Emissions, the EIR Fails to Adopt all Feasible Mitigation Measures

a. Climate Change is a Catastrophic and Pressing Threat to California.

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and that climate change threats are becoming increasingly dangerous. The Intergovernmental Panel on Climate

¹⁵ Gahbauer, John, and Juan Matute. "Best practices in implementing tactical transit lanes." (2019). <https://escholarship.org/uc/item/1tj0974b>

¹⁶ C40 Knowledge. "How to make public transport an attractive option in your city." Published August 2021. https://www.c40knowledgehub.org/s/article/How-to-make-public-transport-an-attractive-option-in-your-city?language=en_US

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Change (IPCC), the leading international scientific body for the assessment of climate change, concluded in its 2014 Fifth Assessment Report that: “[w]arming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, and sea level has risen,” and further that “[r]ecent climate changes have had widespread impacts on human and natural systems.” (IPCC 2014.) These findings were echoed in the United States’ own 2014 Third National Climate Assessment and 2017 Climate Science Special Report, prepared by scientific experts and reviewed by the National Academy of Sciences and multiple federal agencies. The Third National Climate Assessment concluded that “[m]ultiple lines of independent evidence confirm that human activities are the primary cause of the global warming of the past 50 years” and “[i]mpacts related to climate change are already evident in many regions and are expected to become increasingly disruptive across the nation throughout this century and beyond.” (Melillo 2014.)

Immediate and aggressive greenhouse gas emissions reductions are necessary to keep warming well below 2°C above pre-industrial levels. The IPCC Fifth Assessment Report and other expert assessments have established global carbon budgets, or the total amount of carbon that can be burned while maintaining some probability of staying below a given temperature target. According to the IPCC, total cumulative anthropogenic emissions of CO₂ must remain below about 1,000 GtCO₂ from 2011 onward for a 66 percent probability of limiting warming to 2°C above pre-industrial levels, and to 400 GtCO₂ from 2011 onward for a 66 percent probability of limiting warming to 1.5°C. (IPCC 2014 at 63-64 & Table 2.) These carbon budgets have been reduced to 850 GtCO₂ and 240 GtCO₂, respectively, from 2015 onward. (Rogelj 2016 at Table 2.) As of 2022, climate policies by the world’s countries would lead to an estimated 2.7°C of warming, and possibly up to 3.6°C of warming, well above the level needed to avoid the worst dangers of climate change. (Climate Action Tracker 2022.)

The United States has contributed more to climate change than any other country. The U.S. is the world’s biggest cumulative emitter of greenhouse gas pollution, responsible for 27 percent of cumulative global CO₂ emissions since 1850, and the U.S. is currently the world’s second highest emitter on an annual and per capita basis. (World Resources Institute 2020.) Nonetheless, U.S. climate policy is wholly inadequate to meet the international climate target to hold global average temperature rise to well below 2°C above pre-industrial levels to avoid the worst dangers of climate change. Current U.S. climate policy has been ranked as “critically insufficient” by an international team of climate policy experts and climate scientists which concluded: “These steps represent a severe backwards move and an abrogation of the United States’ responsibility as the world’s second largest emitter at a time when more, not less, commitment is needed from all governments to avert the worst impacts of climate change.” (Climate Action Tracker 2022.)

In its 2018 *Special Report on Global Warming of 1.5°C*, the IPCC—the leading international scientific body for the assessment of climate change—described the devastating harms that would occur at 2°C warming. The report highlights the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth. (IPCC 2018.) The report also provides overwhelming evidence that climate hazards are more urgent and more severe than

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previously thought, and that aggressive reductions in emissions within the next decade are essential to avoid the most devastating climate change harms.

In response to inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. Enforcement and compliance with these steps are essential to help stabilize the climate and avoid catastrophic impacts to our environment. California has a mandate under AB 32 to reach 1990 levels of GHG emissions by the year 2020, equivalent to approximately a 15 percent reduction from a business-as-usual projection. (Health & Saf. Code, § 38550.) Based on the warning of the Intergovernmental panel on Climate Change and leading climate scientists, Governor Brown issued an executive order in April 2015 requiring GHG emission reduction 40 percent below 1990 levels by 2030. (Executive Order B-30-15 (2015).) The Executive Order is in line with a previous Executive Order mandating the state reduce emission levels to 80 percent below 1990 levels by 2050 in order to minimize significant climate change impacts. (Executive Order S-3-05 (2005).) In enacting SB 375, the state has also recognized the critical role that land use planning plays in achieving greenhouse gas emission reductions in California.

The state Legislature has found that failure to achieve greenhouse gas reduction would be “detrimental” to the state’s economy. (Health & Saf. Code § 38501(b).) In his 2015 Inaugural Address, Governor Brown reiterated his commitment to reduce greenhouse gas emissions with three new goals for the next fifteen years:

- Increase electricity derived from renewable sources to 50 percent;
 - Reduce today’s petroleum use in cars and trucks by 50 percent;
 - Double the efficiency of existing buildings and make heating fuels cleaner.
- (Brown 2015 Address.)

Although some sources of GHG emissions may seem insignificant, climate change is a problem with cumulative impacts and effects. (*Ctr. for Biological Diversity v. Nat’l Highway Traffic Safety Admin.*, (9th Cir. 2008) 538 F.3d 1172, 1217 (“the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis” that agencies must conduct).) One source or one small project may not appear to have a significant effect on climate change, but the combined impacts of many sources can drastically damage California’s climate as a whole. Therefore, project-specific GHG emission disclosure, analysis and mitigation is vital to California meeting its climate goals and maintaining our climate.

The impacts of climate change are already being felt by humans and wildlife. Human-induced climate change, including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people. (IPCC 2022.) This rise in weather and climate extremes has led to some irreversible impacts, as natural and human systems are pushed beyond their ability to adapt. (IPCC 2022.)

In the IPCC’s most recent report, entitled *Climate Change 2022: Impacts, Adaptation and Vulnerability*, it found that warming is proceeding even faster than anticipated, and the best-case scenario for climate change is slipping out of reach. (IPCC 2022.) The report now estimates that, over the next 20 years, the world will cross the global warming threshold of 1.5°C. And unless there are immediate, rapid and large-scale reductions in greenhouse gas emissions, limiting

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warming to close to 1.5°C—or even 2°C—will be beyond reach. The United Nations Secretary General described the forecasts in this report as an “atlas of human suffering.” (Borenstein 2022.)

Given the increasingly urgent need for drastic action to reduce GHG emissions, the MND’s decision to give short shrift to the Project’s significant climate change effects is all the more alarming.

b. The DEIR does not clearly describe the Project’s GHG impacts as required by CEQA.

One of CEQA’s central purposes is to ensure that the public and decisionmakers have considered and are able to understand the expected environmental impacts of a given project. (Pub. Res. Code. §§ 21000(g), 21001.1.) To achieve this aim and facilitate public review, Environmental Impact Reports must allow readers to “identify the significant [environmental] effects” of a project. (Pub. Res. Code § 21002.1(a).) The DEIR fails to do this.

Specifically, the DEIR estimates the Project’s GHG emissions will eventually be over 33,000 MT CO₂e/year. (DEIR Table 4.8-4.) However, the DEIR neglects to include any analysis of how much—or whether at all—mitigation changes and so-called Project Design Features will impact these total outputs. (DEIR at 4.8-30-31.) This fails to comply with the CEQA’s informational requirements that Project impacts and mitigation be clearly and completely discussed in the DEIR, without this information, it is nearly impossible to understand the extent of the Project’s impacts and to what extent they are reduced by Mitigation Measures. (Pub. Res. Code § 21002.1(a).)

Moreover, the DEIR’s conclusion that the impacts of the Project are insignificant after mitigation simply because the Project has adopted at least 100 points on the proposed 2021 County GHG Emissions Reduction Plan Update does not hold water under CEQA. A determination that an environmental impact complies with a particular threshold of significance does not relieve a lead agency of its obligation to consider evidence that indicates the impact may be significant despite compliance with the threshold. (CEQA Guidelines § 15064(b)(2).) If evidence shows that an environmental impact might be significant despite the significance standard used in the EIR, the agency must address that evidence. (*Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1111.) Here, because of the catastrophic risk of climate change, the County was obligated to go further to analyze and reduce the Project’s GHG emissions.

c. The EIR Must Fully Account for the Greenhouse Gas Impact of Lost Carbon Sequestration and Storage from Desert Habitats.

As detailed in a 2023 Center Report, “Hidden in Plain Sight: California’s Native Habitats are Valuable Carbon Sinks” (Yap et al., 2023), diverse native California habitats, including deserts, are important carbon sinks that should be included in carbon calculations. In California, desert landscapes consist of dunes, desert scrub, sandy soil grasslands, juniper-pinyon woodlands

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and rock formations. The Mojave Desert is dominated by deep-rooted shrub species, including creosote bush and white bursage, as well as many forbs, trees, grasses, and dunes. In the Project area, the landscape consists of a variety of vegetation, including Joshua trees, desert scrub, grasses, and Juniper/Pinyon species. Although the carbon storage and sequestration potential of such habitats are often overlooked, carbon in these systems is stored in the form of soil organic carbon (e.g., extensive root networks, soil microbial communities, mycorrhizae), soil inorganic carbon (e.g., calcite/caliche), and above-ground vegetation (Janzen, 2004; Meyer, 2012; Mi et al., 2008; Thomey et al., 2014; Wang et al., 2010; Zamanian et al., 2016).

Any loss of nature-based carbon storage must be accounted for when assessing a Project's GHG impacts. When calculating carbon loss from habitats, it is important to consider the types of habitats. Although more research is needed to understand the carbon storage and sequestration potential for desert systems, it is clear that various desert habitats store and sequester different amounts of carbon. For example, Evans et al. (2014) found that areas of the northern Mojave Desert in Nevada store an average of approximately 4.17 metric tons of carbon per acre, and these areas were found to sequester 0.4 to 0.51 metric tons of carbon per acre per year (Jasoni et al., 2005; Wohlfahrt et al., 2008). However, desert ceanothus (*Ceanothus gregii*) was found to store up to 41 metric tons of carbon per acre in their aboveground biomass and up to 5.8 metric tons of carbon per acre in their belowground biomass while accumulating 2.4 metric tons of carbon per acre per year (this does not include organic or inorganic soil carbon) (Bohlman et al., 2018). And experts reported "back of the envelope conservative estimates" of carbon storage for creosote bajada scrub and microphyll woodland habitats in California desert as about 2.47 million and 1.23 million metric tons of carbon per acre, respectively (Allen et al., 2023).

The Project site includes 104 acres of Sonoran Creosote Bush Scrub, but does not appear to consider the carbon sequestration of this land at all. (DEIR Appendix G at 145) This is a serious oversight that makes the GHG analysis in the DEIR inaccurate.

b. The Project's GHG Impacts Are Significant.

Despite the DEIR's failure to clearly outline post-mitigation emissions levels, the Project's impacts on GHG emissions are plainly significant. The claim that GHG emissions will be less than significant is entirely based on the Project incorporating a certain number of items from the County's proposed GHG performance standards that are never explicitly adopted or analyzed as mitigation measures. (DEIR 4.8-31.) Moreover, the DEIR fails to incorporate any GHG-specific mitigation. This is not enough mitigation to reduce GHG emissions impacts to a point of insignificance.

First, the DEIR never actually describes how mitigation measures will reduce emissions. (DEIR 4.8-30-32.) Instead, the DEIR discussion of this impact mentions the mitigation measures available under the County's CAP Update (November 2019) without explicitly explaining how the various mitigation measures "assigned points" on this checklist are integrated into the Project and what effect they'll have. These "points" are not explicitly incorporated in a mitigation measure and no explanation for how each of these measures will reduce GHG emissions is included. As the DEIR readily admits, it does not consider or adopt any specific GHG mitigation

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measures to reduce, avoid, or mitigate the Project's eventual over 33,000 MTCO₂e annual GHG emissions after full build out. Because, as described above, the Project's GHG emissions of over 33,000 MTCO₂e are significant, and the EIR provides no second calculation of emissions post-mitigation, it appears that the estimated emissions will remain at that level.

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By any measure, 33,130 MTCO₂e is a significant level of emissions. South Coast Air Quality Management District (whose jurisdiction extends over Project site) has established a 10,000 MTCO₂e CEQA threshold of significance for industrial facilities. (SCQAMD 2019.) That CEQA threshold of significance was formally adopted by the agency after long consideration and a formal notice and comment rulemaking process and is supported by substantial evidence. Under this thresholds—or any threshold supported by substantial evidence—the Project's anticipated annual GHG emissions of over 30,000 MTCO₂e annually are profoundly significant. The DEIR fails to consider many additional mitigation measures that would reduce this impact, like solar power or requiring an electric fleet. Relying only on a checklist of what appear to be project features that are never fully explained is not sufficient to satisfy CEQA's mandate. This lacking analysis obscures the true extent of the Project's impacts and thwarts CEQA's purposes of informed decision-making and public transparency.

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d. The EIR must be revised to include adequate analysis and mitigation for GHG impacts.

The EIR's failure to consider and adopt all feasible mitigation to reduce or avoid the Project's significant impacts violates CEQA. (See Pub. Res. Code § 21002 [It is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects."], CEQA Guidelines §§ 15092(b), 15043, 15126.4(a)(1).) The EIR should be revised to adequately analyze the Project's GHG impacts, acknowledge their significance, and consider and adopt feasible mitigation to reduce those impacts, and it should be recirculated for public review and comment. Specifically, the EIR must be revised to include actual analysis of the impacts that mitigation measures will have, specifically discuss the mitigation measures that will reduce GHG emissions, and further explain the thresholds of significance adopted and used to arrive at these conclusions.

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V. The Project's Analysis of and Mitigation for Biological Resources Is Inadequate.

The EIR must address the direct and cumulative impacts from both construction and operation of the proposed Project to threatened, endangered, and sensitive species and habitats within the project site and in the surrounding areas.

The proposed Project lies within an area that is important to numerous federal and state protected species, some of which are covered by the Coachella Valley Multi-Species Habitat Conservation Plan ("Coachella HCP") and some of which are not. The Coachella HCP covers the federally- and state-listed threatened desert tortoise, the federally-listed threatened and state listed endangered Coachella Valley fringe-toed lizard, the federally- and state-listed endangered Least Bell's vireo, and the federally-listed endangered and state-listed threatened Peninsular Bighorn sheep. (Biological Assessment Report Appendix F.)

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Also potentially present on the site and not covered by the Coachella HCP are the federally-listed endangered Casey's June beetle, the federally-threatened California red-legged frog, the federally- and state-listed endangered Sierra Madre yellow-legged frog, the California fully protected Golden eagle, the federally- and state-listed endangered Least Bell's vireo, and the California fully protected desert bighorn sheep. Burrowing owl, a non-listed special-interest species, has a moderate chance of occurring on the site. (Biological Assessment Report Appendix F.) The impressive diversity of sensitive species found across the landscape in which the proposed Project site is located indicates that the site is part of a larger ecologically intact and functioning unit.

The Project will lead to direct and indirect impacts on these nearby biological resources, including local and regional connectivity. Potential impacts include but are not limited to those associated with construction and operation activities, the introduction of non-native plants, additional lighting, noise, pollution, creation of potential barriers to wildlife connectivity, and the loss and disruption of essential habitat due to edge effects. All of these impacts must be thoroughly analyzed and evaluated in the EIR.

Instead of meeting its legal obligation, the DEIR lacks sufficient detail and is mostly speculative when describing the presence or potential presence of special-status species in and near the Plan area. The DEIR admits that no focused surveys for special-status plant or wildlife species were conducted. (DEIR Appendix C1 at 9.) The lack of baseline biological surveys for this area means that decision makers and the public are deprived of an understanding of the baseline environmental conditions at the project site. (*See* CEQA Guidelines 15125 ["An EIR must include a description of the physical environmental conditions in the vicinity of the project."].) Failure to provide an adequate baseline undermines the City's, Regional Conservation Authority's (RCA), which is responsible for implementing the WRMSHCP on behalf of the County and Cities, and the wildlife agencies' ability to evaluate the potential significance of the Project's impacts. (*See id.* "This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."].)

Without focused surveys using protocols specifically designed to detect special-status species, the MND cannot reasonably conclude that the species is absent, and will not experience impacts from the Projects. Even if a species was determined unlikely to occur, there remains a possibility of occurrence, and any impacts to these special-status species would be significant. The Applicant must therefore perform targeted surveys of these species to fully analyze the Project's impacts.

VI. CONCLUSION

Thank you for the opportunity to submit comments on the Majestic Thousand Palms Draft Environmental Impact Report. The DEIR must fully disclose and analyze the Project's impacts to air quality, housing, greenhouse gas emissions, and biological resources. Further, it must provide effective and enforceable mitigation measures for all impacts found to be significant.

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Given the possibility that the Center will be required to pursue legal remedies in order to ensure that the County complies with its legal obligations including those arising under CEQA, we would like to remind the County of its statutory duty to maintain and preserve all documents and communications that may constitute part of the “administrative record” of this proceeding. (§ 21167.6(e); *Golden Door Properties, LLC v. Superior Court* (July 30, 2020, Nos. D076605, D076924, D076993) ___ Cal.App.5th ___ [2020 Cal. App. LEXIS 710.]) The administrative record encompasses any and all documents and communications that relate to any and all actions taken by the County with respect to the Project, and includes “pretty much everything that ever came near a proposed [project] or [] the agency’s compliance with CEQA . . .” (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further includes all correspondence, emails, and text messages sent to or received by the County’s representatives or employees, that relate to the Project, including any correspondence, emails, and text messages sent between the County’s representatives or employees and the Applicant’s representatives or employees. Maintenance and preservation of the administrative record requires that, *inter alia*, the County (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made.

Please add the Center to your notice list for all future updates to the Project and do not hesitate to contact the Center with any questions at the number or email listed below.

Sincerely,

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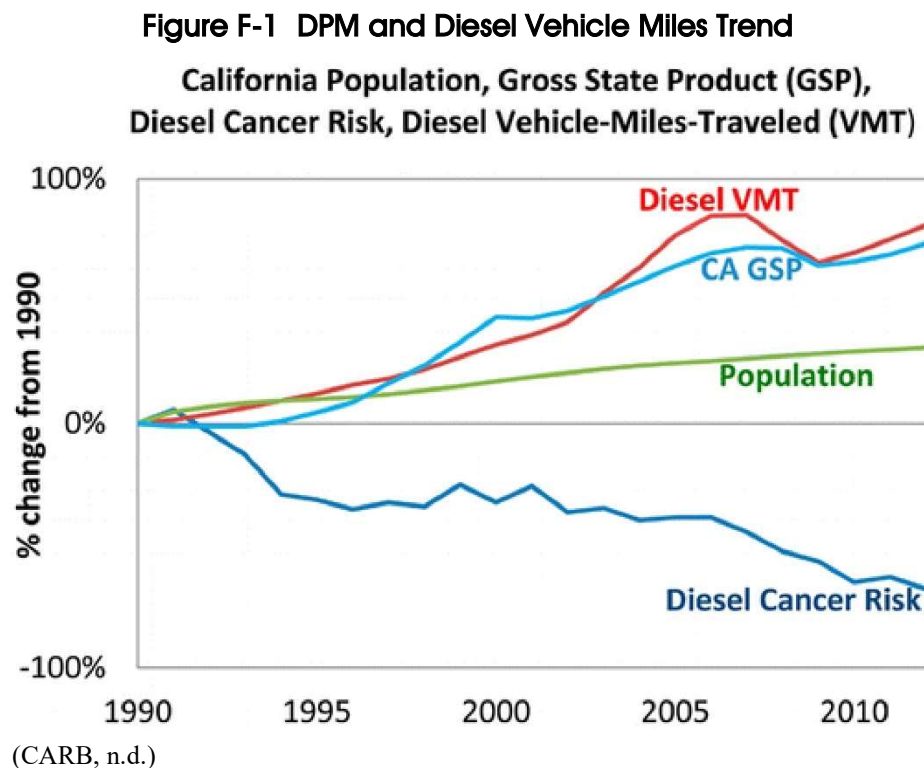


Letter F Responses to Comments from the Center for Biological Diversity

- F-1** In this introductory comment, the commenter expresses concern about the Project's impacts to air quality, housing, transportation, greenhouse gas emissions and biological resources. The commenter recommends that a revised DEIR be recirculated based on the various comments provided by this letter. The commenter is referred to the responses to Comments F-3 through ~~F-26~~^{F-25}, below, which are responsive to the individual concerns expressed by this comment letter.
- F-2** The commenter provides a brief description of the Center for Biological Diversity. This comment is acknowledged. As this comment does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- F-3** The commenter opines that the DEIR fails to adopt all feasible mitigation measures in regard to air quality impacts. The commenter adds that Mitigation Measures MM 4.3-1 through MM 4.3-7 will not reduce operational NO_x and VOC emissions to below SCAQMD's regional thresholds of significance. The DEIR fully evaluates and discloses the Project's impacts to the environment, including impacts to air quality, and discloses that the Project's operational emissions of VOCs and NO_x would be significant and unavoidable even after the implementation of mitigation measures. The commenter is referred to the responses to Comments F-4 through F-10, which are responsive to the individual comments regarding feasible mitigation measures. In addition, the commenter is referred to Table F-2, *Errata Table of Additions, Corrections, and Revisions*, which provides a summary of mitigation measures that have been added or revised as part of this Final EIR, and which would serve to further reduce the Project's air quality emissions beyond the levels described in the DEIR. No further response is necessary.
- F-4** The commenter includes several paragraphs summarizing potential health impacts related to ozone and high levels of air pollution. This comment is acknowledged, although it is noted that a thorough discussion of potential concerns associated with air quality pollutants was provided in DEIR Subsection 4.3, *Air Quality* (refer specifically to the discussion presented in subsection 4.3.1.D, *Criteria Pollutants*). Potential adverse effects of greenhouse gas emissions were listed and described at DEIR pp. 4.8-1 through 4.8-5. Potential health implications of Project-source Toxic Air Contaminants (Diesel Particulate Matter in the case of the Project) are addressed at DEIR pp. 4.3-44 through 4.3-47. Please refer also to detailed discussions of air pollutants, GHG emissions, TACs and their potential adverse impacts presented in DEIR Technical Appendices B1, B2, and G. As this comment does not identify any deficiencies in the discussion or analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.
- F-5** The footnotes to Comment F-4 are acknowledged, which provides links to the studies the commenter references regarding potential health impacts of ozone and high levels of air pollution. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.



- F-6** The commenter opines that the DEIR fails to adopt available mitigation measures related to air quality impacts, fails to explain why adopting such measures is infeasible, and adopts inadequate measures that do not meet recommended best practices. The County disagrees and finds that the EIR (with the addition of mitigation measures as part of the Final EIR) incorporates all feasible mitigation measures to reduce the Project's air quality impacts to the maximum feasible extent. In addition, it is important to note that overall air quality in the SCAQMD Basin has dramatically increased over the past several decades, even with dramatic population and economic growth occurring over the same time period. This vast improvement is reflected in Figure F-1, *DPM and Diesel Vehicle Miles Trend*:



Thus, while it may be true that the EIR reflects significant and unavoidable impacts related to VOC and NO_x, it is important to note that from a real world practice standpoint, air quality in Southern California has dramatically improved over the last decades and associated health risks with poor air quality have been dramatically reduced. In addition, it also is important to note that the USEPA updates the nonattainment status of the identified NAAQS every five years. Thus, what this means from a practical standpoint is that even though air quality has vastly (and is constantly improving) in the South Coast Air Basin (SCAB), the federal and State agencies are constantly adopting increasingly stringent standards and moving identified attainment targets. Thus, the overarching point is that while the SCAB may be in nonattainment status for certain identified pollutants, the fact of the matter is that air quality in the SCAB is dramatically better than it was in years past and is improving dramatically with each passing year as well.



As this comment does not identify any feasible mitigation measures that would serve to measurably reduce the Project's significant and unavoidable impacts due to operational emissions of VOCs and NO_x, no revision to the DEIR is warranted pursuant to this comment. The commenter is referred also to the responses to Comments F-7 through F-10.

- F-7** The commenter inaccurately asserts that because VOC emissions during operation will exceed "BAAQMD" thresholds, the DEIR is obligated to adopt all feasible mitigation measures. The commenter adds that the DEIR adopts a mitigation measure that allows the use of architectural coating products with levels of VOC up to five times higher than the Attorney General's recommendation and thus fails to mitigate a significant impact. The commenter asserts that RR 4.3-2 must be revised to require use of low-VOC products with less than 10 g/L. The commenter adds that the DEIR does not address why MM AIR-2c cannot be modified to 10 g/L to more effectively mitigate VOC emissions during operation.

First, it is noted that DEIR Subsection 4.3 concluded the Project would result in operational emissions of VOC that would exceed the SCAQMD thresholds of significance (and not the BAAQMD thresholds of significance, as incorrectly stated in this comment). The commenter correctly notes that the DEIR concludes that Project operational-source VOC emissions, even with application of feasible mitigation, would exceed applicable SCAQMD thresholds. Impacts in these regards are therefore appropriately disclosed as significant and unavoidable in the DEIR (DEIR p. S-6 et al.).

VOC content limits for architectural coatings primarily are regulated by local air districts in California, with three different sets of VOC limits applying across the state. The California Air Resources Board (CARB) has established Suggested Control Measures (SCM) for architectural coatings, which serve as guidelines for local air districts. The SCAQMD, the air district with jurisdiction over the Project, has implemented even more stringent VOC limits through SCAQMD Rule 1113, *Volatile Organic Compound Limits*.

The SCAQMD Rule making process (including development and implementation of Rule 1113) involves extensive scientific, public, and industry participation in order to arrive at Rules that balance emission reduction goals with product performance requirements and industry capabilities. In this regard, SCAQMD Rule 1113 VOC limits as developed through the SCAQMD Rule making process are considered to represent the current feasible standards for architectural coatings in California. The Project is under the jurisdiction of the SCAQMD and would comply with incumbent SCAQMD Rule 1113 VOC limits for architectural coatings, currently less than 50 grams per liter (g/l). SCAQMD has not yet established the AG-recommend 10g/L VOC limit for architectural coatings as feasible for developments under SCAQMD jurisdiction. Should such limitations become effective prior to application of developments permits, the Lead Agency would enforce compliance with these limitations.



Moreover, the commenter's suggested 10g/L VOC limit for architectural coatings would not substantially alter the significance of Project operational-source VOC emissions. To these ends, modeling of VOC emissions assuming the 10g/L VOC limit for architectural coatings would at most reduce Project operational-source emissions by approximately 2.9 lbs/day. Even at this level of 56.63 lbs/day (59.53 lbs/day – 2.9 lbs/day = 56.63 lbs/day), Project operational-source VOC emissions would exceed applicable SCAQMD threshold of 55 lbs/day, and such impacts would remain significant and unavoidable.

Accordingly, based on the preceding analysis, no revision to the DEIR is warranted pursuant to this comment.

- F-8** The commenter asserts that because NO_x emissions during operation exceed BAAQMD thresholds, the DEIR is obligated to adopt all feasible mitigation measures. The commenter adds that the mitigation measure in the DEIR allows trucks to idle for up to five minutes, more than twice as long as the Attorney General's recommendation of a two-minute limit. The commenter asserts that Mitigation Measure MM 4.3-5 should be revised to require idling times to be kept under two minutes. The commenter further alleges that the DEIR does not provide substantial evidence that limiting idling to two minutes is not feasible. The commenter finally asserts that a requirement that is already a part of an applicable law should not be called a mitigation measure.

First, this comment incorrectly refers to the Bay Area Air Quality Management District (BAAQMD) thresholds; rather, the Project's air quality impacts were evaluated against the thresholds of significance promulgated by the South Coast Air Quality Management District (SCAQMD).

The commenter implies that the sole DEIR mitigation addressing NO_x emissions impacts is mandated compliance with CARB five-minute vehicle idling limitations. This is incorrect. It is first noted that while on-site vehicle idling would contribute to Project NO_x emissions generally, the predominance (more than 90 percent) of the Project operational-source NO_x emissions would be generated by mobile sources (DEIR Table 4.3-11, et al). Beyond mandated compliance with CARB idling restrictions, the DEIR includes mitigation addressing mobile-source air pollutants directly, as well as mitigation that would reduce Project VMT and thereby reduce mobile-source air pollutants. These measures include but are not limited to: EV charging, carpooling, clean-vehicle incentives, local hire programs, and commute reduction programs. See EIR Mitigation Measures 4.3-1, 4.3-2, 4.3-4, 4.18-2, 4.18-3, as modified/supplemented by this Final EIR (refer to Table F-2).

With respect to Mitigation Measure MM 4.3-5, this mitigation measure merely imposes the requirements of Riverside County Board of Supervisors Policy F-3. Because there is no adopted ordinance requiring compliance with Policy F-3, the applicable provisions of Policy F-3 were incorporated into DEIR Mitigation Measures MM 4.3-5 and MM 4.3-6 (for construction and operational activities, respectively). Furthermore, although provision e. of FEIR Mitigation Measure MM 4.3-6 (provision d. of DEIR Mitigation Measure MM 4.3-6) already required restricting idling to a maximum of five (5) minutes in accordance with CARB anti-idling regulations, provision e. of



FEIR Mitigation Measure MM 4.3-6 has been revised as follows to restrict idling to a maximum of three (3) minutes:

- e. Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than ~~five~~ three (3) minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.

The County finds that a measure restricting idling to a maximum of three (3) minutes is more appropriate than the two-minute standard referenced by this comment, as restricting idling times to less than two (2) minutes may not be adequate to allow for normal loading and unloading of trucks, and enforcement of a two-minute requirement also would be challenging if not infeasible. Even assuming such a short time period could be effectively enforced, restricting idling to two (2) minutes instead of three (3) minutes also would not materially or meaningfully reduce emissions, and would not reduce any significant impact to a less-than-significant level, as even with a two-minute restriction on idling, Project operational source NO_x emissions would exceed applicable SCAQMD thresholds and would remain significant and unavoidable.

Accordingly, and with exception of the above-cited revision to FEIR Mitigation Measure MM 4.3-6, no revision to the DEIR is warranted pursuant to this comment.

F-9 The footnotes to Comment F-4 and Comment F-6 are acknowledged, which provide links to the studies the commenter references regarding potential health impacts of ozone and high levels of air pollution. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.

F-10 The commenter states that the Project will increase traffic near sensitive receptors and asserts that the Project must adopt some of the mitigation measures recommended by the Attorney General to protect sensitive receptors from truck-related impacts, and the commenter provides a list of four mitigation measures.

The first suggested measure from the commenter is to provide adequate areas on-site for parking, on-site queuing, and truck check-in areas that would prevent trucks and other vehicles from parking or idling on public streets. The commenter is referred to DEIR Figure 3-5, *Plot Plan No. 220022 Site Plan*, which depicts the Project's proposed site plan design. As shown, the driveway access from Rio del Sol has been designed to accommodate approximately 325 feet of space on site between Rio del Sol and the southern guard house (i.e., the western access into the southern truck court), while the driveway from 30th Avenue accommodates nearly 500 feet on site between 30th Avenue and the southern guard house (i.e., the eastern access into the southern truck court). The County has reviewed the Project's design, and finds that the space accommodated on site would adequately ensure that no



trucks would park or idle along public streets while waiting to access the Project site. Accordingly, no revision to the DEIR is necessary pursuant to this recommended mitigation measure.

The second measure recommended by the commenter is to screen the dock doors and on-site areas with significant truck traffic with physical, structural, and/or vegetative barriers. As shown on DEIR Figure 3-5, both of the Project's truck courts would be surrounded by 12-foot-tall concrete screen walls, which would obstruct public views of the truck courts. In addition, and as shown on DEIR Figure 3-16, *Plot Plan No. 220022 Conceptual Landscape Plan*, the Project incorporates the maximum amount of landscaping as is feasible given site design constraints and the Project site's location within a desert environment, and the landscaping proposed largely would obstruct views of the drive aisles where trucks would travel to access the truck courts. Accordingly, no revision to the DEIR is necessary pursuant to this recommended mitigation measure.

The third mitigation measure suggested by the commenter is to create physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouse uses and sensitive receptors. The commenter is referred to the discussion and analysis of Threshold c. in DEIR Subsection 4.3, *Air Quality*, which demonstrates that all of the Project's localized air quality impacts would be less than significant. Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Accordingly, no revision to the DEIR is necessary pursuant to this recommended mitigation measure.

The fourth mitigation measure suggested by the commenter is to locate dock doors and areas with substantial amounts of truck traffic away from nearby sensitive receptors, such as by providing dock doors only on the northern side of the building, in order to reduce potential noise impacts affecting nearby sensitive receptors. The commenter is referred to the discussion and analysis presented in DEIR Subsection 4.13, *Noise*, which demonstrates that the Project's operational-related noise impacts at all sensitive receptors locations would be less than significant. Pursuant to Section 15126.4(a)(3) of the State CEQA Guidelines, "[m]itigation measures are not required for effects which are not found to be significant." Accordingly, no revision to the DEIR is necessary pursuant to this recommended mitigation measure.

- F-11** The commenter opines that the DEIR falsely concludes impacts to housing would be less than significant, and states that the Project would increase the region's housing demand by expanding industrial uses that require labor not previously needed in the region. The commenter is referred to the discussion and analysis of Threshold b. in DEIR Subsection 4.15, *Population and Housing*. As noted therein:

"Although the Project would result in the creation of approximately 1,203 new jobs on the site, Riverside County currently suffers from a poor jobs-housing ratio, wherein there are not enough jobs within the County to prevent the need for County residents to travel outside the region for employment (Riverside County, 2021a, p. LU-27). Thus, by developing the Project



site with an employment-generating land use, the Project would assist the County in improving its jobs-housing balance. Furthermore, the Riverside County General Plan designates areas of the County in which housing can be accommodated to meet the County's RHNA obligations, including affordable housing, and does not rely on residential development on the Project site in order to meet its RHNA obligations (Riverside County, 2021a, Appendix P, Figure P-27). Moreover, it is anticipated that any future employees generated by the Project could be accommodated by existing residential communities and/or by future residential uses to be constructed in accordance with the General Plan Land Use Plan or the general plans of cities within the County, and that no additional housing, including housing affordable to households earning 80% or less of the County's median income, would be required to accommodate Project-related employees." (EIR at p. 4.15-5)

Thus, the County finds that the Project would not directly generate a demand for new housing above and beyond housing that already is planned in the local area by the County's General Plan and Western Coachella Valley Area Plan (WCVAP). As this comment does not identify any deficiencies with the analysis presented in DEIR Subsection 4.15, no revision to the DEIR is warranted pursuant to this comment.

- F-12** The commenter states that the region is already heavily burdened with traffic. The commenter asserts that the DEIR's analysis omits construction-related transportation and truck VMT and thus undercounts trip generation. The commenter expresses concern that more traffic in overburdened areas will increase delays, truck idling and impacts to sensitive receptors. The Project's Vehicle Miles Travelled Analysis (EIR *Technical Appendix K2*) was prepared in full conformance with Riverside County's *Transportation Analysis Guidelines for Level of Service, Vehicle Miles Traveled* (herein, County Guidelines). Moreover, a Supplemental VMT Analysis was prepared for the Project and included as EIR *Technical Appendix K3*. Although not required by the County Guidelines or by the Governor's Office of Planning and Research (OPR) publication entitled, *Technical Advisory on Evaluating Transportation Impacts in CEQA* (herein, "Technical Advisory"), in an effort to provide a comprehensive evaluation of the Project's potential impacts due to VMT, the Supplemental VMT Analysis includes potential VMT impacts associated with the Project's total amount of traffic, inclusive of heavy-duty truck trips. The County Guidelines do not require an evaluation of VMT impacts during construction. Pursuant to State CEQA Guidelines Section 15064.3(b)(4), "A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled..." Moreover, Section 21099 of the Public Resources Code (PRC) states that the criteria for determining the significance of transportation impacts must promote: (1) reduction of greenhouse gas emissions; (2) development of multimodal transportation networks; and (3) a diversity of land uses. With possible exception of construction-related greenhouse gas (GHG) emissions, these goals would not be met through consideration of VMT from Project-related construction traffic (i.e., an evaluation of construction-related VMT impacts would not serve to develop multimodal transportation networks nor would it promote a diversity of land uses). With respect to GHG emissions during construction, DEIR Table 4.8-4, *Project GHG Emissions*, shows that the Project's construction emissions, which have been amortized over the 30-year life of the



Project pursuant to SCAQMD recommendations, would represent only 0.3% of the Project's overall GHG emissions. Thus, any measures to reduce VMT during the Project's construction phase would not substantially reduce the Project's impacts due to GHGs, let alone to below a level of significance. Accordingly, for the reasons noted above, the County finds that the DEIR's analysis of potential VMT impacts properly excluded VMT impacts during construction activities, and as such no revision to the DEIR is warranted pursuant to this comment.

- F-13** The commenter asserts that the DEIR fails to disclose the Project's impact on VMT during construction when trucks, equipment, employees, and building materials will constantly come in and out of the Project site and states that the DEIR must completely assess the impacts that construction traffic will have on traffic and transportation in the local community. For the reasons noted in the response to Comment F-12, an analysis of potential VMT impacts during construction is not required by the County Guidelines, is not recommended by OPR's Technical Advisory, and such an analysis would not serve to further the goals identified in Section 21099 of the PRC. Accordingly, no revision to the DEIR is warranted pursuant to this comment.
- F-14** The commenter incorrectly asserts that the DEIR fails to analyze truck trips, and asserts that the DEIR must account for these impacts and address them via appropriate mitigation measures. The commenter also questions whether Project-related truck traffic would idle on public streets or clog local roads when the site is operating at maximum capacity. The commenter is referred to the discussion and analysis of Threshold b. in DEIR Subsection 4.18, *Transportation*. Subsection B. under the analysis of Threshold b. addresses the Project's "Total VMT" impacts, inclusive of truck trips. DEIR Tables 4.18-4 and 4.18-5 show the Project's Total VMT and Total VMT per Service Population (SP), respectively. As such, the commenter is incorrect in asserting that the DEIR failed to account for VMT associated with Project-related truck trips. With respect to mitigation measures, the commenter is referred to the discussion presented for Threshold b. in DEIR subsection 4.18.8, which provides an explanation as to why additional mitigation measures are not available to measurably reduce the Project's VMT impacts, including VMT impacts associated with Project-related truck trips. As this comment does not identify any deficiencies with the discussion presented in DEIR subsection 4.18.8, no revision to the DEIR is warranted pursuant to this comment. With respect to truck idling or parking on public streets, the commenter is referred to the response to Comment F-10, which explains that the Project was designed to accommodate adequate stacking space for trucks on site, without any need for parking or idling on public streets. Furthermore, it should be noted that Rio del Sol currently serves only a single use to the north of the Project site (an existing organic wastes recycling facility, SA Recycling), while 30th Avenue currently doesn't serve any existing land uses. Notwithstanding, and based on the Project's design, no parking or idling of Project-related trucks would occur on public streets in the surrounding area.
- F-15** The commenter states the importance of providing alternatives to single occupancy vehicle travel. The commenter recommends expanding the DEIR's mitigation measures to better support the use of public transit. This comment is acknowledged; please refer to the responses to Comment F-16, which addresses each of the best practices recommended by the commenter.



- F-16** The commenter recommends several best practices including 1) Provide free public transit services for future residents and workers; 2) Implement bus only lanes; 3) Optimizing bus routes to minimize overlap and ensure coverage across the city in line with demand; 4) Providing high-frequency, reliable services; and 5) Building regular bus stops for easy access. With respect to transit service, the nearest Sunline Transit Agency (STA) occurs along Ramon Road, approximately 1.1 miles walking distance from the Project site, and due to the desert climate in the local area it is highly unlikely that future Project employees would travel such a distance to access the nearest bus route; thus, adding a mitigation measure that would require providing employees with free bus passes would not measurably serve to reduce the Project's VMT impacts, let alone to below a level of significance. With respect to the commenter's suggestion to implement bus only lanes, there are no existing bus routes along or within close proximity to the Project site, with the nearest bus stop occurring 1.1 miles walking distance from the Project site. Given this distance, it is highly unlikely that future Project employees would use the nearest bus stop to access the Project site. With respect to the commenter's suggestion to optimize bus routes, provide high-frequency reliable service, and building regular bus stops, transit service in the local area is controlled by the STA, and not by Riverside County. Transit service is reviewed and updated by the STA periodically to address ridership, budget, and community demand needs, but the County has no authority to require the STA to alter its existing bus routes or services. Accordingly, for the reasons noted above, no revision to the DEIR is warranted pursuant to this comment.
- F-17** The footnotes to Comments F-15 and F-16 are acknowledged, which provide references for the studies regarding transportation and best practices as discussed in Comments F-15 and F-16. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- F-18** The commenter includes several paragraphs summarizing the threat of climate change, greenhouse gas emissions, legislation and goals to reduce greenhouse gas emissions, and the impacts of climate change. The commenter is referred to the responses to Comments F-19 through [F-25F-24](#), which address the commenter's individual concerns regarding the DEIR's analysis of the Project's impacts due to GHGs and the mitigation measures adopted to reduce GHG impacts to the maximum feasible extent.
- F-19** The footnotes to Comment F-16 are acknowledged, which provides references to the best practices as discussed in Comment F-16. As these footnotes do not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to these footnotes.
- F-20** The commenter asserts that the Project would generate a high level of GHG emissions, asserts that the DEIR did not include an analysis of the Project's mitigated impacts due to GHGs, and erroneously states that the DEIR concluded that the Project's impacts due to GHGs would be less than significant after mitigation.



First, and as indicated in the discussions of Threshold a. in DEIR Subsection 4.8.8, the DEIR concluded that the Project's impacts due to GHG emissions would be significant and unavoidable even after the implementation of mitigation measures. As discussed therein (with revisions made as part of this Final EIR shown):

“Implementation of Mitigation Measures MM 4.8-1 and through MM 4.8-~~42~~ would ensure that the proposed Project is fully consistent with the Riverside County CAP Update (November 2019) by requiring the Project Applicant to demonstrate that implementing building permit applications have incorporated measures to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and by requiring future that future building permit applications demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site pursuant to CAP measure R2-CE1, and by ensuring that any use of natural gas associated with the Project's warehouse building would not exceed the level of air quality and GHG emissions reported by this EIR. Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update qualifies as a ‘Plan for the Reduction of Greenhouse Gas Emissions,’ it could be concluded that the Project's GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 and through MM 4.8-~~42~~ would serve to reduce the Project's GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project's level of GHG emissions following mitigation still would be substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project's compliance with the CAP Update, the Project's GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.” (DEIR at pp. 4.8-31 and 4.8-32)

With respect to the commenter's statement that the DEIR did not disclose the Project's mitigated GHG impacts, there is no requirement under CEQA that the DEIR precisely enumerate or quantify effects of Project GHG mitigation measures, and such quantification is not required in order for decision-makers to understand the potential environmental implications of the Project. Furthermore, DEIR Mitigation Measure MM 4.8-1 requires the Project Applicant to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables (CAP Update Appendix D), but Mitigation Measure MM 4.8-1 also provides flexibility in the selection of specific measures from the CAP Update Screening Tables. For this reason, a precise calculation of the level of GHG reductions cannot be prepared at this time, as it currently is unknown which of the CAP measures ultimately would be implemented as part of future building permits in order to achieve the required minimum 100 points. Additionally, and as noted in the above-cited quote from DEIR Subsection 4.8.8, implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 (as revised/modified as part of this Final EIR; refer



to Table F-2) would ensure that the Project is fully compliant with the CAP Update requirements. As noted in Appendix D to the CAP Update:

“The County of Riverside Climate Action Plan Update (CAP Update) includes reducing 525,511 metric tons of carbon dioxide equivalents (MT CO₂e) by 2030 and 2,982,947 MT CO₂e by 2050 from an Adjusted Business As Usual (ABAU) forecast. These targets are consistent with the State’s recommended emission reduction goals of 40 percent reduction below 2008 levels by 2030, and an 83 percent reduction below 2008 levels by 2050...The Screening Tables can be used by the County of Riverside Planning Department for review of development projects in order to ensure that the specific implementation measures in the CAP Update are applied as part of the CEQA process for development projects. The Screening Tables provide a menu of options that ensures both implementation of the measures and flexibility on how development projects will implement the measures to achieve an overall reduction of emissions, consistent with the reduction targets in the CAP Update. (Riverside County, 2019, Appendix D, p. 1)

“The Screening Tables assign points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as “feature”). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the County’s CAP Update. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.” (Riverside County, 2019, Appendix D, p. 7)

Thus, while the Project’s specific reductions in GHG emissions with implementation of DEIR Mitigation Measures MM 4.8-1 cannot be accurately calculated at this time, because the Project would be consistent with the CAP Update requirements following implementation of (revised) Mitigation Measure MM 4.8-1 and MM 4.8-2, the Project would assist the County in achieving its target GHG reductions in accordance with State requirements through 2050.

Although a precise calculation of the Project's level of mitigated GHG emissions cannot be provided at this time for the reasons noted above, in order to generally provide an estimate of the Project's GHG reductions assuming compliance with the Riverside County CAP Update Screening Table measures, a generic calculation was conducted by Urban Crossroads. For commercial and industrial projects, and as noted in Appendix D to the CAP Update Screening Tables (Appendix D to Appendix D to the CAP Update), it is estimated that each CAP checklist point would result in a reduction of 0.0322 MTCO₂e per 1,000 square feet of building area (Riverside County, 2019, p. D-1 of Appendix D to CAP Update Appendix D). As required by EIR Mitigation Measure MM 4.8-1, the Project would achieve a minimum of 100 points pursuant to the CAP Update Screening Tables. Based on a building area of 1,238,992 square feet, implementation of these CAP checklist items would be expected to result in a reduction of approximately 3,989.55 MTCO₂e per year. Additionally, implementation of



measure R2-CE1 (which requires a 20% offset in energy demand) would result in a reduction of approximately 174.60 MTCO₂e per year. The total reduction associated with implementation of the CAP compliance mitigation measure would be approximately 4,164.15 MTCO₂e per year.

Finally, the DEIR did not conclude that the Project's impacts due to GHGs would be less than significant. Rather, the DEIR conservatively determined that the Project's GHG impacts would be significant and unavoidable even after the implementation of mitigation. No revision to the DEIR is warranted pursuant to this comment.

- F-21** The commenter summarizes information from a Center for Biological Diversity report entitled "Hidden in Plain Sight: California's Native Habitats are Valuable as Carbon Sinks." The commenter states that the Project landscape consists of a variety of vegetation and asserts that carbon storage must be accounted for when assessing the Project's GHG impacts. The commenter states that various desert habitats store and sequester different amounts of carbon and references a study regarding carbon storage. The commenter states that the Project site includes 104 acres of Sonoran Creosote Bush but the DEIR does not consider the carbon sequestration of this land.

Even assuming that the entire potential area disturbed by the Project currently provides effective carbon sequestration, loss of this area would not discernibly affect the DEIR conclusions regarding the Project's significant and unavoidable impacts due to GHG emissions. For illustrative purposes, potential carbon sequestration of the area subject to Project disturbance has been modeled in CalEEMod conservatively assuming the loss of 145.4 acres of grazing land use type comprised of entisol soil, as well as the loss of 145.4 acres of shrubland. As indicated, total potential maximum GHG sequestration of this area is approximately 219 MTCO₂e/yr. Adding the estimated potential loss of GHG sequestration from this area would result in a total Project GHG impact of 33,349 MTCO₂e/yr, or 0.66% more than the 33,130.16 MTCO₂e/yr GHG impact resulting from the Project as estimated in the DEIR. This nominal potential increase in the Project GHG emissions impact is not substantially different than or greater than impacts disclosed in the DEIR.

Furthermore, the commenter is referred to DEIR Figure 2-6, *Aerial Photograph*, and the site photos presented on DEIR Figures 4.1-2 through 4.1-4. As shown, vegetation on the Project site is highly sparse, with large areas of non-vegetated areas occurring throughout the Project site. The commenter also is referred to DEIR Figure 3-16, *Proposed Landscaping*. Comparing DEIR Figures 2-6 and 4.1-2 through 4.1-4 to the Project's proposed landscaping as depicted on DEIR Figure 3-16 shows that the Project's landscaping would provide far more vegetation on the Project site than occurs under existing conditions. Moreover, the Project's landscape plan incorporates a variety of tree species, all of which would have a higher potential for carbon sequestration in comparison to the existing vegetation on site, which consists of sparse low-lying shrubs. Thus, the County finds that implementation of the Project would actually increase, rather than decrease, the Project site's potential to sequester carbon.



Accordingly, and based on the preceding discussions, no revision to the DEIR is warranted pursuant to this comment.

F-22 The commenter again asserts that the DEIR fails to include the Project's post-mitigation GHG emissions levels, again erroneously asserts that the DEIR concluded that the Project's GHG impacts would be less than significant, and incorrectly asserts that the DEIR does not include any explicit mitigation measures. First, the commenter is referred to DEIR subsection 4.8.8 (quoted above in the response to Comment F-20), which clearly indicates that the Project's impacts due to GHGs following mitigation would be significant and unavoidable. With respect to the comment that the DEIR did not disclose the Project's post-mitigation GHG emission levels, the commenter is referred to the response to Comment F-20, which is responsive to this comment. In addition, the County finds that Mitigation Measures MM 4.8-1 and MM 4.8-2 (as revised/supplemented by this Final EIR; refer to Table F-2) include explicit requirements that the Project must meet. Mitigation Measure MM 4.8-1 requires the Project Applicant to demonstrate that the Project would achieve a minimum of 100 points pursuant to the CAP Update Screening Tables. The response to Comment F-20 also explains that by achieving the required 100 points, the Project would assist the County in achieving its target reductions in accordance with State requirements. Mitigation Measure MM 4.8-2 which has been revised as part of this Final EIR, requires the proposed building to be designed to accommodate renewable energy production through the provision of the maximum number of solar panels on the roof of the warehouse building in order to exceed the requirement of Climate Action Plan (CAP) Measure R2-CE1 to accommodate at least 20% of the Project's energy demand. Accordingly, the County finds that with the revisions made as part of this Final EIR, the Final EIR includes explicit and enforceable mitigation measures. As this comment does not identify any additional feasible mitigation measures that would measurably serve to reduce the Project's GHG emissions, no revision to the DEIR is warranted pursuant to this comment.

F-23 The commenter asserts that the DEIR does not describe how mitigation measures would reduce GHG emissions and instead mentions mitigation measures available in the County's CAP Update without explaining how the measures would be integrated into the Project or what effect they would have. The commenter adds that because the Project's GHG emissions of over 33,000 MTCO_{2e} are significant, and the EIR provides no second calculation of emissions post-mitigation, it appears that the estimated emissions will remain at that level. The commenter is referred to the response to Comment F-20, which is responsive to this comment. As noted therein, Mitigation Measure MM 4.8-1 was intentionally crafted to allow for flexibility at implementation, and provides an enforceable requirement that future building permit applications may not be issued unless it can be demonstrated that the Project would achieve at least 100 points per the CAP Update Screening Tables. Due to the flexibility afforded by Mitigation Measure MM 4.8-1, it is not possible at this time to accurately calculate the Project's level of GHG emissions following mitigation. Notwithstanding, and as noted in the response to Comment F-20, while the Project's specific reductions in GHG emissions with implementation of DEIR Mitigation Measures MM 4.8-1 cannot be accurately calculated at this time, because the Project would be consistent with the CAP Update requirements following implementation of Mitigation Measure MM 4.8-1 and MM 4.8-2 (as revised/supplemented by this



Final EIR; refer to Table F-2), the Project would assist the County in achieving its target GHG reductions in accordance with State requirements through 2050. Additionally, the commenter is referred to DEIR Mitigation Measure MM 4.8-1, which explicitly references Table 3-7 of the Project's GHG Analysis (DEIR *Technical Appendix G*), wherein a conceptual list of measures from CAP Update Appendix D is provided that the Project Applicant has determined would be feasible. Therefore, it can be concluded that implementation of (revised) Mitigation Measures MM 4.8-1 and MM 4.8-2 would serve to measurably reduce the Project's level of GHG emissions, although the precise level of GHG reductions cannot be determined at this time. No further response is required, and no revision to the DEIR is warranted pursuant to this comment.

- F-24** The commenter asserts that the Project would generate a high level of GHG emissions that exceeds the SCAQMD's recommended screening threshold of 10,000 MTCO₂e/yr threshold, again asserts that Mitigation Measures MM 4.8-1 does not specifically identify which measures from the CAP Update Screening Tables would be implemented, and asserts that the DEIR fails to consider many additional mitigation measures that would reduce the GHG impact such as solar power or requiring an electric fleet. First, DEIR Subsection 4.8 discloses the Project's level of anticipated GHG emissions, and discloses these emissions as a significant and unavoidable impact of the proposed Project. With respect to Mitigation Measure MM 4.8-1, the commenter is referred to the responses to Comments F-20 and F-23, which are responsive to this comment. With respect to the commenter's assertion that the DEIR did not consider solar panels as a potential mitigation measure, the commenter is referred to DEIR Mitigation Measure MM 4.8-2, which specifically required the provision of on-site renewable energy production (i.e., solar) equal to at least 20% of the building's anticipated energy demand. In addition, and as noted in Table F-2, Mitigation Measure MM 4.8-2 has been modified as part of this Final EIR to require the proposed building to be designed to accommodate renewable energy production through the provision of the maximum number of solar panels on the roof of the warehouse building in order to exceed the requirement of Climate Action Plan (CAP) Measure R2-CE1 to accommodate at least 20% of the Project's energy demand. While the County acknowledges that use of zero-emission trucks (i.e., electric trucks) would reduce Project-related vehicular-source emissions, as noted on pp. 4.3-20, 4.6-21 et al. in the DEIR, the commercial availability of zero-emission long-haul vehicles to exclusively serve the Project is at best limited at present for a variety of reasons. Firstly, trucks serving the Project site are unlikely to be owned by the building users, as most buildings are serviced by trucks or owned or leased by independent operators. The types of trucks driven by independent operators are outside of the control of Project Applicant, building users, and the County. Second, there is not enough electrical grid power to sustainably charge all of the trucks that would travel to and from the Project site. For example, one trucking company tried to electrify just 30 trucks at a terminal in Joliet, Illinois. Shortly after this plan began, local officials shut it down, commenting that it would draw more electricity than is needed to power the entire city.⁷⁰ Even more relevant, a California company attempted to electrify 12 forklifts, which require significantly less power than trucks. Local power utilities told the California company that it was not

⁷⁰ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>



possible.⁷¹ In a May 2023 report by Resources for the Future, titled *Medium- and Heavy-Duty Vehicle Electrification: Challenges, Policy Solutions, and Open Research Questions*, the report states that medium- and heavy-duty electric vehicles (“MHDEVs”) charging (which may exceed several megawatts [MWs] of demand for large fleets) could destabilize electricity distribution systems. Additionally, due to logistical and operational barriers, MHDEVs must be comparable to diesel vehicles in model options, range, recharge time, payloads, and maintenance.⁷² However, considering current technologies, MHDEVs generally have ranges below 200 miles, versus more than 1,000 miles for diesel vehicles.⁷³ Additionally, recharge times are substantially longer than diesel refueling. For example, a clean diesel truck can spend 15 minutes fueling anywhere in the country and then travel about 1,200 miles before fueling again.⁷⁴ In contrast, today’s long-haul battery electric trucks have a range of about 150-330 miles and can take up to 10 hours to charge.⁷⁵ Moreover, fleets without a charging depot will need to rely on public charging stations. In addition to the barriers described above, zero-emission trucks are much more costly to fleet owners. A new, clean-diesel long-haul tractor typically costs in the range of \$180,000 to \$200,000.⁷⁶ Meanwhile, a comparable battery-electric tractor – with a quarter of the range and thus requiring frequent and long hours of charging – costs upwards of \$480,000.^{77,78} In addition, each charging station installation can exceed \$100,000⁷⁹ and public charging stations and required infrastructure for such charging is not widely available.⁸⁰ Additionally, there is a significant constraint in sourcing enough raw minerals needed to produce the lithium-ion batteries used in zero-emission trucks. For example, tens of millions of tons of cobalt, graphite, lithium, and nickel will need to be produced.⁸¹ It is estimated that it could take up to 35 years to acquire all the minerals needed to generate enough truck batteries for current levels of global production.⁸² Additionally, expanding capacity and sourcing this amount of material creates environmental effects, that in some respects could exceed the emissions of current clean-diesel trucks.⁸³ California’s zero-emission trucking regulations have been challenged by numerous other states as an unconstitutional restraint on interstate commerce, and are at least partially unenforceable while the legal challenges are pending, and could ultimately be determined to be unlawful. Finally, IID is already challenged to provide electrical capacity to the local area, and aggressive implementation of EV truck charging would exacerbate IID’s challenges in providing additional capacity (refer to IID’s comment letter D). Therefore, the County finds that there is no evidence in

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ https://media.rff.org/documents/Report_23-03_v3.pdf

⁸⁰ <https://www.ccjdigital.com/alternative-power/battery-electric/article/15545697/charging-forward-with-electric-truck-charging-stations>

⁸¹ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁸² *Id.*

⁸³ *Id.*



the record that the proposed mitigation requiring all heavy-duty trucks to be zero-emission is technologically or financially feasible for the Project. No revision to the DEIR is warranted pursuant to this comment.

F-25 The commenter reasserts the commenter's previous allegations that the DEIR's failure to adopt all feasible mitigation measures for GHG impacts violates CEQA, and again asserts that the DEIR should be revised to include analysis of the impacts that mitigation measures will have, discuss the mitigation measures that will reduce GHG emissions, and further explain the thresholds of significance adopted and used to arrive at these conclusions. With respect to the comment regarding the calculation of the Project's mitigated GHG emissions, the commenter is referred to the responses to Comments F-20 and F-23, which are responsive to this comment. With respect to commenter's assertion that the DEIR did not impose all feasible mitigation measures to address the Project's significant and unavoidable GHG impacts, the County is not aware of any additional feasible mitigation measures to address the Project's GHG impacts, and no such measures are suggested by this comment (beyond the suggestion to require solar panels and an electric truck fleet, both of which are addressed in the response to Comment F-25). Furthermore, the commenter's assertion that the DEIR should be revised to "acknowledge their significance," the commenter again is referred to DEIR subsection 4.8.8, which discloses that the Project's impacts due to GHG emissions would be significant and unavoidable. Accordingly, no revision to the DEIR is warranted pursuant to this comment.

F-26 The commenter asserts that the DEIR must address the direct and cumulative impacts from construction and operation of the Project to threatened, endangered, and sensitive species and habitats within the Project site and in the surrounding areas. The commenter states that potential impacts include those associated with construction and operation activities, the introduction of non-native plants, additional lighting, noise, pollution, creation of potential barriers to wildlife connectivity, and the loss and disruption of essential habitat due to edge effects, all of which must be thoroughly analyzed and evaluated. The commenter states that the DEIR lacks sufficient detail and is speculative when describing presence or potential presence of special-status species. The commenter asserts that without focused surveys using protocols specifically designed to detect special-status species, the Project cannot reasonably conclude that the species is absent and will not experience impacts. The commenter requests that targeted surveys of these species be performed to fully analyze the Project's impacts. The commenter is referred to the discussion and analysis presented in Subsection 4.4 of the Project's DEIR, which included a full and complete analysis of the Project's potential direct, indirect, and cumulatively-considerable impacts to biological resources. The CBD comment lists protected wildlife species that are potentially present on the site. All Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) covered species, as well as special-status species not covered under the MSHCP, were assessed for presence on or immediately adjacent to the site and were assessed in conformance with CEQA and the CVMSHCP.

Specifically, to provide baseline information, Rocks Biological Consulting (RBC) queried USFWS's Special-Status Species Database for federally-listed species records within a three-mile radius of the



Project site in 2022 and again in 2024; no records of the federally and State-threatened desert tortoise (*Gopherus agassizii*), the federally threatened and State-endangered Coachella Valley fringe-toed lizard (*Uma inornata*), federally-listed endangered and State-listed threatened peninsular bighorn sheep (*Ovis canadensis nelsoni* pop. 2), federally endangered Casey's June beetle (*Dinacoma caseyi*), federally threatened California red-legged frog (*Rana draytonii*), federally and State-endangered Sierra Madre (i.e., mountain) yellow-legged frog (*Rana muscosa*), or federally and State-endangered least Bell's vireo have been reported within a three-mile radius of the Project site (USFWS 2024a). No critical habitat for federally listed species occurs on the Project site; however critical habitat for Coachella Valley fringe-toed lizard occurs adjacent to the Project site to the north and east (USFWS 2024a).

In addition, RBC queried the California Natural Diversity Database (CNDDB) in 2022 and 2024. No records of desert tortoise, peninsular bighorn sheep, Casey's June beetle, California red-legged frog, Sierra Madre (i.e., mountain) yellow-legged frog, least Bell's vireo, the state fully-protected golden eagle (*Aquila chrysaetos*), or the State fully protected desert bighorn sheep (*Ovis canadensis nelsoni*) occurred within a three-mile radius of the Project site (CDFW 2024b). Although Coachella Valley fringe-toed lizard had been reported within proximity to the project site historically, all records within one mile of the site are from before 1975. CNDDB, citing University of California Riverside's C.W. Barrows, states that as of 1988 no suitable habitat or lizards remained in this area (CDFW 2024b).

An absence of records does not necessarily equate to an absence of the species; therefore RBC analyzed the Project site's potential to support these species in 2022, as detailed in the BTR. In addition, RBC biologists conducted a follow-up site visit on July 3, 2024 to assess present-day biological and physical conditions and compare conditions to those reported in 2022.

The Project's "Biological Resources and MSHCP Consistency Report" (herein, "BTR"; DEIR *Technical Appendix C1*), assessed the potential for desert tortoise to occur on site as none; the it is herein conceded that the potential for this species to occur on site is low and not none. Annual plant cover recorded during the 2024 site visit was slightly greater than that reported in the 2022 BTR, likely due to differences in annual rainfall. Rainfall in 2023 and 2024 was higher than rainfall in 2021 and 2022. Specifically, the Project site received 2.57 inches of rainfall in 2021, 1.18 inches of rainfall in 2022, 7.11 inches in 2023, and 2.62 inches of rain in the first six months of 2024 according to the NRCS Agricultural Applied Climate Information System (AgACIS) database for the Palm Springs ASOS station (located approximately six miles west of the Project site; AgACIS 2024). In addition, two new species not previously documented on site, *Phacelia* sp. and desert plantain (*Plantago ovata*), were observed in 2024. Although previously documented in 2022, plant species that are known food sources for desert tortoise increased in cover in 2024, likely in response to rainfall trends, (e.g., *Chalysimia* sp., *Cryptantha* sp., *Gerea canescens*, and *Dicoria canescens*).

Despite the availability of food plants on site, proximity to development and the degraded nature of on-site native habitat confers low suitability for desert tortoise. The Project site is adjacent to an organics recycling industrial facility to the north and light industrial development to the south, with



some undeveloped land also present south of the site, and residential development and undeveloped land are to the east of the site. The southern portion of the Project site (i.e., off-site improvements) encapsulates the Thousand Palms residential community and therefore, is adjacent to development around internal borders. Vacant lots west of the Project site are separated from the site by Rio del Sol, bisected by Varner Road, and occur in close proximity to Interstate 10. Large areas of undeveloped land occur to the northeast of the Project site, but the Project site is separated from the majority of that land by large transmission line structures. Desert tortoise occupancy is generally low in proximity to transmission lines, primarily because the towers and poles provide nesting and perching site for ravens, a predator of adult and juvenile desert tortoise. Though the site has not been historically cleared or graded, the land experiences frequent human disturbance, in the form of off-road vehicle activity and trash dumping. The surrounding development has resulted in an increase of ravens and coyotes, predators of desert tortoise, and non-native plant colonization, which has contributed to degradation of on-site native habitats. Desert tortoises and their sign have not been observed on the Project site and potential burrows are not present. As such, the project has low suitability for desert tortoise.

The 2022 BTR included an assessment of the potential for Coachella Valley fringe-toed lizard to occur on site, and the potential was determined to be very low. Coachella Valley fringe-toed lizard is a dune obligate species whose range is restricted to desert scrub habitats within the active aeolian sand transport system. The Project site occurs immediately west of USFWS-designated critical habitat for this species; however, as observed during the 2022 general biological survey and 2024 site visit, active unstabilized dunes do not occur on the Project site. A very narrow, linear area of creosote bush scrub with fine, sandy soils occurs along the project's off-site improvements alignment on the west side of Robert Road; however, this area is stabilized, dominated by shrubby and herbaceous vegetation which restricts sand transport, is very limited in size (approximately 1.7 acres), and is surrounded by unsuitable habitat, thereby likely precluding occupation and colonization by Coachella Valley fringe-toed lizard.

Desert tortoise and Coachella Valley fringe-toed lizard are unlikely to occur on the Project site and are covered by the CVMSHCP. In addition to paying the CVMSHCP Local Development Mitigation Fee, the Project Applicant would ensure impact avoidance on these species with the implementation of preconstruction clearance surveys. Specifically, prior to the onset of ground-disturbing activities, a qualified biologist would survey the impact area to ensure sensitive wildlife species are not present on the Project site. If sensitive species, such as desert tortoise and Coachella Valley fringe-toed lizard, are found on site during the pre-construction clearance survey, biological monitoring, exclusion buffers, and/or consultation with CDFW and USFWS will be required prior to and during Project implementation. Project-specific mitigation measures detailing pre-construction surveys have been to include general wildlife clearance surveys have been added to the FEIR as Mitigation Measure 4.4-9 to more effectively avoid and minimize potentially significant impacts on special-status wildlife species.



The 2022 BTR included an assessment of the potential for Casey's June beetle to occur on site, and RBC concluded that potential for this species was low. The current known range of Casey's June beetle is restricted; this species is confined to southern portions of Palm Springs, with the majority of records occurring within or in proximity to Palm Canyon Wash and Tahquitz Creek (USFWS n.d.). The Project site occurs approximately four miles northeast of the known range of Casey's June beetle. Furthermore, the area between the known range of Casey's June beetle and the Project site is heavily developed, thereby inhibiting colonization of the Project site by extant populations. Range-wide surveys and a thorough review of all previous surveys for this species were conducted as part of its federal listing, hence it is unlikely that undiscovered populations occur within the vicinity of the Project site (USFWS 2007).

Golden eagle is found in a variety of open to semi-open habitats, including desert scrub (USFWS n.d.). Nesting occurs on cliffsides and in large trees (CDFW n.d.), neither of which occur on the Project site. Hence the potential for golden eagle to nest on the site is very low. Though disturbed Sonoran creosote bush and disturbed allscale scrub are found on the Project site, golden eagles avoid lands near developed areas and are sensitive to human activities. Considering the residential and industrial development surrounding the Project site and the ample available foraging habitat north of the Project site, this species is unlikely to forage on site. The BTR Assessment of Special-Status Wildlife Species Potential to Occur Within the Project Site (see Appendix F to EIR *Technical Appendix C*) has been revised to include a consideration of golden eagle.

California red-legged frog can be found in a variety of habitats within and adjacent to a water source; however, the majority of extant populations are associated with coastal streams (USFWS n.d.). The Project site occurs approximately 50 miles outside of the known range of this species and lacks mesic or aquatic habitat required by this species; therefore, this species does not have potential to occur on site. The BTR Assessment of Special-Status Wildlife Species Potential to Occur Within the Project Site (see Appendix F to EIR *Technical Appendix C*) has been revised to include a consideration of California red-legged frog.

Southern populations of the mountain yellow-legged frog occur in canyons within the Transverse Ranges of California (USFWS, n.d.). The northern subspecies of mountain yellow-legged frog occurs at elevations of 1,370 to 3,660 meters above mean sea level (amsl) and both the northern and southern subspecies are restricted to high elevation aquatic habitats (USFWS n.d.). The elevational range of the Project site (220 to 350 meters amsl) is outside of the known altitudinal range of this species. Additionally, the site lacks the mesic or aquatic habitat required to support this species; therefore, this species does not have potential to occur on site. The BTR Assessment of Special-Status Wildlife Species Potential to Occur Within the Project Site (see Appendix F to EIR *Technical Appendix C1*) has been revised to include a consideration of mountain yellow-legged frog.

The 2022 BTR assessed the potential for least Bell's vireo to occur on site as none. Least Bell's vireo inhabits and nests in riparian woodlands often comprised of willows (*Salix* sp.) with dense hydrophytic understories. Native habitat on Project site is comprised of disturbed Sonoran creosote



bush scrub and disturbed desert allscale scrub, neither of which are considered suitable habitat for the least Bell's vireo; therefore, this species does not have potential to occur on site.

The Project site does not occur within the known range of the peninsular bighorn sheep. Populations of bighorn sheep east of I-10 in Riverside County are the California fully protected desert bighorn sheep. Desert bighorn sheep inhabit rocky, steep terrain which is not present on site; therefore, this species does not have potential to occur on site. The BTR Assessment of Special-Status Wildlife Species Potential to Occur Within the Project Site (see Appendix F to EIR *Technical Appendix C1*) has been revised to include an expanded consideration of desert bighorn sheep.

The Project site is unlikely to support Casey's June beetle, California red-legged frog, mountain yellow-legged frog, golden eagle, least Bell's vireo, and desert bighorn sheep as described above and in Appendix F of the BTR (EIR *Technical Appendix C1*). In addition, the Project would ensure avoidance of impacts on these species through the implementation of pre-construction clearance surveys, as described above. Specifically, prior to the onset of ground-disturbing activities, a qualified biologist will walk the entirety of the impact area to ensure sensitive wildlife species are not present on the Project site. In the unlikely event that sensitive species, such as Casey's June beetle, California red-legged frog, mountain yellow-legged frog, golden eagle, least Bell's vireo, or desert bighorn sheep, are found on site during the preconstruction clearance survey, biological monitoring, exclusion buffers, and/or consultation with CDFW and USFWS will be required prior to and during Project implementation. Mitigation Measure MM 4.4-9 has been added to the FEIR to require general wildlife clearance surveys to more effectively avoid and minimize potentially significant effects on special-status wildlife species.

The CBD comment letter states that the burrowing owl, a non-listed special-interest species, has a moderate chance of occurring on site, citing Appendix F of the BTR (EIR *Technical Appendix C1*). It is the opinion of RBC biologists that this statement is a misquote or error as the BTR determined low potential for burrowing owl on the Project site. Regardless, to ensure field assessments for burrowing owl were recent, RBC revisited the Project site on July 3, 2024. As with the 2022 assessment, the Project site was walked via meandering transects and examined for suitable habitat, with particular attention paid to burrow searches. While no suitable burrows for burrowing owl were noted in 2022, the presence of ground squirrels were documented. In 2024, several recent small mammal burrows were documented. No owls or owl sign, such as pellets or feces, were observed at the burrows, and burrows are currently too small to support burrowing owl without significant modification. However, based on the presence of squirrel burrows, the potential for burrowing owl to occur on the Project site has been revised from low to low-to-moderate in the BTR and Final EIR. Specifically, to more effectively avoid and minimize impacts on burrowing owl, the Project-specific mitigation measure for burrowing owl has been updated to require focused burrowing owl surveys in addition to previously required pre-construction surveys. With the implementation of Mitigation Measure MM 4.4-1 as revised as part of the Final EIR, potential impacts on burrowing owl would be less than significant.



CBD's comment letter states that the Project site is part of a larger ecologically intact and functioning unit. RBC acknowledges that some open space occurs adjacent to the Project site; however, development adjacent to the Project site has contributed to degradation of the site and reduced suitability for many species. Additionally, the Project site has experienced direct impacts in the form of off-road vehicle use and trash dumping. Both proximity to development and habitat degradation have reduced the ecological function of the Project site.

Perhaps most importantly, the Project site occurs within the CVMSHCP, which is a Natural Communities Conservation Plan (NCCP). The focus of such plans is to provide regional planning for biological preservation, with targeted conservation areas that are funded in part by mitigation fees for development in other areas. In developing the CVMSHCP, local agencies along with CDFW and UWSFWS identified existing and target CVMSHCP "Conservation Areas." These areas are defined by the CVMSCHP Implementing Agreement as "a system of lands...that provides Core Habitat and Other Conserved Habitat for the Covered Species, conserves natural communities, conserves Essential Ecological Processes, and secures Biological Corridors and Linkages between major Habitat areas." As described in the project BTR and EIR, the Project does not occur within a CVMSHCP designated Conservation Area. This lack of designation indicates that the site was not determined to be a high value target conservation area or designated wildlife corridor by local agencies or by signatory State and federal wildlife agencies.

The CBD comment letter states that the DEIR lacks baseline biological surveys, which is not accurate. Baseline biological surveys were conducted for the Project site in 2022. A subsequent site visit was conducted in 2024 to confirm that site conditions have not significantly changed. It is the opinion of RBC that the BTR meets the CEQA requirement of including "a description of the physical environmental conditions in the vicinity of the project" (State CEQA Guidelines § 15125). The CBD comment letter states that no focused surveys for special-status species were conducted, which is accurate; however, the letter asserts that the "MND" (note, it is understood that this is a typo in the letter and it should read "DEIR") concludes that special-status species are absent. The Project's BTR and EIR do not assume that special-status species are absent from the Project site, and instead acknowledge that there is potential for some species to occur. The commenter is referred to Appendix F to the Project's BTR (EIR *Technical Appendix C1*). The DEIR concludes that impacts on special-status species that may be present on site would be less than significant with adherence to the mitigation measures included in EIR Subsection 4.4 (as revised as part of this Final EIR).

The CBD comment letter asserts that targeted surveys for special-status species must be performed for responsible agencies to evaluate the Project's impacts. The letter lists the City and the Regional Conservation Authority (RCA), which is responsible for implementing the Western Riverside MSHCP, as responsible agencies. It is understood that the authors meant to write the County of Riverside, rather than City, since the County is serving as the lead agency. It also is understood that the letter should have listed the Coachella Valley Conservation Commission (CVCC) and the CVMSHCP rather than the RCA and WRMSHCP. Based on the documentation presented in the Project's BTR, the County disagrees that focused surveys are required for a meaningful review to be



performed given the low potential for special-status species occurrence and the Project site's location outside a CVMSHCP Conservation Area.

- F-27** The commenter concludes the letter by restating that the DEIR must fully disclose and analyze the Project's impacts to air quality, housing, greenhouse gas emissions, and biological resources and provide effective and enforceable mitigation measures for all impacts found to be significant. The commenter reminds the County of its statutory duty to maintain and preserve all documents and communications that may constitute part of the "administrative record." The commenter requests to be added to the notice list for future updates to the Project and provides contact information should questions arise. This comment is acknowledged, and the County appreciates the comments provided by the Center for Biological Diversity (CBD). CBD will be included on all future public notices related to the Project, and the County will maintain an administrative record for the proposed Project as required by State law. No further response is necessary.
- F-28** The commenter includes three pages of references utilized in the comment letter. This comment is acknowledged. As this comment does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this comment.



COMMENT LETTER G

July 19, 2024

Advocates for the Environment

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A non-profit public-interest law firm
and environmental advocacy organization



Via U.S. Mail and email to rbrady@rivco.org

Re: Comments on Draft Environmental Impact Report for Majestic Thousand Palms Project,
SCH No. 2022110600

Dear Mr. Brady:

Advocates for the Environment submits the comments in this letter regarding the Draft Environmental Impact Report (DEIR) for the Majestic Thousand Palms Project (Project). The Project Site is located near Northeast corner of Rio Del Sol at 30th Avenue in the County of Riverside (County). The Project proposes to develop the 83-acre Project Site by constructing a 1,238,992 square-foot warehouse. We have reviewed the DEIR prepared in April 2024 and submit comments regarding the sufficiency of the DEIR's Greenhouse-Gas (GHG) analysis under the California Environmental Quality Act (CEQA).

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G-1
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The County Should Require the Project to be Net-Zero

Given the current regulatory context and technological advancements, a net-zero significance threshold is feasible and extensively supportable. GHG emissions from buildings, including indirect emissions from offsite generation of electricity, direct emissions produced onsite, and from construction with cement and steel, amounted to 21% of global GHG emissions in 2019. (IPCC Sixth Assessment Report, Climate Change 2022, WGIII, Mitigation of Climate Change, p. 9-4.) This is a considerable portion of global GHG emissions. It is much more affordable to construct new building projects to be net-zero than to obtain the same level of GHG reductions by expensively retrofitting older buildings to comply with climate change regulations. Climate damages will keep increasing until we reach net zero GHG emissions, and there is a California state policy requiring the state to be net-zero by 2045. It therefore is economically unsound to construct new buildings that are not net-zero.

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G-2
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Environmental groups have achieved tremendous outcomes by litigation under CEQA. Two of the largest mixed-use development projects in the history of California, Newhall Ranch (now FivePoint Valencia), and Centennial (part of Tejon Ranch) decided to move forward as net-zero communities after losing CEQA lawsuits to environmental groups. The ability for these large projects

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County of Riverside
CEQA Comments on Majestic Thousand Palms Project

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to become net-zero indicates that it is achievable, even for large-scale developments. The Applicant for this Project should do the same.

We urge the County to adopt net-zero as the GHG significance threshold for this project. This threshold is well-supported by plans for the reduction of GHG emissions in California, and particularly the CARB Climate Change Scoping Plans. The CARB 2017 Scoping Plan states that “achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.” (CARB 2017 Scoping Plan, p. 101.) Additionally, the CARB 2022 Scoping Plan reaffirms the necessity of a net zero target by expressing: “it is clear that California must transition away from fossil fuels to zero-emission technologies with all possible speed ... in order to meet our GHG and air quality targets.” (CARB 2022 Scoping Plan, p. 184.) CARB further encourages a net-zero threshold in its strategies for local actions in Appendix D to the 2022 Scoping Plan. (CARB 2022 Scoping Plan, Appendix D p. 24-26.)

Moving this Project forward as a net-zero project would not only be the right thing for the County to do, but also would also help protect the County and the Applicant from CEQA GHG litigation.

GHG Mitigation is Insufficient under CEQA

The calculated project-related emissions amount to 33,130.16 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year (DEIR, p. 4.8-27). The County adopted a significance threshold based on Appendix G of the CEQA Guidelines. Based on this threshold, the County concluded that the Project would have significant GHG emissions. To reduce this identified significant GHG impact, the GHG Analysis offered GHG Mitigation Measures (MM) 4.8-1 and 4.8-2. (DEIR, p. 4.8-30.)

The DEIR did not include any quantitative estimate of the effectiveness of the proposed mitigation in reducing GHG emissions, nor did it provide evidence that there was no further feasible mitigation, stating the following: “the projects GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.” (DEIR, p. 4.8-31.) The County did not provide any rationale why, in this instance, existing regulations and the adopted mitigation measures would be the only feasible mitigation for this Project. Despite the availability of other GHG mitigation measure, the DEIR declared that the Project’s mitigated emissions were unavoidable. However, because this conclusion is not supported by substantial evidence, the DEIR should have included more mitigation to reduce the Project’s GHG emissions to the extent required by CEQA.

Infeasibility Finding Lacks Substantial Evidence

The conclusion that the Project will not be able to achieve any mitigation beyond the mitigation from MM 4.8-1 and MM 4.8-2 is not supported by substantial evidence. The DEIR should have

G-2
(CONT.)

G-3

G-4

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proposed more mitigation measures to be applied to the maximum-feasible extent in order to justify the conclusion that the Project's GHG impact would be unavoidable due to the lack of feasibility of further mitigation. While the proposed mitigation measures are a good start, the County did not demonstrate that these actions would represent the maximum feasible mitigation to support a finding that the Project's impact would be significant and unavoidable.

CEQA requires that the lead agency identifies specific reasons for infeasibility of further mitigation when concluding significant and unavoidable impact. The County did not attempt to specify any infeasible mitigation measures when concluding that the Project's GHG impact would be unavoidable, nor did it provide any reasoning that the identified mitigation measures represent the maximum feasible mitigation.

MM 2.8-2 requires the building's estimated energy demands to be calculated and proof that on-site renewable energy production will meet at least 20% of these demands. However, there is no evidence that it would be infeasible to go beyond the mere 20% minimum requirement. The measure should be modified to require 100% of the building's energy demands come from renewable energy production which would make a more effective measure that would decrease GHG emissions overall.

Thus, the DEIR does not provide substantial evidence or reasoning to support the lack of further mitigation given the unavoidable impact conclusion; there are other readily available mitigation measures, especially considering that 85%¹ of the Project's GHG impact originates from mobile emissions which the mitigation measures were not focused on reducing.

The County could mandate that the applicant's lease agreements include clauses limiting the use of heavy-duty diesel trucks or requiring tenants' vehicle fleets to use non-diesel fuels such as gasoline, ethanol, or biofuels. Additionally, the County should require the applicant enter into an agreement for a zero-emission heavy-duty truck fleet to the extent feasible and as soon as practicable, while also maintaining a charging system for the vehicle fleet powered by solar panels on the project site. Therefore, the conclusion that the project's impact is significant and unavoidable lacks substantial evidence, given the feasibility of further mitigation.

The Project's GHG Impacts Must be Fully Mitigated

CEQA requires that the Project include fair-share mitigation for all significant cumulative impacts. (*Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 364.) Here, this means mitigation of the full extent of the Project's GHG impacts. The DEIR claims that no other mitigation measures are feasible, beyond the identified mitigation measures. But that conclusion is incorrect, and not supported by substantial evidence.

¹ $\left(\frac{28,278 \text{ MTCO}_2\text{e}}{33,130.16 \text{ MTCO}_2\text{e}} \right) \times 100 = 85.35\%$

G-4
(CONT.)

G-5

G-6

G-7

G-8

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The amount of GHG emissions that comprises the Project's fair share is clear. The reasonable lifespan this Project is approximately 30 years as indicated by the amortization of construction emissions. (DEIR, p. 4.8-27.) Therefore, the Project would likely contribute just under one million MTCO₂e during its entire lifespan.² This would be a good starting point from which to subtract the effect of additional non-offset mitigation measures, before implementing offset purchases.

In addition to implementing zero-emission vehicle fleets to the extent feasible, there are several on-site mitigation measures that are feasible, including solar water heaters and automatic light switches, among many other mitigation strategies that can be incorporated in the project as design features or as mitigation measures. Such features could be adopted individually or as part of a comprehensive goal of sustainable building certification, such as Leadership and Energy and Environmental Design (LEED), that extends further beyond CALGreen requirements.

Solar panel installation also presents a feasible mitigation measure. The County of Riverside Climate Action Plan (CAP) requires solar panel installation on new commercial buildings. These panels will help meet the minimum 20% energy demand requirement for onsite renewable energy. However, as previously stated, it is feasible to extend this requirement to cover 100% of the building's energy needs with renewable energy. This can be accomplished by installing solar panels across the entire roof. The EIR notes that the Site Plan already mandates the proposed warehouse be designed to accommodate solar panels. (DEIR, p. 4.8-28.), making installing solar panels capable of achieving a higher percentage of renewable energy achievable.

Overall, there are more options available to mitigate emissions to the full extent of project emissions.

Carbon Offsets are Feasible as Mitigation Measures

After requiring operational emissions reductions to the maximum-feasible extent, the County could also require the Applicant to purchase offsets for the Project's remaining GHG emissions. The County did not provide any evidence for why offsets would be infeasible. Overall, there are more options available to mitigate emissions to the full extent of project emissions, and the County failed to acknowledge or implement many mitigation measures that are feasible and could help reduce the Project's GHG impact to the fair share extent.

Offsets are acceptable mitigation measures under CEQA (Guidelines § 15126.4 (c)(3).) There are also many offset projects that are currently operating in California, including projects that are relevant to the Project's operations such as the Truck Stop Electrification project in California

² 33,130.16 MTCO₂e per year × 30 years = 993,904.8 MTCO₂e

G-7
(CONT.)

G-9

G-10

G-11

G-12



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(Project ID ACR133).³ Such offset programs are just examples of which the County could consider as feasible carbon offsets to reduce the Project's GHG impact.

↖ G-11
(CONT.)

Conclusion

The DEIR fails to require all feasible mitigation, despite concluding that the significant GHG impact will be unavoidable. The lead agency has not met its burden of showing that such measures are infeasible, and therefore the DEIR should be amended to reflect all feasible mitigation to the fair-share extent. Please put me on the interest list to receive updates about the progress of this Project. We make this request under Public Resources Code, section 21092.2.

↖ G-13

Sincerely,

Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment

³ American Carbon Registry (ACR), list of offset projects, available at <https://acr2.apx.com/myModule/rpt/myrpt.asp?r=111> (Accessed July 18, 2024).

↖ G-14

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Letter G Responses to Comments from Advocates for the Environment

G-1 In this introductory comment, the commenter provides an accurate summary of the proposed Project and states that they are submitting the following comments regarding the Project's Greenhouse Gas analysis. It should be noted that this comment letter was received on July 19, 2024, which was well beyond the close of the 45-day public review period for the DEIR, which closed on June 10, 2024; notwithstanding, responses to the individual concerns identified by this comment letter are provided below.

G-2 The commenter asserts that the Project's potential impacts due to GHG emissions should have relied on a net-zero significance threshold, asserts that developments of buildings contribute a large portion of global GHG emissions, notes that it is State policy to achieve net zero by 2045, identifies two residential developments in other parts of California that were able to achieve net zero, provides several citations to the California Air Resources Board (CARB) 2022 Scoping Plan, and again reasserts the commenter's opinion that the Project should be designed to be net zero.

First, while it is acknowledged that CARB has established a "net-zero" target for the State, there is no requirement for individual developments to achieve a net-zero GHG contribution on a project-by-project basis. The Project would conform with all existing and future applicable GHG emissions reductions policies and regulations and includes mitigation that would control and reduce GHG emissions to the extent feasible and consistent with Riverside County requirements. In this manner, the Project promotes attainment of CARB's statewide net-zero target. In addition, it is noted that the two developments cited by this commenter as achieving net zero emissions both consist of mixed-use residential development projects, and neither of these developments include warehouse uses.

The commenter is referred to DEIR Table 4.8-4, which shows that 85.4% of the Project's overall GHG emissions would be due to mobile source emissions. Neither the Project Applicant nor Riverside County have the ability to regulate emissions from tailpipes, as the federal government and the State of California are the only entities capable of regulating tailpipe emissions. Moreover, it would not be feasible to impose a requirement that all of the Project's heavy-duty trucks must be fully electric vehicles.

The commenter also is referred to the response to Comment A-11. As noted therein, there is not enough electrical grid power to sustainably charge these trucks. For example, one trucking company tried to electrify just 30 trucks at a terminal in Joliet, Illinois. Shortly after this plan began, local officials shut it down, commenting that it would draw more electricity than is needed to power the entire city.⁸⁴ Even more relevant, a California company attempted to electrify 12 forklifts, which require significantly less power than trucks. Local power utilities told the California company that it was not possible.⁸⁵ In a May 2023 report by Resources for the Future, titled *Medium- and Heavy-*

⁸⁴ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁸⁵ *Id.*



Duty Vehicle Electrification: Challenges, Policy Solutions, and Open Research Questions, the report states that medium- and heavy-duty electric vehicles (“MHDEVs”) charging (which may exceed several megawatts [MWs] of demand for large fleets) could destabilize electricity distribution systems. Additionally, due to logistical and operational barriers, MHDEVs must be comparable to diesel vehicles in model options, range, recharge time, payloads, and maintenance.⁸⁶ However, considering current technologies, MHDEVs generally have ranges below 200 miles, versus more than 1,000 miles for diesel vehicles.⁸⁷ Additionally, recharge times are substantially longer than diesel refueling. For example, a clean diesel truck can spend 15 minutes fueling anywhere in the country and then travel about 1,200 miles before fueling again.⁸⁸ In contrast, today’s long-haul battery electric trucks have a range of about 150-330 miles and can take up to 10 hours to charge.⁸⁹ Moreover, fleets without a charging depot will need to rely on public charging stations. In addition to the barriers described above, zero-emission trucks are much more costly to fleet owners. A new, clean-diesel long-haul tractor typically costs in the range of \$180,000 to \$200,000.⁹⁰ Meanwhile, a comparable battery-electric tractor – with a quarter of the range and thus requiring frequent and long hours of charging – costs upwards of \$480,000.^{91,92} In addition, each charging station installation can exceed \$100,000⁹³ and public charging stations and required infrastructure for such charging is not widely available.⁹⁴

Additionally, there is a significant constraint in sourcing enough raw minerals needed to produce the lithium-ion batteries used in zero-emission trucks. For example, tens of millions of tons of cobalt, graphite, lithium, and nickel will need to be produced.⁹⁵ It is estimated that it could take up to 35 years to acquire all the minerals needed to generate enough truck batteries for current levels of global production.⁹⁶ Additionally, expanding capacity and sourcing this amount of material creates environmental effects, that in some respects could exceed the emissions of current clean-diesel trucks.⁹⁷

California’s zero-emission trucking regulations have been challenged by numerous other states as an unconstitutional restraint on interstate commerce, and are at least partially unenforceable while the legal challenges are pending, and could ultimately be determined to be unlawful. Finally, IID is already challenged to provide electrical capacity to the local area, and aggressive implementation of

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ https://media.rff.org/documents/Report_23-03_v3.pdf

⁹⁴ <https://www.ccjdigital.com/alternative-power/battery-electric/article/15545697/charging-forward-with-electric-truck-charging-stations>

⁹⁵ <https://www.trucking.org/news-insights/heavy-dose-reality-electric-truck-mandates>

⁹⁶ *Id.*

⁹⁷ *Id.*



EV truck charging would exacerbate IID's challenges in providing additional capacity (refer to IID's comment letter D). Accordingly, because fully electric trucks are not feasible at this time for the reasons noted above, and because the vast majority of the Project's GHG emissions would be generated from mobile sources, it can be concluded that there are no feasible mitigation measures available to reduce the Project's GHG impacts to below a level of significance beyond what already is required by the mitigation measures presented in EIR Subsections 4.3 and 4.8.

There are no additional feasible mitigation measures available to reduce the Project's GHG impacts to below a level of significance. Furthermore, the commenter's suggestion to adopt and implement a County-wide "net-zero GHG emission threshold" is beyond the scope of the Project and the Project's DEIR. Therefore, as it would not be feasible to design the Project to achieve net zero emissions, no revision to the DEIR is warranted pursuant to this comment.

- G-3** The commenter accurately provides the Project's GHG emissions. The commenter states that the DEIR does not provide a quantitative estimate of the effectiveness of the proposed Project mitigation and does not provide evidence that no further feasible mitigation is available. The commenter asserts that the DEIR does not provide rationale as to why existing regulations and the proposed mitigation measures would be the only feasible mitigation for the Project. The commenter states that other GHG mitigation measures are available and concludes that the DEIR should include additional mitigation to reduce GHG emissions to the extent required by CEQA.

First, and as indicated in the discussions of Threshold a. in DEIR Subsection 4.8.8, the DEIR concluded that the Project's impacts due to GHG emissions would be significant and unavoidable even after the implementation of mitigation measures. As discussed therein:

"Implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 would ensure that the proposed Project is fully consistent with the Riverside County CAP Update (November 2019) by requiring the Project Applicant to demonstrate that implementing building permit applications have incorporated measures to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and by requiring future that future building permit applications demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site pursuant to CAP measure R2-CE1. Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update qualifies as a 'Plan for the Reduction of Greenhouse Gas Emissions,' it could be concluded that the Project's GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 would serve to reduce the Project's GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project's level of GHG emissions following mitigation still would be



substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project's compliance with the CAP Update, the Project's GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available." (DEIR at pp. 4.8-30 and 4.8-31)

With respect to the commenter's statement that the DEIR did not disclose the Project's mitigated GHG impacts, there is no requirement under CEQA that the DEIR precisely enumerate or quantify effects of Project GHG mitigation measures, and such quantification is not required in order for decision-makers to understand the potential environmental implications of the Project. Furthermore, DEIR Mitigation Measure MM 4.8-1 requires the Project Applicant to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables (CAP Update Appendix D), but Mitigation Measure MM 4.8-1 also provides flexibility in the selection of specific measures from the CAP Update Screening Tables. For this reason, a precise calculation of the level of GHG reductions cannot be prepared at this time, as it currently is unknown which of the CAP measures ultimately would be implemented as part of future building permits in order to achieve the required minimum 100 points. Additionally, and as noted in the above-cited quote from DEIR Subsection 4.8.8, implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 would ensure that the Project is fully compliant with the CAP Update requirements. As noted in Appendix D to the CAP Update:

"The County of Riverside Climate Action Plan Update (CAP Update) includes reducing 525,511 metric tons of carbon dioxide equivalents (MT CO₂e) by 2030 and 2,982,947 MT CO₂e by 2050 from an Adjusted Business As Usual (ABAU) forecast. These targets are consistent with the State's recommended emission reduction goals of 40 percent reduction below 2008 levels by 2030, and an 83 percent reduction below 2008 levels by 2050...The Screening Tables can be used by the County of Riverside Planning Department for review of development projects in order to ensure that the specific implementation measures in the CAP Update are applied as part of the CEQA process for development projects. The Screening Tables provide a menu of options that ensures both implementation of the measures and flexibility on how development projects will implement the measures to achieve an overall reduction of emissions, consistent with the reduction targets in the CAP Update. (Riverside County, 2019, Appendix D, p. 1)

"The Screening Tables assign points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the County's CAP Update. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions." (Riverside County, 2019, Appendix D, p. 7)



Thus, while the Project's specific reductions in GHG emissions with implementation of DEIR Mitigation Measures MM 4.8-1 cannot be accurately calculated at this time, because the Project would be consistent with the CAP Update requirements following implementation of Mitigation Measure MM 4.8-1 and MM 4.8-2, the Project would assist the County in achieving its target GHG reductions in accordance with State requirements through 2050.

Although a precise calculation of the Project's level of mitigated GHG emissions cannot be provided at this time for the reasons noted above, in order to generally provide an estimate of the Project's GHG reductions assuming compliance with the Riverside County CAP Update Screening Table measures, a generic calculation was conducted by Urban Crossroads based on information provided in Appendix D to the CAP Update. For commercial and industrial projects, and as noted in Appendix D to the CAP Update Screening Tables, it is estimated that each CAP checklist point would result in a reduction of 0.0322 MTCO₂e per 1,000 square feet of building area (Riverside County, 2019, p. D-1 of Appendix D to CAP Update Appendix D). As required by EIR Mitigation Measure MM 4.8-1, the Project would achieve a minimum of 100 points pursuant to the CAP Update Screening Tables. Based on a building area of 1,238,992 square feet, implementation of these CAP checklist items would be expected to result in a reduction of approximately 3,989.55 MTCO₂e per year. Additionally, implementation of measure R2-CE1 (which requires a 20% offset in energy demand) would result in a reduction of approximately 174.60 MTCO₂e per year. The total reduction associated with implementation of the CAP compliance mitigation measure would be approximately 4,164.15 MTCO₂e per year.

Furthermore, while this comment alleges that additional feasible mitigation measures are available to further reduce the Project's impacts due to GHGs, no such mitigation measures are identified by this comment letter, other than the purchase of carbon offsets (which is addressed separately in the responses to Comments G-7 and G-11). As the County is not aware of any additional feasible mitigation measures that would measurably reduce the Project's level of GHG emissions, no revision to the DEIR is warranted pursuant to this comment.

Thus, irrespective of the level of GHG reductions that ultimately would be achieved by the Project, because the Project would be consistent with the CAP Update requirements following implementation of Mitigation Measure MM 4.8-1 and MM 4.8-2 (as modified/supplemented by this Final EIR; refer to Table F-2), the Project would assist the County in achieving its target GHG reductions in accordance with State requirements through 2050. Notwithstanding, and as noted above, the DEIR conservatively determined that the Project's GHG impacts still would be significant and unavoidable even after the implementation of mitigation. No revision to the DEIR is warranted pursuant to this comment.

- G-4** The commenter asserts that the conclusion that the Project would not be able to achieve mitigation beyond the two measures proposed is not supported by substantial evidence. The commenter states that the County did not specify any infeasible mitigation measures when concluding the Project's GHG impact would be significant and unavoidable and also did not provide reasoning that the



proposed mitigation measures represent the maximum feasible mitigation. It is noted that with exception of the commenter's recommendation to utilize a net-zero threshold (which is addressed in the response to Comment G-2) and the suggestion to purchase of carbon offsets (which is addressed separately in the responses to Comments G-7 and G-11), this comment letter does not identify or recommend any feasible mitigation measures that could measurably reduce the Project's GHG emissions, and there is no evidence that such additional mitigation measures are available. As this comment letter does not identify any feasible mitigation measures that could measurably serve to reduce the Project's significant and unavoidable impacts due to GHG emissions, no revision to the DEIR is warranted pursuant to this comment.

- G-5** The commenter recommends that the Project's Mitigation Measure MM 2.8-2 (which is understood to refer to Mitigation Measure MM 4.8-2) should be modified to require that 100% of the building's energy demands come from renewable energy production in order to make it a more effective mitigation measure that would decrease GHG emissions overall. The commenter states that there is no evidence that it would be infeasible to go beyond the 20% minimum requirement, and asserts that additional mitigation should be required for the Project's mobile-source emissions, which comprise the majority of the Project's anticipated GHG emissions. First, and as noted by this comment, the majority (85.4%) of the Project's GHG emissions would be due to mobile-source emissions, and the provision of solar panels sufficient to meet 100% of the building's energy demand would have no effect on the level of air quality or GHG emissions associated with Project-related traffic. Furthermore, neither the Project Applicant nor Riverside County have the ability to regulate emissions from tailpipes, as the federal government and the State of California are the only entities capable of regulating tailpipe emissions. With respect to the commenter's assertion that the Project should be designed to meet 100% of the building's energy demands through on-site renewable energy production, the Project would be fully consistent with the CAP Update requirements following implementation of Mitigation Measure MM 4.8-1 and MM 4.8-2, and the CAP Update does not include any requirement to achieve 100% of a project's energy demands from renewable resources. Notwithstanding, Mitigation Measure MM 4.8-2 has been revised as part of this Final EIR to require the Project to accommodate the maximum number of rooftop solar panels as is feasible given physical and regulatory constraints (refer to Table F-2 for a summary of revisions made as part of this Final EIR). As documented in DEIR Subsection 4.8 and in the response to Comment G-3, the Project would assist the County in achieving its target GHG reductions in accordance with State requirements through 2050, and the County's CAP Update does not rely on on-site generation equal to 100% of a building's energy demands in order to meet this target. Furthermore, the building's rooftop would not have sufficient space for solar panels necessary to achieve 100% of its energy demands from solar panels due to the need to accommodate other requirements, such as applicable Building Code requirements, clearance requirements around skylights and roof-mounted equipment, SCE interconnection regulations, transformer capacity, and other applicable code compliance constraints. Accordingly, the County finds that a requirement to achieve 100% of the building's energy demands through on-site renewable energy production would be infeasible, and no revision to the DEIR is warranted pursuant to this comment.



- G-6** The commenter identifies a recommended mitigation measure mandating that the applicant's lease agreements include clauses limiting the use of heavy-duty diesel trucks or requiring tenants' vehicle fleets to use non-diesel fuels. The commenter further asserts that the applicant should be required to enter into an agreement for a zero-emission heavy-duty truck fleet to the extent feasible and also maintain a charging system for the fleet which is powered by solar panels on the Project site. With respect to the commenter's assertion that all Project trucks should consist of zero-emission vehicles, the commenter is referred to the response to Comment G-2 which explains why such a requirement is not feasible at this time. With respect to a requirement for non-diesel trucks, while natural gas-powered trucks can solve many of the limitations that currently make battery electric trucks infeasible, natural gas-powered trucks that meet CARB's 0.02 g/BHP-hr NO_x standard currently are in limited supply, and suffer from increased cost and limited refueling options compared to conventional diesel-powered trucks. Compared to conventional diesel trucks, the upfront cost of a compressed natural gas (CNG) truck is approximately \$10,000 higher, and this cost is significantly higher for liquefied natural gas (LNG) trucks⁹⁸. While refueling infrastructure for CNG and LNG trucks is more mature than charging stations for battery electric trucks, there remains significantly fewer refueling options compared to diesel. It is estimated that there are currently approximately 200 public-access CNG refueling stations in California, Nevada, and Arizona, with significantly fewer available for LNG trucks⁹⁹. Another potential issue with natural gas trucks is that challenges remain in meeting CARB's 0.02 g/BHP-hr NO_x emissions standard. According to a recent study funded by the South Coast Air Quality Management District (SCAQMD), the California Energy Commission (CEC), the California Air Resources Board (CARB) and SoCal Gas, a majority of natural gas trucks that were certified to meet the 0.02 g/BHP-hr NO_x standard failed to meet achieve this standard in real-world use, and NO_x emissions increased significantly as the engines and aftertreatment devices aged¹⁰⁰. In order to address these increased emissions and the potential for these trucks to become high emitters as they age, CARB implemented the Heavy-Duty Inspection and Maintenance (HD I/M) program for trucks. These factors introduce the potential for increased downtime and maintenance costs for natural gas trucks compared to their diesel-powered counterparts. Additionally, trucks powered by hydrogen also would not be feasible at this time. According to the Department of Energy (DoE) Alternative Fuels data center, the nearest fueling station for hydrogen-powered vehicles is located at 616 Paseo Grande in the City of Corona, or approximately 77.8 roadway miles from the Project site¹⁰¹. As further noted by the DoE's Office of Energy Efficiency & Renewable Energy, the use of hydrogen fuel cells also is limited due to current fuel cell costs and durability; due to lack of hydrogen storage facilities; and a lack of hydrogen production and delivery¹⁰². Accordingly, for the foregoing reasons the County finds that a requirement that all Project trucks must be fueled by non-diesel sources would not be feasible at this time, and as such no revision to the DEIR is warranted pursuant to this comment.

⁹⁸ <https://theicct.org/sites/default/files/publications/low-nox-hdvs-compared-sept21.pdf>

⁹⁹ <https://ca-cta.org/renewable-transportation-fuels/fueling-options/>

¹⁰⁰ https://ww2.arb.ca.gov/sites/default/files/2021-04/Natural_Gas_HD_Engines_Fact_Sheet.pdf

¹⁰¹ https://afdc.energy.gov/fuels/hydrogen_stations.html

¹⁰² <https://www.energy.gov/eere/fuelcells/technology-validation>



G-7 The commenter asserts that CEQA requires fair-share mitigation for cumulatively-considerable impacts, calculates the Project's total emissions over a 30-year period, and asserts that the Project's level of unmitigated GHG emissions should be used to determine appropriate additional mitigation measures before implementing offset purchases. There is no established or viable mechanism for the Project Applicant to purchase carbon emissions offsets. Although it is generally true that it is possible to purchase carbon offsets, recent Court of Appeal decisions have cast considerable doubt on the use of such offsets to mitigate GHG impacts from land use development projects. In *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, the Court of Appeal invalidated a mitigation measure that required the purchase of offsets from a "CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard." (Id. at 510.) Although the court insisted its decision "should not be construed as blanket prohibition on using carbon offsets" to mitigate GHG emissions under CEQA, it found numerous flaws with the measure at issue and failed to provide a clear roadmap for how to craft a similar valid measure. The court also declined to express an opinion on a number of issues, including whether offsets could potentially be used to mitigate more than 8 percent of a project's emissions and the extent to which out-of-county offsets could be used. (Id. at 503, 513, n. 27.) Subsequent to *Golden Door*, another measure requiring the purchase of offsets was similarly found to be invalid in an unpublished Court of Appeal decision, with the court finding the measure's inclusion of additional standards for offsets did "not cure the defects found in *Golden Door*." (*Sierra Club v. County of San Diego* (Dec. 21, 2021, No. D077548) 2021 WL 6050624, at *11.) In light of such uncertainty, the County finds that carbon offsets are not a feasible method for mitigating the Project's GHG emissions.

In addition, it should be noted that the vast majority of emissions that would be generated by the Project, including mobile emissions and energy emissions, are subject to the California Cap and Trade program, which places an economy-wide "cap" on major sources of greenhouse gas (GHG) emissions, such as refineries, power plants, industrial facilities and transportation fuels. For example, "Fuel suppliers' are responsible for the carbon pollution from fuels under the Cap-and-Trade Program" and thus must acquire "allowances" to cover all carbon pollution from such fuels¹⁰³. They may also purchase certain approved offsets to fulfill up to 8 percent of their compliance obligation. (See *Golden Door* at 485.) Given the vast majority of the emissions that would be generated by the Project are covered by Cap and Trade and thus are already subject to a regulatory program that includes offsets, the County finds it would be inappropriate and infeasible to use offsets to mitigate such emissions. Rather, mitigation measures should focus on reducing emissions from the Project.

Indeed, *Golden Door* and other cases make clear that the purchase of offsets is not a substitute for avoiding emissions and that measures that result in actual reductions in emissions from a development project are preferable to attempting to offset emissions via offsets. Thus, the DEIR requires that the Project implement numerous mitigation measures designed to reduce the Project's GHG emissions. (See, Final EIR p. 4.8-30 [Mitigation Measures 4.8-1 through 4.8-4]; see also, Final EIR at pp. 4.3-

¹⁰³ California Air Resources Board, FAQ for Fuel Purchasers. https://ww2.arb.ca.gov/sites/default/files/cap-and-trade/guidance/faq_fuel_purchasers.pdf



54 through -58 [Mitigation Measures 4.3-1 through 4.3-10].) Further, the County has carefully considered comments suggesting revisions to the DEIR's mitigation measures, and has made several modifications as summarized in Table F-2, *Errata Table of Additions, Corrections, and Revisions*. With the revisions to the required mitigation measures for Air Quality and GHG emissions as described herein and in Table F-2, the County has determined that all feasible mitigation measures have been incorporated into the Final EIR. The proposed revisions to the required mitigation would result in fewer emissions than disclosed in the DEIR; however, the Project's contribution to cumulative GHG impacts still would remain significant and unavoidable. For the reasons discussed above, the County's experts disagree that the purchase of carbon offsets is a feasible or appropriate way to mitigate the Project's remaining GHG emissions.

- G-8** The footnote to Comment G-5 is acknowledged, which provides a calculation for how the commenter derived the Project's estimated GHG impact from mobile emissions. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment G-5.
- G-9** The commenter provides examples of additional on-site mitigation measures that could be implemented including solar water heaters, automatic light switches, solar panel installation, and LEED certification. The commenter states that 100% of the building's energy needs could be met by installing solar panels across the entire roof. The commenter states that the proposed warehouse already is designed to accommodate solar panels and thus a higher percentage of renewable energy is achievable. With respect to the portion of this comment relating to 100% on-site rooftop solar panels, the commenter is referred to the response to Comment G-5, which explains why it would not be feasible to impose such a requirement. With respect to the commenter's request to use solar water heaters, any water heaters in the proposed warehouse buildings would be associated with the office portions of the warehouse building, and pursuant to Mitigation Measure MM 4.8-2 (as revised/supplemented by this Final EIR; refer to Table F-2) the proposed building to be designed to accommodate renewable energy production through the provision of the maximum number of solar panels on the roof of the warehouse building in order to exceed the requirement of Climate Action Plan (CAP) Measure R2-CE1 to accommodate at least 20% of the Project's energy demand (as discussed in further detail in the response to Comment G-5). Mitigation included in the DEIR also includes requirements that the Project incorporate measures from the County's CAP Update screening tables as needed to achieve a minimum of 100 points (refer to DEIR Mitigation Measure MM 4.8-1). Additionally, the Project would comply with CALGreen mandates noted by the commenter. With respect to the commenter's suggestion to require the provision of automatic light switches, the provision of automatic light switches already is a requirement of the California Energy Commission's (CEC) Building Energy Efficiency Standards (California Code of Regulations [CCR] Title 24, Parts 6 and 11). With respect to the commenter's assertion that the Project should be required to meet LEED standards, the Project already is required to comply with the CEC 2022 Building Energy Efficiency Standards, which incorporate a number of measures included in LEED in addition to energy efficient requirements that go beyond LEED requirements. Furthermore, LEED standards only address area and energy source emissions, while 84.4% of the Project's GHG



emissions would be the result of vehicular traffic, and in particular truck traffic. Thus, LEED standards would not adequately address the Project's significant and unavoidable impacts due to GHG emissions, which primarily would result from Project-related vehicular traffic. As this comment does not identify any feasible mitigation measures that would measurably reduce the Project's GHG emissions and that are not already a requirement of the Project, no revision to the DEIR is warranted pursuant to this comment.

- G-10** The commenter again asserts that the Project should be designed to meet 100% of the Project's overall energy demands through rooftop solar panels. The commenter is referred to the response to Comment G-5, which explains why it would not be feasible to impose such a requirement. No further response is necessary.
- G-11** The commenter asserts that the County should require the Project Applicant to purchase offsites for the Project's remaining GHG emissions, and identifies a few offset projects currently operating in California. The commenter is referred to the response to Comment G-7. As noted therein, there is no established or viable mechanism for the Project Applicant to purchase carbon emissions offsets. Although it is generally true that it is possible to purchase carbon offsets, recent Court of Appeal decisions have cast considerable doubt on the use of such offsets to mitigate GHG impacts from land use development projects. In *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, the Court of Appeal invalidated a mitigation measure that required the purchase of offsets from a "CARB-approved registry, such as the Climate Action Reserve, the American Carbon Registry, and the Verified Carbon Standard." (Id. at 510.) Although the court insisted its decision "should not be construed as blanket prohibition on using carbon offsets" to mitigate GHG emissions under CEQA, it found numerous flaws with the measure at issue and failed to provide a clear roadmap for how to craft a similar valid measure. The court also declined to express an opinion on a number of issues, including whether offsets could potentially be used to mitigate more than 8 percent of a project's emissions and the extent to which out-of-county offsets could be used. (Id. at 503, 513, n. 27.) Subsequent to *Golden Door*, another measure requiring the purchase of offsets was similarly found to be invalid in an unpublished Court of Appeal decision, with the court finding the measure's inclusion of additional standards for offsets did "not cure the defects found in *Golden Door*." (*Sierra Club v. County of San Diego* (Dec. 21, 2021, No. D077548) 2021 WL 6050624, at *11.) In light of such uncertainty, the City finds that carbon offsets are not a feasible method for mitigating the Project's GHG emissions.

In addition, it should be noted that the vast majority of emissions that would be generated by the Project, including mobile emissions and energy emissions, are subject to the California Cap and Trade program, which places an economy-wide "cap" on major sources of greenhouse gas (GHG) emissions, such as refineries, power plants, industrial facilities and transportation fuels. For example, "Fuel suppliers' are responsible for the carbon pollution from fuels under the Cap-and-Trade



Program” and thus must acquire “allowances” to cover all carbon pollution from such fuels¹⁰⁴. They may also purchase certain approved offsets to fulfill up to 8 percent of their compliance obligation. (See *Golden Door* at 485.) Given the vast majority of the emissions that would be generated by the Project are covered by Cap and Trade and thus are already subject to a regulatory program that includes offsets, the City finds it would be inappropriate and infeasible to use offsets to mitigate such emissions. Rather, mitigation measures should focus on reducing emissions from the Project.

Indeed, *Golden Door* and other cases make clear that the purchase of offsets is not a substitute for avoiding emissions and that measures that result in actual reductions in emissions from a development project are preferable to attempting to offset emissions via offsets. Thus, the DEIR requires that the Project implement numerous mitigation measures designed to reduce the Project’s GHG emissions. (See, Final EIR pp. 4.8-30 [Mitigation Measures 4.8-1 through 4.8-4]; see also, Final EIR at pp. 4.3-54 through -58 [Mitigation Measures 4.3-1 through 4.3-10].) Further, the County has carefully considered comments suggesting revisions to the DEIR’s mitigation measures, and has made several modifications as summarized in Table F-2. With the revisions to the required mitigation measures for Air Quality and GHG emissions as described herein and in Table F-2, the County has determined that all feasible mitigation measures have been incorporated into the Final EIR. The proposed revisions to the required mitigation would result in fewer emissions than disclosed in the DEIR; however, the Project’s contribution to cumulative GHG impacts still would remain significant and unavoidable. For the reasons discussed above, the County’s experts disagree that the purchase of carbon offsets is a feasible or appropriate way to mitigate the Project’s remaining GHG emissions.

- G-12** The footnote to Comment G-7 is acknowledged, which provides a calculation for how the commenter derived the estimated lifetime GHG emissions of the Project. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the responses to Comment G-7.
- G-13** The commenter concludes the letter by again asserting that the DEIR fails to require all feasible mitigation and has not shown that other available measures are infeasible. The commenter requests that the DEIR is amended to reflect all feasible mitigation measures to the fair-share extent. The commenter requests to be added to the notification list. The commenter is referred to the responses to Comments G-2 through G-11, which are responsive to the individual concerns expressed by this comment letter.
- G-14** The footnote to Comment G-11 is acknowledged, which provides a link to the American Carbon Registry list of offset projects. As this footnote does not identify any deficiencies in the analyses presented in the DEIR, no revision to the DEIR is warranted pursuant to this footnote. Refer also to the response to Comment G-11.

¹⁰⁴ California Air Resources Board, FAQ for Fuel Purchasers. https://ww2.arb.ca.gov/sites/default/files/cap-and-trade/guidance/faq_fuel_purchasers.pdf



F.3 ADDITIONS, CORRECTIONS, AND REVISIONS TO THE DEIR

Substantive changes made to the text, tables, and/or exhibits of the DEIR in response to public comments on the DEIR are itemized in Table F-2, *Errata Table of Additions, Corrections, and Revisions*. Additions are shown in Table F-2 as underline text and deletions are shown as ~~stricken~~ text. No corrections or additions made to the DEIR are considered substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines § 15088.5.

Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
S-12, 13, 15, 16, 17, 24, 34, 35, 36 and 41	S.0	Revisions and additions have been made to Table S-1, <i>Summary of Impacts, Mitigation Measures, and Conclusions</i> , to reflect revisions made in the Final EIR as summarized in the remainder of this Table F-2.
3-17 through 3-19	3.5.3.D and Figures 3-11 and 3-12	<p>The maximum height of the proposed warehouse building has been raised by five (5) feet in comparison to the DEIR, increasing the range of building heights from 44 to 49 feet to 49 to 54 feet on p. 3-17 of the Final EIR, as follows:</p> <p style="padding-left: 40px;">The proposed building would range from 44-49 to <u>49-54</u> feet in height, with the taller portions of the building occurring at the corners of the building and at several locations along the longer sides of the building, and the shorter portions of the building occurring along the northern and southern sides of the building.</p> <p>In addition, Figures 3-11 and 3-12 of the Final EIR have been updated to depict the revised elevations with the increased height of five (5) feet.</p>
4.1-19	4.1.4	<p>The discussion of the Project's impacts to regional scenic resources has been revised to indicate a maximum height of the warehouse building of 54 feet, instead of 49 feet as stated in the DEIR. The analysis and conclusions were not affected, as the increased height of the warehouse building still would not obstruct views of regional visual resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area. The text was revised as follows:</p> <p style="padding-left: 40px;">The proposed warehouse building would have a maximum height of 49-54 feet above the proposed grade; however, the proposed building would not obstruct public views of regional scenic resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area.</p>
4.1-23	4.1.6	<p>The conclusion statement for Thresholds b. and c. has been modified to reflect the proposed increase in the height of the building by five (5) feet, as follows:</p> <p style="padding-left: 40px;"><u>Thresholds b. and c.: Less-than-Significant Impact.</u> There are no visually-prominent scenic resources within the Project site boundaries or its off-site improvement areas. The proposed warehouse building would not obstruct public views of regional scenic resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area and the mountains rise to high elevations</p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		whereas the height of the proposed building is only 49-54 feet. Proposed off-site road and electric utility line infrastructure would have no reasonable potential to obstruct views of scenic resources. Accordingly, the proposed Project would result in less-than-significant impacts to scenic resources, scenic vistas, and visual character.
S-12, 4.3-54	Table S-1 and 4.3.7	<p>Based on comments received on the DEIR expressing concern that the mitigation in the DEIR did not require the installation of any charging units for electric trucks, Mitigation Measure MM 4.3-1 has been revised as follows:</p> <p>MM 4.3-1 The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations Title 24 shall be provided. In addition, and to facilitate the possible future installation of infrastructure that would charge the batteries that power the motors of electric-powered trucks, the following shall be installed:</p> <p><u>a. At Shell building permit, an electrical room(s) and/or exterior area(s) of the site shall be designated where future electrical panels would be located for the purpose of supplying power to on-site charging facilities for electric powered trucks. Conduit shall be installed from this designated area where the panel would be located to the on-site location where the charging facilities would be located where electric-powered trucks would park and connect to charging facilities to charge the batteries that power the motors of the electric-powered trucks.</u></p> <p><u>b. At issuance of a building permit for Tenant Improvements, if the tenant is served by electric trucks, the electrical panel and charging units shall be installed, and the electrical wiring connections shall be made from the electrical panel to the charging units, and appropriate dock seals shall be installed. If the tenant is not served by electric trucks, this requirement shall not apply.</u></p>
S-12 and S-13; 4.3-54 and -55	Table S-1 and 4.3.7	<p>In order to promote the use of Electric Vehicles (EVs), Mitigation Measure MM 4.3-2 has been revised to require future implementing building permits to accommodate more EV passenger vehicle parking spaces than is otherwise required pursuant to CALGreen, as follows:</p> <p>MM 4.3-2 Prior to final building inspectionissuance of building permits for future uses on site, the Riverside County <u>Building & Safety Department shall verify that designated carpool parking stalls are installed and designated per the provisions of the California Green Building Standards Code.</u></p> <p><u>Prior to issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of all necessary raceways, conduit, and related appurtenances for Electric Vehicle (EV) ready passenger vehicle parking spaces that exceeds the minimum number of EV-ready spaces required by the</u></p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<p><u>California Code of Regulations (CCR) Title 24 (CALGreen). Verification of installation shall occur prior to final building inspection for the warehouse building.</u></p> <p><u>Prior to the issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of an electrical room(s) appropriately sized to hold electrical panel(s) capable of supporting future rooftop solar needs and future EV charging stations at a minimum of 5 percent of the passenger car parking spaces.</u>passenger car Electric Vehicle (EV) charging stations and designated carpool parking stalls have been accommodated per the provisions of the California Green Building Standards Code and shall verify that the plans require that each building be constructed with an adequately sized electrical panel(s) and conduit to accommodate future EV charging stations at a minimum of 5 percent of the passenger car parking spaces.</p>
S-13 and S-14, 4.3-55	Table S-1 and 4.3.7	<p>Based on comments received on the DEIR urging that future tenants of the Project transition to the use of zero-emission trucks, Mitigation Measure MM 4.3-4 has been revised as follows:</p> <p>MM 4.3-4 In order to promote alternative fuels, and help support lower air pollutants associated with truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD's Carl Moyer Program, <u>CARB's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), and/or</u> other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. Tenants shall be notified about 1) grant programs for diesel-fueled vehicle engine retrofit and/or replacement; 2) designated truck parking locations in the project vicinity; 3) access to alternative fueling and charging stations proximate to the site that supply electric charging infrastructure or compressed natural gas; and 5) the United States Environmental Protection Agency's SmartWay program.</p>
S-15 and S-16, 4.3-56	Table S-1 and 4.3.7	<p>Based on comments received on the DEIR expressing concern that the Project would allow for heavy-duty trucks with older, outdated, and higher-polluting engines, provision a. of DEIR Mitigation Measure MM 4.3-6 has been added,</p> <p><u>a. Facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel-fueled Medium-Heavy Duty Trucks ("MHDT") and Heavy-Heavy Duty ("HHD") trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB compliant 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County.</u></p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
S-16 and 4.3-56	Table S-1 and 4.3.7	Based on comments received on the DEIR urging the County to further restrict the amount of idling of truck engines that could occur on site, provision e. of Mitigation Measure MM 4.3-6 (provision d in the DEIR) has been modified, as follows: <u>de.</u> Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five-three (3) minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.
S-17 and 4.3-57	Table S-1 and 4.3.7	In response to comments expressing concern that Project-related trucks may utilize local roads in the vicinity to access the I-10 freeway and other major roadways in the area, a new mitigation measure, Mitigation Measure MM 4.3-9, has been added, as follows: <u>MM 4.3-9 Prior to issuance of building permits, Riverside County shall ensure that the building plans include a note requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Prior to final building inspection, the County shall verify that the required signage has been posted. The requirement to utilize Rio del Sol to access these facilities also shall be specified in future lease or sales agreements issued to prospective tenants.</u>
S-17 and S-18; 4.3-58	Table S-1 and 4.3.7	In response to comments expressing concern that the Project ultimately could accommodate more than the 247,798 s.f. of high-cube cold storage warehouse uses anticipated by the DEIR, Mitigation Measure MM 4.3-10 has been added to restrict the maximum building area dedicated to high-cube cold storage warehouse uses: <u>MM 4.3-10 Prior to issuance of building permits, Riverside County shall ensure that the plans do not accommodate more than 247,798 s.f. of high-cube cold storage uses within the Project's proposed warehouse building.</u>
4.3-58	4.3.8	The conclusion statements in DEIR Subsection 4.3.8 have been updated to reflect the addition of new Mitigation Measures MM 4.3-9 and MM 4.3-10, as follows: Threshold a.: Significant and Unavoidable Direct and Cumulatively Considerable Impact. As discussed below under the discussion of Threshold b., implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, which would reduce the Project's near-term construction-related impacts due to NOX emissions to below a level of significance (as shown in Table 4.3-16). Thus, with the required mitigation, Project construction-related emissions would not conflict with the SCAQMD AQMP. However, while implementation of Mitigation Measures MM 4.3-1 through MM 4.3-10 MM 4.3-7 would reduce the long-term air quality emissions of the Project, the identified mitigation would not reduce the Project's operational-source NOX and VOC emissions to a level below SCAQMD regional thresholds of significance. Additionally,



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<p>although approval of the Project's proposed GPA 220004 would ensure the Project's land uses are fully consistent with the General Plan land use designations for the property, because the Project would result in operational VOC and NOX emissions that would exceed the SCAQMD Regional Thresholds, the Project would be inconsistent with the AQMP land use assumptions for the Project site. Thus, Project's direct and cumulatively-considerable impacts due to a conflict with or obstruction of the SCAQMD 2022 AQMP would represent a significant and unavoidable impact for which additional mitigation measures are not available.</p> <p><u>Threshold b.: Significant and Unavoidable Direct and Cumulatively Considerable Impact.</u> As shown in Table 4.3-16, Overall Construction Emissions Summary (With Mitigation), implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, and would reduce the Project's construction-related emissions of NO_x to below the SCAQMD's Regional Threshold for this pollutant; thus, with implementation of the required mitigation, the Project's construction-related regional air quality emissions impact would be reduced to less-than-significant levels.</p> <p>Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-10MM 4.3-7 would reduce the Project's long-term air quality emissions, although the exact reduction amount cannot be quantified. For some measures</p>
4.4-8	4.4.1.C.2	<p>Based on comments received from the CDFW and Sierra Club, the characterization of the burrowing owl's potential to occur within the Survey Area has been changed from "low" to "low-to-moderate," as follows:</p> <p>No burrowing owl, burrowing owl sign, or suitable burrows were observed within the Survey Area during the general biological survey. Burrowing owl has a low-to-moderate potential to occur within the Survey Area based on the lack of suitable burrows.</p>
4.4-42 and -43	4.4.7	<p>Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-1 has been updated to utilize the recommended mitigation language provided by the CDFW, as follows:</p> <p>MM 4.4-1 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require the <u>following: Project Applicant to retain a qualified biologist to perform a burrowing owl survey at all potentially suitable habitat sites within the Project's limits of disturbance within 30 days of the commencement of any ground-disturbing activities at the Project site, as discussed below.</u></p> <ul style="list-style-type: none"> <u>Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation prior to vegetation removal or ground-disturbing activities.</u>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<ul style="list-style-type: none">• <u>If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Management Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</u>• <u>Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.</u>Pre-Construction Survey: The pre-construction survey shall be performed by a qualified biologist that will survey the site for the presence/absence of burrowing owls within 30 days prior to commencement of ground disturbing activities at any portion of the Project site. If burrowing owls are detected on site during the pre-construction survey, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of the Coachella Valley Conservation Commission (CVCC) and Wildlife Agencies (i.e., CDFW and/or USFWS).



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<p>• Burrowing Owl Management Plan: In the event that burrowing owl is determined to be present, or in the event that an assumption is made that the burrowing owl occurs on site, a burrowing owl management plan shall be prepared and implemented in coordination with the CVCC and CDFW that shall detail the relocation of owls from the Project site, passively and/or actively. If additional site visits determine the species is absent, then the pre-construction survey (as discussed above) shall instead be implemented.</p> <p>The conditions of approval shall require that a copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Management Plan, if required, must be provided to the County of Riverside Planning Department for review and approval (in the case of the Burrowing Owl Management Plan) prior to any vegetation clearing and ground disturbance activities.</p>
4.4-43 and -44	4.4.7	<p>Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-2 has been updated to utilize the recommended mitigation language provided by the CDFW, as follows:</p> <p>MM 4.4-2 Prior to the issuance of grading permits for Plot Plan No. 220022, Riverside County shall condition the grading permit(s) to require the following. This note also shall be depicted on the Project's grading plans, and Project contractors shall be required to ensure compliance with this note and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. This note also shall be specified in bid documents issued to prospective construction contractors.</p> <p><i>“Vegetation clearing shall be conducted outside of the <u>peak</u> bird nesting season (generally February 1 through July 31) to the extent feasible. <u>Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If avoidance of the nesting season is not feasible, a nesting bird survey shall be conducted by a qualified biologist within no more than 72 hours of such scheduled disturbance, to determine the presence of nests or nesting birds. If active nests are identifiedfound during the pre-construction nesting bird surveys, a qualifiedthe biologist shall establish an appropriate nest buffers to be marked on the ground. around the vegetation (typically 500 feet for raptors and sensitive species, 300 feet for non-raptors/non-sensitive species). Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction</u></i></p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<p>activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The biologist shall review and verify compliance with these nesting boundaries and shall verify the nesting effort has finished. Work may resume within the buffer area when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds."</p>
4.4-45 and -46	4.4.7	<p>Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-6 has been added to EIR Subsection 4.4, as follows:</p> <p><u>MM 4.4-6</u> MM 4.4-6 Prior to issuance of a grading permit, a thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (see https://wildlife.ca.gov/Conservation/Plants) shall be performed in the grading disturbance boundary by a qualified biologist. Should any species of native plants designated as rare, threatened, or endangered by State law (excluding CVMSHCP Covered Species) be present in the Project area, grading shall not be permitted to commence in the area containing the species until the qualified biologist and Riverside County's Environmental Programs Department confer and agree upon a program for on-site or off-site habitat enhancement or restoration at a minimum 1:1 ratio and/or agree to off-site land acquisition, management, and preservation at a minimum 1:1 ratio to reduce impacts to less-than-significant levels. Implementation</p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<u>of the agreed-upon program shall be initiated prior to the issuance of a building permit and completion of the program shall occur prior to building final inspection prior to occupancy.</u>
4.4-46	4.4.7	Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-7 has been added to EIR Subsection 4.4, as follows: <u>MM 4.4-7 Throughout construction and the lifetime operations of the Project, the County of Riverside and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County of Riverside and Project proponent shall ensure that all lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County of Riverside and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.</u>
4.4-46	4.4.7	Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-8 has been added to EIR Subsection 4.4, as follows: <u>MM 4.4-8 Prior to vegetation removal or ground-disturbing activities, the Project Applicant and/or County of Riverside will collaborate with the Coachella Valley Conservation Commission to plan and implement a salvage of sand-dependent Covered Species within the Project site.</u>
4.4-46	4.4.7	Based on comments received from the Sierra Club, Mitigation Measure MM 4.4-8 has been added to EIR Subsection 4.4, as follows: <u>MM 4.4-9 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require a pre-construction survey(s) by a qualified biologist(s) for all special status wildlife species including but not limited to desert tortoise, Coachella Valley fringed toed lizard, Casey's June beetle, California red-legged frog, mountain yellow-legged frog, golden eagle, least Bell's vireo, and desert bighorn sheep. A copy of the results of the pre-construction survey(s) shall be provided to the County of Riverside Environmental Programs Department for review and approval prior to any vegetation clearing and ground disturbance activities. If any special status wildlife species are present, a qualified biologist shall implement clearance and exclusion measures approved by the Riverside County Environmental Programs Department prior to the commencement of ground disturbing activities.</u>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
4.5-17	4.5.6	<p>The discussion of significance of impacts before mitigation for Thresholds a and b in DEIR subsection 4.5.6 contained a minor error. The text has been revised as follows:</p> <p>No significant historical resources are located in the area that would be physically disturbed by the Project. Also, given the location of the site and its historic context, there is no reasonable potential that significant historical resources would be unearthed during Project-related construction activities. No impacts would occur be less than significant.</p>
4.5-20	4.5.8	<p>The discussion of significance of impacts after mitigation for Thresholds c and d in DEIR subsection 4.5.8 contained a minor error. The text has been revised as follows:</p> <p>Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-8 would ensure that any historical <u>archaeological</u> resources identified within the Project area during ground-disturbing activities are appropriately treated as directed by the County Archaeologist (and the Native American tribal representative, if any). Implementation of the required mitigation would reduce the Project's potential impacts to subsurface archaeological sites or resources to below a level of significance.</p>
4.6-25	4.6.6	<p>The discussion of significance of impacts before mitigation for Threshold b in DEIR subsection 4.6.6 contained an error. The text has been revised as follows:</p> <p>Energy consumed by the Project's operation is calculated to be comparable to, or less than, energy consumed by other single-family residential <u>light industrial</u> projects of similar scale and intensity that are operating in California, as the Project would be subject to current regulatory requirements, such as the 2022 version of Title 24, which was not in effect when most existing residential developments were constructed. Based on the analysis presented herein, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.</p>
4.8-30	4.8.7	<p>In response to comments received on the DEIR expressing concerns that there is no provision to prohibit the future building's use of natural gas, Mitigation Measure MM 4.8-3 has been added, as follows:</p> <p><u>MM 4.8-3 The use of natural gas as part of the operation of the Project's warehouse building is prohibited. Prior to issuance of building permits, Riverside County shall review the Project's building plans to ensure that the Project does not include any connections to natural gas lines in the local area, and the prohibition against the use of natural gas also shall be specified in any future sales agreements. If natural gas is proposed to be used other than for electricity generation, it may be permitted but only upon the submission and County approval of air quality and greenhouse gas emission calculations demonstrating that the use of natural gas will not result in air pollutant or greenhouse gas emissions above those reported in the Majestic Thousand Palms EIR.</u></p>
4.8-30	4.8.8	<p>Due to the addition of Mitigation Measure MM 4.8-3, the discussion of significance after mitigation in DEIR subsection 4.8.8 has been revised as follows:</p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		<p><u>Threshold a.: Significant and Unavoidable Cumulatively-Considerable Impact.</u> The Riverside County CAP Update (November 2019) qualifies as a “Plan for the Reduction of Greenhouse Gas Emissions,” pursuant to State CEQA Guidelines Section 15183.5(b). Pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), a lead agency may determine that a project’s incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program. Additionally, Tier 2 of the SCAQMD interim thresholds for GHG emissions indicates that if a project is consistent with a qualifying local GHG reduction plan, it would not result in a significant impact due to GHG emissions. The CAP Update evaluates and quantifies reductions out to Year 2030. The CAP Update states that “Through 2050, Riverside County would continue implementation of the Screening Tables. During this time, the reduction measures implemented through the Screening Tables would continue to reduce GHG missions from new development. Additionally, it is assumed that the State measures would keep being updated and reinforced to further reduce emissions. With these assumptions, Riverside County’s emissions would decrease to a level below the reduction target by 2050.” Implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 <u>through MM 4.8-3</u> would ensure that the proposed Project is fully consistent with the Riverside County CAP Update (November 2019) by requiring the Project Applicant to demonstrate that implementing building permit applications have incorporated measures to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and by requiring future that future building permit applications demonstrate that on site renewable energy production equal to at least 20% of the building’s energy demand has been accommodated on site pursuant to CAP measure R2-CE1, <u>and by ensuring that any use of natural gas associated with the Project’s warehouse building would not exceed the level of air quality and GHG emissions reported by this EIR.</u> Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update qualifies as a “Plan for the Reduction of Greenhouse Gas Emissions,” it could be concluded that the Project’s GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 <u>through MM 4.8-3</u> and MM 4.8-2 would serve to reduce the Project’s GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project’s level of GHG emissions following mitigation still would be substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project’s compliance with the CAP Update, the Project’s GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.</p> <p><u>Threshold b.: Less- Than-Significant Impact with Mitigation Incorporated.</u> Projects that garner at least 100 points through application of the CAP Update Screening Table measures are determined to be consistent with the reduction quantities anticipated in the</p>



Table F-2 Errata Table of Additions, Corrections, and Revisions

Revised DEIR Page(s)	Section(s)	Additions, Corrections, and Revisions
		County's GHG Technical Report, and consequently would be consistent with the CAP Update. Pursuant to Mitigation Measure MM 4.8-1, the Project Applicant would be required to implement Screening Table Measures that would provide a minimum of 100 points pursuant to the CAP Update Screening Tables (Appendix D to the CAP Update). In addition, pursuant to Mitigation Measure MM 4.8-2, future building permit applications would be required to demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site as required by CAP measure R2-CE1. Implementation of Mitigation Measure MM 4.8-4 would ensure that any natural gas used in the Project's warehouse building would not result in air quality or GHG emissions that exceed what has been evaluated and disclosed herein and in the Project's GHGA. With implementation of Mitigation Measures MM 4.8-1 through MM 4.8-3 and MM 4.8-2 , the Project would be fully consistent with the 2019 CAP Update. The CAP Update evaluates and quantifies reductions out to Year 2030. The CAP Update states that "Through 2050, Riverside County would continue implementation of the Screening Tables. During this time, the reduction measures implemented through the Screening Tables would continue to reduce GHG missions from new development. Additionally, it is assumed that the State measures would keep being updated and reinforced to further reduce emissions. With these assumptions, Riverside County's emissions would decrease to a level below the reduction target by 2050." Thus, compliance with the CAP Update would serve to meet and support the reduction targets established Senate Bill 32 and the CARB 2022 Scoping Plan. As such, with implementation of the required mitigation, Project impacts due to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be reduced to less-than-significant levels.
4.10-19	4.10.6	<p>The discussion of impacts before mitigation for Threshold h in DEIR subsection 4.10.6 contained an error. The text has been revised as follows:</p> <p><u>Threshold h.: Less-than-Significant Impact:</u> The Project would be required to obtain a CLOMR and LOMR from FEMA, which would ensure that the warehouse and electrical substation portions of the Project are removed from the mapped floodplain. With completion of the CLOMR and LOMR processes, the Project would not risk the release of pollutants due to site inundation from floods, and impacts would be less than significant. The Project site is located approximately 72 miles from the Pacific Ocean, and as such there is no potential for the Project site to be inundated with tsunamis. The Project site is situated at an elevated inland location and is not immediately adjacent to any impounded bodies of water, and the risk of seiches affecting the Project site are considered "negligible." As such, the Project would not be subject to inundation due to seiches, and no impacts would be be less than significant.</p>

F.4 NO RECIRCULATION OF THE DRAFT EIR REQUIRED

State CEQA Guidelines § 15088.5 describes the conditions under which a Draft EIR that was circulated for public review is required to be re-circulated for additional public review and comment. State CEQA Guidelines § 15088.5 states that new information added to a Draft EIR is not significant unless the Draft EIR is changed



in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
3. A feasible project alternative or mitigation measure considerably different from the others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; and/or
4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the comment letters received by the County of Riverside and the responses thereto (presented in Subsection F.2, above) and the minor revisions made to the DEIR (presented in Subsection ~~0F-3~~ F-3, above), there were no public comments that resulted in the identification of any new significant environmental effect or a substantial increase in the severity of an environmental effects beyond what was disclosed in the DEIR. The public comments also did not result in or require revisions to the text or graphics contained in the DEIR, beyond the minor revisions discussed in Table F-2. Additionally, the DEIR was fundamentally and basically adequate, and all conclusions within the DEIR were supported by evidence provided within the DEIR or the administrative record for the proposed Project. Furthermore, public comment letters on the DEIR did not identify any alternatives to the proposed Project considerably different from those analyzed in the DEIR that would substantially lessen the significant environmental impacts of the proposed Project while still attaining the Project's basic objectives. Based on the foregoing, recirculation of the DEIR is not warranted according to the guidance set forth in Section 15088.5 of the State CEQA Guidelines.



S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Draft Environmental Impact Report (EIR), having California State Clearinghouse (SCH) No. 2022110600, was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Project, which consists of applications for General Plan Amendment No. 220004 (GPA 220004), Change of Zone No. 2200013 (CZ 200013), and Plot Plan No. 220022 (PPT 220022) with associated off-site infrastructure improvements, which are collectively referred to herein as the "Project" or "proposed Project." This EIR does not recommend approval or denial of the proposed Project; rather, this EIR is a source of factual information regarding potential impacts that the Project may cause to the physical environment. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, the County of Riverside will consider certifying the Final EIR and adopting required findings.

This Executive Summary complies with CEQA Guidelines Section 15123, "Summary." This EIR includes a description of the proposed Project and evaluates the physical environmental effects that could result from Project implementation. Riverside County determined that the scope of this EIR should cover 21 subject areas. The scope includes all of the subject areas listed in Appendix G to the CEQA Guidelines and in consideration of public comment received by Riverside County in response to this EIR's Notice of Preparation (NOP). The NOP, and written comments received by Riverside County in response to the NOP, are attached to this EIR as *Technical Appendix A*. In consideration of public comment on the NOP, the 21 environmental subject areas that could be reasonably and significantly affected by planning, constructing, and/or operating the proposed Project are analyzed herein, including:

- | | |
|---------------------------------------|-----------------------------------|
| 1. Aesthetics | 12. Mineral Resources |
| 2. Agriculture and Forestry Resources | 13. Noise |
| 3. Air Quality | 14. Paleontological Resources |
| 4. Biological Resources | 15. Population and Housing |
| 5. Cultural Resources | 16. Public Services |
| 6. Energy | 17. Recreation |
| 7. Geology and Soils | 18. Transportation |
| 8. Greenhouse Gas Emissions | 19. Tribal Cultural Resources |
| 9. Hazards and Hazardous Materials | 20. Utilities and Service Systems |
| 10. Hydrology and Water Quality | 21. Wildfire |
| 11. Land Use and Planning | |



Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the subject matters listed above. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the approximate time this EIR's NOP was filed with the California State Clearinghouse (December 1, 2022), 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that the proposed Project may cause. A summary of the proposed Project's significant environmental impacts and the mitigation measures imposed by Riverside County on the Project to lessen or avoid those impacts is included in this Executive Summary as Table S-1, *Summary of Impacts, Mitigation Measures, and Conclusions*. Riverside County applies mitigation measures that it determines: 1) are feasible and practical for project applicants to implement; 2) are feasible and practical for Riverside County to monitor and enforce; 3) are legal for Riverside County to impose; 4) have an essential nexus to the Project's impacts; and 5) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

This EIR also discusses alternatives to the proposed Project. Alternatives are described that would attain most of the Project's objectives while avoiding or substantially lessening the proposed Project's significant adverse environmental effects. A full discussion of Project alternatives is found in Section 6.0, *Alternatives*.

S.2 PROJECT SYNOPSIS

S.2.1 LOCATION AND REGIONAL SETTING

The 83.0-acre Project site that is the subject of this EIR is located within the Thousand Palms community of unincorporated Riverside County, California, northeast of Interstate 10 (I-10). More specifically, as depicted on EIR Figure 2-2, the 83.0-acre Project site is located east of and abutting Rio del Sol, north of and abutting the future alignment of 30th Avenue, west of and abutting the future alignment of Robert Road, and south of 28th Avenue. The Project site encompasses Assessor's Parcel Numbers (APNs) 648-150-034 and 648-150-035. Under existing conditions, the Project site consists of vacant and undeveloped desert land. Land uses in the vicinity of the Project site include an existing recycling facility and vacant lands to the north of the Project site and the future alignment of Robert Road and undeveloped and agricultural lands to the east. Single family residences occur to the southeast of the Project site, with undeveloped and vacant lands and industrial uses to the south. To the west of the Project site are undeveloped and vacant lands as well as Varner Road. Refer to EIR Section 2.0 for a detailed description of local setting and surrounding land uses.

S.2.2 PROJECT OBJECTIVES

The underlying purpose of the Project is to develop an economically viable, employment-generating warehouse distribution center that is compatible with the surrounding area and in close proximity with the State Highway system. The Project would achieve its underlying purposed and goal through the following objectives.



- A. Increase employment-generating land uses north of I-10 in the Western Coachella Valley portion of unincorporated Riverside County.
- B. Strengthen the goods movement supply chain in the Western Coachella Valley portion of unincorporated Riverside County by locating a supply chain use close proximity to designated truck routes and the State highway system to avoid or shorten vehicular trip lengths on other roadways.
- C. Expand economic development, facilitate job creation, and increase the tax base in the Western Coachella Valley portion of unincorporated Riverside County by accommodating and diversifying facilities needed to support the goods movement supply chain.
- D. Increase the electric utility supply and delivery capacity for the Thousand Palms community.
- E. Provide a land use that is not sensitive to potential odor and windblown material as a transitional land use between an existing organic materials recycling facility and other businesses and residences in Thousand Palms to the south.

S.2.3 PROJECT SUMMARY DESCRIPTION

The County of Riverside is the Lead Agency for the proposed Project, under whose authority this EIR has been prepared. The proposed Project consists of applications for a general Plan Amendment (GPA 220004), Change of Zone (CZ 2200013), and Plot Plan (PPT 220022). Collectively, approval of these applications would allow for the development of a 1,238,992 square foot (s.f.) warehouse building and an Imperial Irrigation District (IID) joint electric substation on the 83.0-acre property. This EIR analyzes the physical effects associated with all components of the proposed Project, including planning, construction, and ongoing operation. Specifically, the Project Applicant is requesting the following governmental approvals from Riverside County to implement the Project (refer to Chapter 3.0, *Project Description*, for a complete description of the Project's construction and operational characteristics):

- **General Plan Amendment No. 220004 (GPA 220004)** is a proposal to modify the General Plan and Western Coachella Valley Area Plan (WCVAP) land uses designation on the eastern +/- half of the Project site from "Medium Density Residential (MDR)" to "Light Industrial (LI)." The western +/- half of the Project site would not be affected by GPA 220004 and would continue to be designated for LI land uses.
- **Change of Zone No. 2200013 (CZ 2200013)** is a proposal to change the zoning classification for the eastern +/- half of the Project site from "Residential – Agricultural (R-A)" to "Manufacturing – Service Commercial (M-SC)." The western +/- half of the Project site would not be affected by CZ 2200013 and would continue to be zoned for M-SC land uses.
- **Plot Plan No. 220022 (PPT 220022)** is a proposal for the development of the 83.0-acre property with a 1,238,992 s.f. warehouse building that includes 20,000 s.f. of office uses and 1,218,992 s.f. of warehouse space, as well as a 50 megawatt (MW) IID joint electric substation. Other proposed features



include landscaping, parking areas, docking doors, and frontage improvements along Rio del Sol Road and 30th Avenue. Off-site improvements required to implement the Project entail limited off-site road improvements including the paving of Robert Road between 30th Avenue and Del Norte Way and the installation of power poles supporting overhead lines between the proposed onsite IID substation and existing IID facilities.

S.3 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

CEQA Guidelines § 15123(b)(2) requires that areas of controversy known to the Lead Agency (Riverside County) be identified in the Executive Summary. Substantive issues raised in response to the NOP are summarized in Table 1-1 in EIR Section 1.0. The purpose of this table is to present the primary environmental issues of concern raised by public agencies and the general public during the NOP review period. The table is not intended to list every comment received by the County during the NOP review period. Regardless of whether or not a comment is listed in the table, all applicable comments received in responses to the NOP are addressed in this EIR. Based on comments received during the NOP review period, Project impacts to the environment under the issues of air quality, cultural resources, greenhouse gas (GHG) emissions, and tribal cultural resources were identified as potential areas of concern.

S.4 PROJECT ALTERNATIVE

S.4.1 NO DEVELOPMENT ALTERNATIVE (NDA)

The No Development Alternative (NDA) considers no development/disturbance on the Project site beyond that which occurs under existing conditions. As such, the Project site would continue to consist of 83.0 acres of vacant and undeveloped land. Under the NDA, no improvements would be made to the Project site and none of the Project's roadway, utility, or other infrastructure improvements would occur. This Alternative was selected by the Lead Agency to compare the environmental effects of the proposed Project with an alternative that would leave the Project site in its existing condition.

S.4.2 NO PROJECT (EXISTING GENERAL PLAN) ALTERNATIVE

The No Project (Existing General Plan) Alternative (NPA) assumes development of the 83.0-acre property in accordance with the site's existing General Plan land uses. The Project site is located within the WCVAP portion of the Riverside County General Plan. Figure 2-4 in EIR Subsection 2.0 depicts the site's existing General Plan land use designations. As shown, under existing conditions the eastern +/- 39.9 acres of the Project site are designated for "Medium Density Residential (MDR)" land uses, while the eastern +/- 43.1 acres of the Project site are designated for "Light Industrial (LI)" land uses. Based on the midpoint densities and probably intensities specified in Appendix E to the County's General Plan for residential and light industrial uses, the NPA would result in approximately 140 dwelling units within the eastern 39.9 acres of the Project site and approximately 570,741 s.f. of light industrial building area within the western portions of the Project site. Due to the reduction in the size of the proposed light industrial building, it is expected that no Imperial Irrigation District (IID) substation would need to be constructed on site. This Alternative was selected by the Lead Agency to compare the environmental effects of the proposed Project with an alternative that



would allow for buildout of the Project site in accordance with the site's existing General Plan land use designations.

S.4.3 REDUCED PROJECT ALTERNATIVE (RPA)

The Reduced Project Alternative (RPA) considers development of the 83.0-acre Project site with a smaller warehouse building than is proposed for the Project. Specifically, the RPA would allow for development of a 929,244 s.f. warehouse building in lieu of the 1,238,992 s.f. building proposed as part of the Project. The approximately 7.1 acres of the Project site that would not be developed with warehouse uses under the RPA instead would be developed with a truck trailer parking lot to serve the proposed on-site building as well as existing and future light industrial developments in the local area. As with the Project, under the RPA there would be approximately 2.5 acres on site that would be developed with a joint IID electric substation, and similar to the Project the RPA also would require the installation of power poles and power lines off site. This alternative was selected to allow the Lead Agency (Riverside County) to consider a design for the Project site that would reduce the Project's operational impacts to air quality, and impacts due to GHG emissions and VMT.

S.4.4 SMALL BUILDING ALTERNATIVE (SBA)

Pursuant to the County's Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled (December 2020), general light industrial developments with less than 179,000 s.f. of building area are presumed to result in a less-than-significant transportation impact due to VMT. Thus, this alternative was selected to allow the Lead Agency (Riverside County) to consider a design for the Project site that would avoid the Project's significant and unavoidable impact due to VMT. The Small Building Alternative (SBA) assumes the Project site would be developed with one warehouse building, but the proposed warehouse building would be reduced in size from approximately 1,238,992 s.f. under the proposed Project to approximately 175,000 s.f. under the SBA (representing a reduction in building area by approximately 85.9%). The portions of the warehouse lot not used for the building would be used for parking and trailer storage. Due to the significant reduction in the size of the building as compared to the proposed Project, it is anticipated that the IID joint electric substation would not need to be constructed on site under the SBA. All other components of the SBA would be the same as the proposed Project, including the proposed infrastructure and roadway improvements. This alternative was selected by the Lead Agency in order to evaluate an alternative that would avoid the Project's significant and unavoidable impacts to transportation, which in turn also would reduce the Project's significant and unavoidable impacts due to air quality and due to GHG emissions. The SBA is identified as the Environmentally Superior Alternative.

S.5 EIR PROCESS

As a first step in the CEQA compliance process, Riverside County determined that the proposed Project likely would result in significant environmental effects, and distributed a Notice of Preparation (NOP) for public review on December 1, 2022. An Initial Study was not prepared for the Project, and as such this EIR evaluates all of the environmental subject areas listed in Appendix G to the State CEQA Guidelines, as implemented by Riverside County. This EIR has been prepared as a Project EIR pursuant to State CEQA Guidelines § 15161. As described by State CEQA Guidelines § 15161, a Project EIR is the most common type of EIR that: 1)



examines the environmental impacts of a specific development project; 2) should focus primarily on the changes in the environment that would result from the development of the project; and 3) shall examine all phases of the project, including planning, construction, and operation.

This EIR represents the independent judgment of Riverside County (as the Lead Agency) and evaluates the physical environmental effects that could result from constructing and operating the proposed Project. Acting as Lead Agency, the County of Riverside will consider the following issues regarding the proposed Project: a) evaluation of this EIR to determine if the physical environmental impacts are adequately disclosed; b) assessment of the adequacy and feasibility of identified mitigation measures and the potential addition, modification to, or deletion of mitigation measures, standard conditions of approval, or Project design features; c) consideration of alternatives to the Project that would reduce or eliminate significant environmental effects of the Project; and, if necessary, d) consideration of Project benefits that override the Project's unavoidable and unmitigable significant effects on the environment.

Before taking action to approve the Project, the County of Riverside (serving as the Lead Agency) has the obligation to: (1) ensure this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects Riverside County's independent judgment; (4) ensure that all significant effects on the environment are avoided or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (State CEQA Guidelines §§ 15090-15093).

S.6 SUMMARY OF IMPACTS, MITIGATION MEASURES AND CONCLUSIONS

S.6.1 EFFECTS FOUND NOT TO BE SIGNIFICANT

An Initial Study was not prepared for the proposed Project because the County determined that an EIR clearly was required. As such, this EIR evaluates all of the environmental topics identified in Appendix G to the State CEQA Guidelines and in the County's standard Environmental Assessment Checklist form. There were no issues found to be not significant as a result of the Project's NOP process.

S.6.2 IMPACTS OF THE PROPOSED PROJECT

Table S-1, *Summary of Impacts, Mitigation Measures, and Conclusions*, provides a summary of the proposed Project's environmental impacts, as required by State CEQA Guidelines § 15123(a). Also presented are the mitigation measures recommended by Riverside County to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would result in significant and unavoidable environmental effects, as summarized below.

- Air Quality (AQMP Consistency): Significant and Unavoidable Direct and Cumulatively Considerable Impact. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-7 would reduce the long-term air quality emissions of the Project, but would not reduce the Project's operational-source NO_x and VOC emissions to a level below SCAQMD regional thresholds of



significance. Additionally, the Project's proposed land uses for the eastern +/- half of the Project site are not consistent with the growth forecasts included in the 2022 SCAQMD AQMP. Thus, Project's direct and cumulatively-considerable impacts due to a conflict with or obstruction of the SCAQMD 2022 AQMP would represent a significant and unavoidable impact for which additional mitigation measures are not available.

- Air Quality (Air Pollutant Emissions): Significant and Unavoidable Direct and Cumulatively Considerable Impact. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-7 would reduce the Project's long-term air quality emissions, although the exact reduction amount cannot be quantified. For some measures it would be overly speculative to quantify resulting emissions reductions. For instance, while the Project would install passenger car EV charging stations it cannot be determined how many zero emission vehicles would replace gasoline-fueled vehicles as a result. Additionally, in order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest at the Project must provide building occupants with information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles. Yet it cannot be reasonably predicted how many clean trucks would replace diesel-fueled trucks as a result. With other measures the reduction values cannot be quantified due to limitation in the modeling software, such as the requirement that all future cold storage warehousing be equipped with electrical hookups to eliminate idling of main and auxiliary engines during the loading and unloading process. Thus, even with implementation of these mitigation measures and with compliance with the anticipated regulations implemented by the EPA and CARB to improve truck efficiency, the estimated long-term emissions generated under full buildout of the proposed Project still would exceed the SCAQMD's regional operational significance threshold for VOCs and NO_x and would cumulatively contribute to the nonattainment designations in the SSAB for O₃. Additionally, the predominance of the Project's operational-source emissions would be generated by passenger cars and trucks accessing the Project site. Neither the Project Applicant nor the County have regulatory authority to control tailpipe or consumer product emissions, and no feasible mitigation measures beyond the measures identified herein exist that would reduce Project operational-source VOC or NO_x emissions to levels that are less than significant. Therefore, the proposed Project's operational emissions of VOCs and NO_x would represent a significant and unavoidable impact for which additional mitigation is not available.
- Greenhouse Gas Emissions: Significant and Unavoidable Cumulatively-Considerable Impact. Implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 would ensure that the proposed Project is fully consistent with the Riverside County CAP Update (November 2019) by requiring the Project Applicant to demonstrate that implementing building permit applications have incorporated measures to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, and by requiring future that future building permit applications demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site pursuant to CAP measure R2-CE1. Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update qualifies as a "Plan for the Reduction of Greenhouse Gas



Emissions,” it could be concluded that the Project’s GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 would serve to reduce the Project’s GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project’s level of GHG emissions following mitigation still would be substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project’s compliance with the CAP Update, the Project’s GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.

- Transportation (Vehicle Miles Traveled (VMT)): Significant and Unavoidable Direct and Cumulatively-Considerable Impact. The effectiveness of commute trip reduction measures to reduce VMT are human behavior based. In addition to specific tenancy considerations, locational context is also a major factor relevant to the potential effectiveness of VMT reduction measures. A project can only realize a quantifiable reduction in commute VMT under the most favorable circumstances and ideal local conditions, which are not present in the Project site’s context. Although Mitigation Measures MM 4.18-2 and MM 4.18-2 are aimed at reducing the Project’s VMT to the maximum practical extent, it is unlikely that the mitigation would reduce the Project’s Work VMT or Total VMT per employee to below the County’s threshold of significance. Accordingly, Project impacts due to VMT would represent a significant and unavoidable impact on both a direct and cumulatively-considerable basis.



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
4.1 Aesthetics					
<p><u>Threshold a:</u> The Project site is not located within the viewshed of any officially designated scenic highways. The Project would be developed in substantial conformance with its Plot Plan application materials, which would ensure that the Project is not visually offensive. Additionally, the Project would obstruct views of the existing recycling facility to the north, which could be perceived as a net benefit to existing views in surrounding areas. Therefore, development of the Project site as proposed would not have a substantial adverse effect on any officially-designated scenic highways and would result in less-than-significant impacts to nearby eligible scenic highways, including I-10.</p>	Less-than-Significant Impact	<p>RR 4.1-1 The Project is required to comply with Riverside County Ordinance No. 655, which restricts the use of certain light fixtures emitting light into the night sky which could have a detrimental effect on astronomical observation and research. Ordinance No. 655 sets forth requirements for lamp source and shielding of light emissions for outdoor fixtures to reduce “skyglow” or light pollution that affects day or nighttime views from the Mount Palomar Observatory (located approximately 22.9 miles southeast of the Project site in northern San Diego County). Pursuant to the requirements of Ordinance No. 655, all lighting shall consist of low-pressure sodium lighting, or other lamp types that emit 4050 lumens or less. If light fixtures are proposed above 4050 lumens, then the lighting shall be fully shielded in conformance with the requirements of Ordinance No. 655.</p>	Project Applicant, Future Building Occupants	As specified by Ordinance No. 655	As specified by Ordinance No. 655
<p><u>Thresholds b. and c.:</u> There are no visually-prominent scenic resources within the Project site boundaries or its off-site improvement areas. The proposed warehouse building would not obstruct public views of regional scenic resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area and the mountains rise to high elevations whereas the height of the proposed building is only 49 feet. Proposed off-site road and electric utility line infrastructure would have no reasonable potential to obstruct views of scenic resources. Accordingly, the proposed Project would result in less-than-significant impacts to scenic resources, scenic vistas, and visual character.</p>	Less-than-Significant Impact	<p>RR 4.1-2 The Project is required to comply with Riverside County Ordinance No. 915, which provides minimum requirements for outdoor lighting to reduce light trespass. Ordinance No. 915 provides regulations on adequate lighting shielding, glare, and light trespass to ensure all development in Riverside County installs lighting in a way that does not jeopardize the health, safety, or general welfare of Riverside County residents or degrade their quality of life.</p>	Project Applicant, Future Building Occupants	As specified by Ordinance No. 915	As specified by Ordinance No. 915
<p><u>Threshold d.:</u> Compliance with the provisions of County Ordinance No. 655 would be assured</p>	Less-than-Significant Impact	<p>RR 4.1-3 The Project is required to comply with Article XI of Riverside County Ordinance No. 348 for the Manufacturing – Service Commercial (M-SC) Zone, which specifies that “[a]ll lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property.”</p>	Project Applicant, Future Building Occupants	As specified by Ordinance No. 348	As specified by Ordinance No. 348

Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

[illegible]



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
located within any County Agricultural Preserves, and there are no components of the proposed Project that have the potential to adversely affect agricultural operations at the nearest agricultural preserve/Williamson Act-contracted lands. As such, the Project would not result in any impacts to agricultural preserves or Williamson Act-contracted lands, and would not result in any impacts due to a conflict with agricultural zoning. No impact would occur.					
<u>Threshold c.</u> : There are no properties within 300 feet of the Project site that are zoned primarily for agricultural use, as defined by Ordinance No. 625. Furthermore, should any agricultural uses become established within 300 feet of the Project site and that have been under operation for at least three (3) years prior to Project implementation, then Riverside County Ordinance No. 625 would apply. The Project would be conditioned to require compliance with Ordinance No. 625, if applicable, which would ensure that Project-related construction and operational activities would not indirectly cause or contribute to the conversion of off-site farmland to non-agricultural use. No impact would occur.	No Impact				
<u>Threshold d.</u> : Assuming mandatory compliance with Riverside County Ordinance No. 625, there are no components of the Project that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. No impact would occur.	No Impact				
<u>Thresholds e., f., and g.</u> : There are no forest lands in the Project site's vicinity, and no lands in the Project vicinity are zoned for timberland,	No Impact				



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
timberland production, or forest uses. The Project would not result in the conversion of forest land to non-forest use. No impact would occur.					
4.3 Air Quality					
Threshold a: The proposed Project's near-term construction activities would exceed the SCAQMD Regional Threshold for NO _x , while the Project's long-term operational emissions would exceed the SCAQMD Regional Thresholds for VOC and NO _x . Additionally, although approval of the Project's proposed General Plan Amendment would ensure that the Project's land uses are fully consistent with the Riverside County General Plan, the Project's proposed land uses are not consistent with the land use inputs utilized in the 2022 SCAQMD AQMP for the Project site and the Project would generate operational-source emissions of NO _x and VOCs that would exceed the SCAQMD Regional Thresholds for these pollutants. Implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, which would reduce the Project's near-term construction-related impacts due to NO _x emissions to below a level of significance. However, while implementation of Mitigation Measures MM 4.3-1 through MM 4.3-7 and Mitigation Measures MM 4.3-9 and MM 4.3-10 would reduce the long-term air quality emissions of the Project, the identified mitigation would not reduce the Project's operational-source NO _x and VOC emissions to a level below SCAQMD regional thresholds of significance. Additionally, although approval of the Project's proposed GPA 220004 would ensure the Project's land uses are fully consistent with the General Plan land use designations for the property,	Significant and Unavoidable Impact	<p>MM 4.3-1 The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations Title 24 shall be provided. In addition, and to facilitate the possible future installation of infrastructure that would charge the batteries that power the motors of electric-powered trucks, the following shall be installed:</p> <p>a) At Shell building permit, an electrical room(s) and/or exterior area(s) of the site shall be designated where future electrical panels would be located for the purpose of supplying power to on-site charging facilities for electric powered trucks. Conduit shall be installed from this designated area where the panel would be located to the on-site location where the charging facilities would be located where electric-powered trucks would park and connect to charging facilities to charge the batteries that power the motors of the electric-powered trucks.</p> <p>b) <u>At issuance of a building permit for Tenant Improvements, if the tenant is served by electric trucks, the electrical panel and charging units shall be installed, and the electrical wiring connections shall be made from the electrical panel to the charging units, and appropriate dock seals shall be installed. If the tenant is not served by electric trucks, this requirement shall not apply.</u></p> <p><u>MM 4.3-2 Prior to final building inspection/issuance of building permits for future uses on-site, the Riverside County Building & Safety Department shall verify that designated carpool parking stalls are installed and designated per the provisions of the California Green Building Standards Code..</u></p> <p><u>Prior to issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of all necessary raceways, conduit, and related</u></p>	Project Applicant	Riverside County Building & Safety Department	Prior to issuance of building permits for Building Shell
			Project Applicant	Riverside County Building & Safety Department	Prior to issuance of building permits



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>because the Project would result in operational VOC and NO_x emissions that would exceed the SCAQMD Regional Thresholds, the Project would be inconsistent with the AQMP land use assumptions for the Project site. Thus, Project's direct and cumulatively-considerable impacts due to a conflict with or obstruction of the SCAQMD 2022 AQMP would represent a significant and unavoidable impact for which additional mitigation measures are not available.</p> <p><u>Threshold b.:</u> The Project's construction emissions would exceed the Regional Threshold established by the SCAQMD for emissions of NO_x, and long-term operation of the Project would exceed the SCAQMD Regional Thresholds for emissions of VOCs and NO_x. Implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, and would reduce the Project's construction-related emissions of NO_x to below the SCAQMD's Regional Threshold for this pollutant; thus, with implementation of the required mitigation, the Project's construction-related regional air quality emissions impact would be reduced to less-than-significant levels. Implementation of Mitigation Measures MM 4.3-1 through MM 4.3-7 <u>and Mitigation Measures MM 4.3-9 and MM 4.3-10</u> would reduce the Project's long-term air quality emissions, although the exact reduction amount cannot be quantified. Thus, even with implementation of these mitigation measures and with compliance with the anticipated regulations implemented by the EPA and CARB to improve truck efficiency, the estimated long-term emissions generated under full buildout of the proposed Project still would exceed the</p>	Significant and Unavoidable Impact	<p><u>appurtenances for Electric Vehicle (EV) ready passenger vehicle parking spaces that exceeds the minimum number of EV-ready spaces required by the California Code of Regulations (CCR) Title 24 (CALGreen). Verification of installation shall occur prior to final building inspection for the warehouse building.</u></p> <p><u>Prior to the issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of an electrical room(s) appropriately sized to hold electrical panel(s) capable of supporting future rooftop solar needs and future EV charging stations at a minimum of 5 percent of the passenger car parking spaces.</u>passenger-car Electric Vehicle (EV) charging stations and designated carpool parking stalls have been accommodated per the provisions of the California Green Building Standards Code and shall verify that the plans require that each building be constructed with an adequately sized electrical panel(s) and conduit to accommodate future EV charging stations at a minimum of 5 percent of the passenger car parking spaces.</p> <p>MM 4.3-2<u>MM 4.3-3</u> As a component of all future lease or sales agreements, the lease or sales document shall include a provision requiring all on-site mobile equipment used as part of building operations (including yard trucks, hostlers, yard goats, pallet jacks, forklifts) shall be required to be powered by electricity, and an appropriate numbers of charging stations for the on-site equipment shall be accommodated on the site.</p> <p>MM 4.3-3<u>MM 4.3-4</u> In order to promote alternative fuels, and help support lower air pollutants associated with truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD's Carl Moyer Program, <u>CARB's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), and/</u> or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. Tenants shall be notified about 1) grant programs for diesel-fueled vehicle engine retrofit and/or replacement; 2) designated truck parking</p>	<p>Project Applicant, Future Building Occupants</p> <p>Project Applicant, Future Building Occupants</p>	<p>Riverside County Planning Department</p> <p>Riverside County Building & Safety Department, SCAQMD</p>	<p>As a component of all future lease or sales agreement and during the life of the Project</p> <p>Prior to final building inspection for tenant improvements and during the life of the Project</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>SCAQMD's regional operational significance threshold for VOCs and NO_x and would cumulatively contribute to the nonattainment designations in the SSAB for O₃. Therefore, the proposed Project's operational emissions of VOCs and NO_x would represent a significant and unavoidable impact for which additional mitigation is not available.</p> <p><u>Threshold c.:</u> The Project's construction and long-term operational emissions would not exceed any of the SCAQMD's LSTs, and impacts would be less than significant. In addition, the Project, even when considered in the context of cumulative developments, would not produce the level of traffic volumes necessary to create a CO "hot spot"; thus, impacts due to CO "hot spots" would be less than significant. Construction and operational activities associated with the Project would not expose nearby sensitive receptors to cancer or non-cancer health risks exceeding the SCAQMD thresholds of significance of 10 in one million or 1.0, respectively, even when combining the Project's construction- and operational-related DPM emissions, and impacts would be less than significant. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.</p> <p><u>Threshold d.:</u> The Project does not contain land uses associated with emitting objectionable odors. Additionally, the Project would be required to comply with the County's solid waste regulations, as well as SCAQMD rule 402 to prevent the occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and</p>	<p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p>	<p>locations in the project vicinity; 3) access to alternative fueling and charging stations proximate to the site that supply electric charging infrastructure or compressed natural gas; and 5) the United States Environmental Protection Agency's SmartWay program.</p> <p>MM 4.3-4MM 4.3-5 All construction activities associated with the Project shall be subject to adherence with the Riverside County Board of Supervisors Policy F-3 ("Good Neighbor Policy" for Logistics and Warehouse/Distribution Uses). The following provisions shall apply to all construction activities on site:</p> <p>a) All diesel fueled off-road construction equipment greater than 50 horsepower, including but not limited to excavators, graders, rubber-tired dozers, and similar "off-road" construction equipment shall be equipped with CARB Tier 4 Compliant engines. If the operator lacks Tier 4 equipment, and it is not available for lease or short-term rental within 50 miles of the project site, Tier 3 or cleaner off-road construction equipment may be utilized subject to County approval.</p> <p>b) All excavators, graders, rubber-tired dozers, and similar "off-road" construction equipment shall be CARB Tier 3 Certified engines or better.</p> <p>c) The maximum daily disturbance area (actively graded area) shall not exceed 10 acres per day.</p> <p>d) Construction contractors shall utilize construction equipment, with properly operating and maintained mufflers, consistent with manufacturers' standards.</p> <p>e) The surrounding streets shall be swept on a regular basis to remove any construction related debris and dirt.</p> <p>f) Appropriate dust control measures that meet the SCAQMD standards shall be implemented for grading and construction activity.</p> <p>g) Construction Contractors shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.</p> <p>h) Construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records</p>	<p>Project Applicant, Construction Contractors</p>	<p>Riverside County Building & Safety Department, Riverside County Planning Department</p>	<p>As specified by Board of Supervisors Policy F-3</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
no mitigation is required.		<p>necessary to verify compliance with the items listed above, shall be kept onsite and furnished to the County upon request.</p> <p>i) During construction, the Transportation & Land Management Agency representative shall conduct an on-site inspection with a facility representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.</p> <p>Project contractors shall be required to ensure compliance with these requirements and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. These requirements also shall be specified in bid documents issued to prospective construction contractors.</p> <p>MM 4.3-5MM 4.3-6 All tenant operations on the site shall adhere to the germane policy provisions in the Riverside County Board of Supervisors Policy F-3 (“Good Neighbor Policy” for Logistics and Warehouse/Distribution Uses). Applicable requirements of Policy F-3 shall be specified in future lease agreements with all future tenants, and future tenants shall be required to permit periodic inspection by Riverside County to ensure compliance. Applicable feasible provisions of the Good Neighbor Policy that would serve to measurably reduce Project-related operational emissions include, but are not limited to, the following:</p> <p><u>a) Facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel-fueled Medium-Heavy Duty Trucks (“MHDT”) and Heavy-Heavy Duty (“HHD”) trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB compliant 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County.</u></p> <p><u>a)b) The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.</u></p> <p><u>b)c) Sites shall clearly mark entry and exit points for trucks and service vehicles.</u></p> <p><u>e)d) Sites shall be densely screened with landscaping along all bordering streets and adjacent sensitive receptors, with trees spaced</u></p>	Project Applicant, Future Building Tenants	Riverside County Planning Department	As specified by Board of Supervisors Policy F-3



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>no further apart than 25 feet on center. Fifty percent of the landscape screening shall include a minimum of 36- inch box trees. Facility owners and operators will be responsible for identifying a long-term maintenance mechanism to assure that the landscaping remains in place and healthy in accordance with the approved landscaping plan.</p> <p>d)e) Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3)five minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.</p> <p>e)f) Facility operators shall train their managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.</p> <p>f)g) To encourage truck drivers to take the shortest route to convenience services, signs shall be posted in appropriate locations and/or handouts should be provided that show the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services.</p> <p>g)h) Each tenant shall designate an air quality Compliance Officer responsible for implementing the measures described herein and/or in the project conditions of approval and mitigation measures that are applicable to tenants. Contact information shall be provided to the County and updated annually, and signs shall be posted in visible locations providing the contact information for the Compliance Officer to the surrounding community. The Compliance Officer also shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.</p> <p>h)i) Signs shall be posted in the appropriate locations heavy truck drivers to park and perform any maintenance of trucks in designated on-site areas and not within the surrounding community or on public streets.</p> <p>i)j) Facility operators for sites that exceed 250 employees shall establish a rideshare program, in accordance with AQMD rule 2202, with the intent of discouraging single-occupancy vehicle trips and</p>			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>promote alternate modes of transportation, such as carpooling and transit where feasible.</p> <p>Regardless as to whether they are listed above in Mitigation Measure MM 4.3-6, the Project shall comply with all other applicable provisions of Board of Supervisors' Policy F-3.</p> <p>MM 4.3-6MM 4.3-7 As a component of all future lease or sales agreements, the lease or sales document shall include a provision requiring all building tenants to utilize electric equipment for landscape maintenance to the extent feasible.</p> <p>MM 4.3-7MM 4.3-8 Prior to issuance of grading or building permits, Riverside County shall ensure that the grading and building plans include a note requiring that all offroad equipment required for Project-related construction activities shall meet CARB Tier 4 interim emission standards or better. Project contractors shall be required to ensure compliance with this requirement and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. This requirement also shall be specified in bid documents issued to prospective construction contractors.</p> <p>MM 4.3-9 Prior to issuance of building permits, Riverside County shall ensure that the building plans include a note requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Prior to final building inspection, the County shall verify that the required signage has been posted. The requirement to utilize Rio del Sol to access these facilities also shall be specified in future lease or sales agreements issued to prospective tenants.</p> <p>MM 4.3-10 Prior to issuance of building permits, Riverside County shall ensure that the plans do not accommodate more than 247,798 s.f. of high-cube cold storage uses within the Project's proposed warehouse building.</p>	<p>Project Applicant, Future Building Occupants</p> <p>Project Applicant, Construction Contractors</p> <p>Project Applicant, Future Building Occupants</p> <p>Project Applicant, Future Building Occupants</p>	<p>Riverside County Planning Department</p> <p>Riverside County Building & Safety Department</p> <p>Riverside County Building & Safety Department</p> <p>Riverside County Building & Safety Department</p>	<p>Prior to final building inspection for Tenant Improvements and during the life of the Project</p> <p>Prior to issuance of grading or building permits and during construction activities</p> <p>Prior to Issuance of Building Permits</p> <p>Prior to Issuance of Building Permits</p>



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>RR 4.3-1 The Project is required to comply with the provisions of SCAQMD Rule 403, “Fugitive Dust” by implementing the following dust control measures during construction activities, such as earth moving activities, grading, and equipment travel on unpaved roads. Prior to grading permit issuance, the County shall verify that the following notes are included on the grading plan. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.</p> <ul style="list-style-type: none">▪ All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD guidelines in order to limit fugitive dust emissions.▪ The contractor shall ensure that all disturbed unpaved roads and disturbed areas upon which construction equipment will operate are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day.▪ The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 mph or less.	Project Applicant, Construction Contractors	SCAQMD, Riverside County Building & Safety Department	During construction activities
		<p>RR 4.3-2 The Project’s contractors are required to comply with the provisions of SCAQMD Rule 1113, Architectural Coatings, by requiring that all architectural coatings consist of low VOCs (i.e., VOCs of less than 50 grams per liter [g/L]) unless otherwise specified in the Rule 1113.</p>	Project Applicant, Construction Contractors	Riverside County Building & Safety Department SCAQMD	During construction activities involving architectural coatings
		<p>RR 4.3-3 The Project is required to comply with the provisions of SCAQMD Rule 1301 regarding stationary source equipment. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).</p>	Project Applicant, Future Building Occupants	SCAQMD, Riverside County Planning Department	As specified by Rule 1301



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		RR 4.3-4 The Project is required to comply with SCAQMD Rule 2305, Warehouse Indirect Source Rule, that requires owners and operators associated with warehouses 100,000 square feet (sf) or larger are required to directly reduce nitrogen oxides (NO _x) and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. The rule imposes a “Warehouse Points Compliance Obligation” (WPCO) on warehouse operators. Operators satisfy the WPCO by accumulating “Warehouse Actions and Investments to Reduce Emissions Points” (WAIRE Points) in a given 12-month period. WAIRE Points are awarded by implementing measures to reduce emissions listed on the WAIRE Menu, or by implementing a custom WAIRE Plan approved by the SCAQMD.	Future Building Occupants	SCAQMD	As specified by Rule 2305
		RR 4.3-5 The Project would be required to comply with SCAQMD Rule 1401 by requiring that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States (U.S.) Bureau of Mines.	Future Building Occupants	SCAQMD	As specified by Rule 1401
		RR 4.3-6 The Project is required to comply with applicable SCAQMD rules for construction activities on the Project site. In addition to the SCAQMD requirements listed above, additional SCAQMD Rules that are currently applicable during construction activity for this Project include but are not limited to: Rule 1403 (Asbestos); Rule 431.2 (Low Sulfur Fuel); and Rule 1186 / 1186.1 (Street Sweepers).	Project Applicant, Construction Contractors	Riverside County Building & Safety Department, SCAQMD	As specified by Rules 1403, 431.2, and 1186/1186.1
		RR 4.3-7 The Project is required to comply with the provisions of SCAQMD Rule 402, “Nuisance,” which requires that a person shall not discharge air contaminants or other materials that would cause health or safety hazards to any considerable number of persons or the public.	Project Applicant, Construction Contractors, Future Building Tenants	SCAQMD	As specified by Rule 402
4.4 Biological Resources					



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>Threshold a: The Project would not conflict with the CVMSHCP Conservation Objectives because the Project site is not targeted for conservation under the CVMSHCP. Additionally, the Project would not conflict with the CVMSHCP provisions related to biological corridors. However, the Project has the potential impact burrowing owls, which would represent a conflict with the CVMSHCP if the species is not surveyed for and avoided pre-construction. In addition, the Project has the potential to result in adverse effects to nesting yellow warbler and LeConte's thrasher and to other nesting bird species if the species are not surveyed for and avoided pre-construction. Implementation of Mitigation Measure MM 4.4-1 would ensure that appropriate pre-construction surveys are conducted for the burrowing owl, and would further ensure that impacts to any individual burrowing owl(s) that may be identified are avoided, and would require preparation and implementation of a Burrowing Owl Plan in the event any burrowing owl individuals are identified during the pre-construction surveys. Implementation of Mitigation Measure MM 4.4-2 would ensure pre-construction nesting surveys are conducted prior to commencement of construction activities, and further requires appropriate avoidance of any active nests that may be identified. In addition, and although indirect impacts to the CVMSHCP Conservation Areas are not anticipated, implementation of Mitigation Measure MM 4.4-3 would ensure that appropriate measures are undertaken in order to preclude impacts to the Conservation Areas. Implementation of the required mitigation would reduce the Project's potential impacts due to a conflict with the CVMSHCP to less-than-significant levels.</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>MM 4.4-1 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require the following: Project Applicant to retain a qualified biologist to perform a burrowing owl survey at all potentially suitable habitat sites within the Project's limits of disturbance within 30 days of the commencement of any ground-disturbing activities at the Project site, as discussed below.</p> <ul style="list-style-type: none">▪ <u>Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation prior to vegetation removal or ground-disturbing activities.</u>▪ <u>If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Management Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</u>	<p>Project Applicant, Project Biologist</p>	<p>Riverside County Environmental Programs Department, Riverside County Planning Department</p>	<p>Prior to vegetation removal or ground-disturbing activities. <u>Pre-construction surveys shall occur no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance.</u> issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging)</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p><u>Threshold b. and c.:</u> No sensitive vegetation communities would be impacted by the Project; thus, impacts to sensitive vegetation communities would not occur. Pertaining to plants, no federally- or State-listed threatened, endangered, or special-status plant species would be impacted other than potential impacts to the Coachella Valley milkvetch (a covered plant species), the impact to which would be less than significant with mandatory payment of CVMSHCP fees as required by Riverside County Ordinance No. 875. Pertaining to wildlife species, although there is a remote potential the Project could result in impacts to Coachella Valley fringe-toed lizard, this species is covered under the CVMSHP and Project impacts would be less than significant with mandatory payment of CVMSHP fees pursuant to Riverside County Ordinance No. 875. Implementation of Mitigation Measure MM 4.4-1 would ensure that appropriate pre-construction surveys are conducted for the burrowing owl, and would further ensure that impacts to any individual burrowing owl(s) that may be identified are avoided, and would require preparation and implementation of a Burrowing Owl Plan in the event any burrowing owl individuals are identified during the pre-construction surveys. Implementation of Mitigation Measure MM 4.4-2 would ensure pre-construction nesting surveys are conducted prior to commencement of construction activities, and further requires appropriate avoidance of any active nests that may be identified. Implementation of the required mitigation would reduce Project impacts to the burrowing owl and nesting birds to below a level of significance.</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>■ <u>Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities. Pre-Construction Survey: The pre-construction survey shall be performed by a qualified biologist that will survey the site for the presence/absence of burrowing owls within 30 days prior to commencement of ground-disturbing activities at any portion of the Project site. If burrowing owls are detected on-site during the pre-construction survey, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of the Coachella Valley Conservation Commission (CVCC) and Wildlife Agencies (i.e., CDFW and/or USFWS).</u></p> <p>■ <u>Burrowing Owl Management Plan: In the event that burrowing owl is determined to be present, or in the event that an assumption is made that the burrowing owl occurs on-site, a burrowing owl management plan shall be prepared and implemented in coordination with the CVCC and CDFW that shall detail the relocation of owls from the Project site, passively and/or actively. If additional site visits determine the species is absent, then the pre-construction survey (as discussed above) shall instead be implemented.</u></p> <p>The conditions of approval shall require that a copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Management Plan, if required, must be provided to the County of Riverside Planning Department for review and approval (in the case of the Burrowing Owl Management Plan) prior to any vegetation clearing and ground disturbance activities.</p>			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>Threshold d.: The Project site does not contain any wildlife nursery sites. The Project site is approximately 1,200 feet southwest of the CVMSHCP-designated Thousand Palms Linkage and is not within a wildlife corridor. Therefore, implementation of the proposed Project would result in less-than-significant impacts to wildlife movement corridors and linkages.</p>	Less-than-Significant Impact	<p>MM 4.4-2 Prior to the issuance of grading permits for Plot Plan No. 220022, Riverside County shall condition the grading permit(s) to require the following. This note also shall be depicted on the Project's grading plans, and Project contractors shall be required to ensure compliance with this note and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. This note also shall be specified in bid documents issued to prospective construction contractors.</p>	Project Applicant, Construction Contractors	Riverside County Building & Safety Department, Riverside County Environmental Programs Department	<u>No more than 3 days prior to vegetation removal or ground-disturbing Prior to issuance of grading permits and during vegetation-clearing activities</u>
<p>Threshold e.: The Project would physically impact up to 40.2 acres of developed areas, less than 0.1-acre of disturbed areas, 0.6-acre of disturbed desert saltbush scrub, and up to 104.5 acres of disturbed Sonoran creosote bush scrub. None of these vegetation communities consist of riparian habitat, and due to their disturbed nature are not considered sensitive. Moreover, impacts to vegetation communities would be offset through the payment of CVMSHCP Local Development Mitigation Fees that would be used to acquire and maintain high-quality habitat within the CVMSHCP Reserve. Accordingly, Project impacts to riparian habitats and other sensitive natural plant communities would be less than significant.</p>	Less-than-Significant Impact	<p><i>"Vegetation clearing shall be conducted outside of the <u>peak</u> bird nesting season (generally February 1 through July 31) to the extent feasible. <u>Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If avoidance of the nesting season is not feasible, a nesting bird survey shall be conducted by a qualified biologist within no more than 72 hours of such scheduled disturbance, to determine the presence of nests or nesting birds. If active nests are found during the pre-construction nesting bird surveys identified, the a qualified biologist shall establish an appropriate nest buffers to be marked on the ground, around the vegetation (typically 500 feet for raptors and sensitive species, 300 feet for non-raptors/non-sensitive species). Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit</u></i></p>			
<p>Threshold f.: The Project would not impact any State- or federally-protected wetlands. However, and assuming the worst-case scenario in which up to three power poles are constructed within the mapped jurisdictional limits for NWW-2, the Project would impact to up to 0.14-acre (616 linear feet) of aquatic resources considered jurisdictional by the RWQCB, and up to 0.17-acre (616 linear feet) of impact to aquatic resources considered jurisdictional by the CDFW. In the event the power pole alignments or locations do not include this segment of 30th Avenue or if they are not installed within the jurisdictional limits of</p>	Less than Significant with Mitigation Incorporated				



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>NWW-2, Project impacts to RWQCB jurisdictional areas would be reduced to 0.13-acre (586 linear feet), and Project impacts to CDFW jurisdictional areas would consist of 0.16-acre (586 linear feet), all of which would occur within the 83.0-acre Project site. Implementation of Mitigation Measure MM 4.4-4 would ensure that Project on-site impacts to approximately impacts to up to 0.13-acre (586 linear feet) of aquatic resources considered jurisdictional by the RWQCB and Project impacts to up to 0.16-acre (586 linear feet) of aquatic resources considered jurisdictional by the CDFW are mitigated at a minimum 1:1 ratio in accordance with the Waste Discharge Order to be issued by the RWQCB and the Section 1602 Streambed Alteration Agreement (SAA) to be issued by the CDFW. Mitigation shall occur through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW. Implementation of Mitigation Measure MM 4.4-5 would ensure that impacts to approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW that could result from the installation of off-site IID power poles are mitigated at a minimum 1:1 mitigation ratio. Implementation of the required mitigation would ensure that Project impacts to aquatic resources considered jurisdictional by the RWQCB and/or CDFW are mitigated to below a level of significance.</p> <p>Threshold g.: Aside from the CVMSHCP,</p>	No Impact	<p><i>signs of disturbance. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The biologist shall review and verify compliance with these nesting boundaries and shall verify the nesting effort has finished. Work may resume within the buffer area when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds."</i></p> <p>MM 4.4-3 Best management practices in compliance within the CVMSHCP Guidelines shall apply to avoid and minimize impacts on adjacent native habitat. Prior to issuance of grading and/or building permits, Riverside County shall review the grading and/or building plans to ensure the following requirements are either depicted on the plans, or included as notes on the building or grading plans. Construction contractors shall be required to ensure compliance with these requirements and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. These requirements also shall be specified in bid documents issued to prospective construction contractors.</p> <ul style="list-style-type: none"> Prior to the allowance of nighttime construction work, Riverside County shall review the plans to ensure that a note is included requiring that all lighting be oriented inward toward the Project 	Project Applicant, Construction Contractors	Riverside County Building & Safety Department	Prior to issuance of grading or building permits and during construction activities



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
discussed under Threshold a., the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and no impact would occur.		<p>site and away from the northeastern boundaries of the Project site.</p> <ul style="list-style-type: none">▪ Prior to the approval of landscape construction drawings, Riverside County shall review proposed landscape plans to ensure that none of the prohibited ornamental plant species listed in Table 4-113, Prohibited Invasive Ornamental Plants, of the CVMSHCP are included in the plans.▪ Prior to issuance of building permits, Riverside County shall review the building plans to ensure that appropriate barriers, such as native landscaping, rocks/boulders, fencing, walls, and/or signage, have been incorporated in the plans to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping east of the planned alignment of Robert Road in adjacent native habitats.▪ Prior to issuance of grading permits, Riverside County shall review the grading plans to ensure that the plans include a note requiring that the limits of grading/disturbance on site shall be delineated (e.g., through the use of orange construction fencing or other appropriate measures) to ensure that Project-related construction activities, including grading, does not occur outside project boundaries. <p>MM 4.4-4 Prior to issuance of grading permits that would affect jurisdictional aquatic resources, the Project Applicant shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from CDFW for Project impacts. Project impacts to up to 0.13-acre of RWQCB and up to 0.16-acre of CDFW jurisdictional areas shall be mitigated at a minimum 1:1 mitigation ratio (equal to 0.16-acre) through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW.</p> <p>MM 4.4-5 Prior to the installation of IID power poles, IID shall identify the locations of the poles and their physical impact areas. If the physical impact area includes areas under the jurisdiction of the</p>	<p>Project Applicant</p> <p>Project Applicant</p>	<p>Riverside County Planning Department, RWQCB, CDFW</p> <p>IID, Riverside County Planning Department,</p>	<p>Prior to issuance of grading permits that would affect jurisdictional aquatic resources</p> <p>Prior to installation of IID power poles</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>CDFW and RWQCB along 30th Avenue, the Project Applicant or IID shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from California Department of Fish and Wildlife (CDFW) for Project impacts of approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW. If permits are required, the permits may be combined into the same permit for the warehouse component of the Project. Project impacts to up to 300 s.f. of RWQCB and CDFW jurisdictional areas shall be mitigated at a minimum 1:1 mitigation ratio (equal to 300 s.f.) through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW. Permits and mitigation are not required if power poles are not installed along the segment of 30th Avenue east of Robert Road or if power poles are installed along this segment but outside of the mapped limits of jurisdiction areas.</p> <p><u>MM 4.4-6</u> Prior to issuance of a grading permit, a thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (see https://wildlife.ca.gov/Conservation/Plants) shall be performed in the grading disturbance boundary by a qualified biologist. Should any species of native plants designated as rare, threatened, or endangered by State law (excluding CVMSHCP Covered Species) be present in the Project area, grading shall not be permitted to commence in the area containing the species until the qualified biologist and Riverside County's Environmental Programs Department confer and agree upon a program for on-site or off-site habitat enhancement or restoration at a minimum 1:1 ratio and/or agree to off-site land acquisition, management, and preservation at a minimum 1:1 ratio to reduce impacts to less-than-significant levels. Implementation of the agreed-</p>	<p>Project Applicant</p>	<p>RWQCB, CDFW</p> <p>Riverside County Environmental Programs Department</p>	<p>Prior to commencement of Project construction activities</p>



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>upon program shall be initiated prior to the issuance of a building permit and completion of the program shall occur prior to building final inspection prior to occupancy.</p> <p><u>MM 4.4-7</u> Throughout construction and the lifetime operations of the Project, the County of Riverside and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County of Riverside and Project proponent shall ensure that all lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County of Riverside and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.</p> <p><u>MM 4.4-8</u> Prior to vegetation removal or ground-disturbing activities, the Project Applicant and/or County of Riverside will collaborate with the Coachella Valley Conservation Commission to plan and implement a salvage of sand-dependent Covered Species within the Project site.</p> <p><u>MM 4.4-9</u> Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require a pre-construction survey(s) by a qualified biologist(s) for all special status wildlife species including but not limited to desert tortoise, Coachella Valley fringed toed lizard, Casey's June beetle, California red-legged frog, mountain yellow-legged frog, golden eagle, least Bell's vireo, and desert bighorn sheep. A copy of the results of the pre-construction survey(s) shall be provided to the County of Riverside Environmental Programs Department for review and approval prior to any vegetation</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant</p>	<p>Riverside County Planning Department</p> <p>Riverside County Planning Department, CDFW</p> <p>Riverside County Environmental Programs Department</p>	<p>Throughout construction activities and during the lifetime operations of the Project</p> <p>Prior to vegetation removal and prior to ground-disturbing activities</p> <p>Prior to vegetation removal and prior to ground-disturbing activities</p>



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p><u>clearing and ground disturbance activities. If any special status wildlife species are present, a qualified biologist shall implement clearance and exclusion measures approved by the Riverside County Environmental Programs Department prior to the commencement of ground disturbing activities.</u></p> <p>RR 4.4-1 Prior to issuance of building permits, the Project Applicant shall make payment of CVMSHCP fees pursuant to Riverside County Ordinance No. 875, Establish a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Coachella Valley Multiple Species Habitat Conservation Plan.</p> <p>RR 4.4-2 Prior to issuance of grading permits or other permits authorizing ground-disturbing activities associated with the Project site that would impact jurisdictional waters, the Project Applicant shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) for Project impacts to 0.14-acre (616 linear feet) of vegetated and unvegetated streambed and a Section 1602 Streambed Alteration Permit from CDFW for Project impacts to 0.17-acre (616 linear feet) of vegetated and unvegetated streambed.</p> <p>RR 4.4-3 Prior to the installation of IID power poles, IID shall identify the locations of the poles and their physical impact areas. If the physical impact area includes areas under the jurisdiction of the CDFW and RWQCB along 30th Avenue, the Project Applicant or IID shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from California Department of Fish and Wildlife (CDFW) for Project impacts of approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW. Permits are not required if power poles are not installed along the</p>	<p>Project Applicant</p> <p>Project Applicant</p> <p>Project Applicant or IID</p>	<p>Coachella Valley Conservation Commission, Riverside County Planning Department</p> <p>Riverside County Planning Department, RWQCB, CDFW</p> <p>Riverside County Planning Department, RWQCB, CDFW</p>	<p>Prior to issuance of building permits</p> <p>Prior to issuance of grading permits or other permits authorizing ground-disturbing activities</p> <p>Prior to installation of IID power poles</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
		<p>segment of 30th Avenue east of Robert Road or if power poles are installed along this segment but outside of the mapped limits of jurisdiction areas. If permits are required, the permits may be combined into the same permit for the warehouse component of the Project.</p> <p>RR 4.4-4 The Project is required to comply with Riverside County Ordinance No. 915, which is intended to provide minimum requirements for outdoor lighting in order to reduce light trespass. Ordinance No. 915 provides regulations on adequate lighting shielding, glare, and light trespass in order to ensure all development in Riverside County installs lighting in a way that does not jeopardize the health, safety, or general welfare of Riverside County residents or degrade their quality of life. Mandatory compliance with Ordinance No. 915 would ensure that Project-related lighting under long-term operating conditions does not expose nearby CVMSHCP Conservation Areas to excessive Project-related lighting.</p>	Project Applicant, Future Building Occupants	As specified by Ordinance No. 915	As specified by Ordinance No. 915
4.5 Cultural Resources					
<p><u>Thresholds a. and b.:</u> No significant historical resources are located in the area that would be physically disturbed by the Project. Also, given the location of the site and its historic context, there is no reasonable potential that significant historical resources would be unearthed during Project-related construction activities. No impacts would occur less than significant.</p> <p><u>Thresholds c. and d.:</u> No archeological resources were identified within the Project area or off-site improvement areas. However, there is a potential for previously-undiscovered historical resources to occur beneath the surface of areas planned for physical impact (i.e., grading) as part of the Project. Potential impacts to previously-undiscovered archeological resources on site or within the off-site improvement areas would be significant on both a direct and cumulatively-</p>	<p>Less-than-Significant Impact</p> <p>Less than Significant with Mitigation Incorporated</p>	<p>MM 4.5-1 Retain a Qualified Archaeologist: Prior the issuance of a grading permit, the Developer/Permit Applicant shall retain and enter into a monitoring and mitigation service contract with a qualified archaeologist ("Archaeological Monitor") for mitigation monitoring services, and to implement a Cultural Resource Monitoring Program (CRMP). At least 30 days prior to issuance of grading permits, copy of the agreement between the developer/permit applicant and the Archaeological Monitor shall be submitted to the County Planning Department.</p> <p>MM 4.5-2 Native American Monitor: Prior to the issuance of grading permits, the Developer/Permit Applicant shall enter into an agreement with the primary consulting tribe, as identified by the County Archaeologist, for a Native American Monitor. In conjunction with the Archaeological Monitor, the Native American Monitor shall attend a pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, the Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the Project site</p>	<p>Project Applicant, Project Archaeologist</p> <p>Project Applicant, Project Archaeologist</p>	<p>County Archaeologist, Planning Department</p> <p>County Archaeologist, Tribal Monitor, Planning Department</p>	<p>At least 30 days prior to issuance of grading permits</p> <p>Prior to the issuance of grading permits, pre-grade meeting, and during initial ground disturbing activities</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>considerable basis prior to mitigation. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-8 would ensure that any historical resources identified within the Project area during ground-disturbing activities are appropriately treated as directed by the County Archaeologist (and the Native American tribal representative, if any). Implementation of the required mitigation would reduce the Project's potential impacts to subsurface archaeological sites or resources to below a level of significance.</p> <p><u>Threshold e.</u>: The Project area does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. The Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097 et. seq. Mandatory compliance with these provisions of State law would ensure that Project-related potential impacts to human remains that may be buried beneath the ground surface would be less than significant.</p>	Less-than-Significant Impact	<p>including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor, the Native American Monitor have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The Developer/Permit Applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this requirement. Upon verification, the County Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p> <p>MM 4.5-3 Preparation of a CRMP: The Archaeological Monitor required pursuant to Mitigation Measure MM 4.5-1 shall prepare a Cultural Resources Monitoring Plan (CRMP) to guide the procedures and protocols of an archaeological mitigation monitoring program that shall be implemented during all onsite and offsite ground-disturbing activities. The CRMP shall include, but not be limited to, the Project grading and development schedule; approved Project cultural resources mitigation measures and conditions of approval; monitoring procedures; protocols for the identification, assessment, collection, and analysis of any resource(s) observed during grading; curation guidelines; and coordination with project personnel, County staff, and any participating Native American tribe(s). The final CRMP shall be submitted to the County Project planner and/or inspector, the appropriate Project supervisor/engineer/etc., and monitoring Native American tribe(s), if any.</p> <p>MM 4.5-4 Preconstruction Meeting: The Archaeological Monitor shall be invited to a preconstruction meeting with construction personnel and County and tribal representatives. The attending archaeologist shall review the provisions of the CRMP and answer any applicable questions.</p> <p>MM 4.5-5 Construction Monitoring: Full-time monitoring shall occur throughout the entire Project area, including all off-site improvement areas, during ground-disturbing activities. Full-time monitoring shall continue until the Archaeological Monitor required pursuant to Mitigation Measure MM 4.5-1 determines that the overall</p>	<p>Project Applicant, Project Archaeologist</p> <p>Project Applicant, Project Archaeologist</p> <p>Project Applicant, Project Archaeologist</p>	<p>County Archaeologist, Tribal Monitors, Planning Department</p> <p>Tribal Monitor, County Archaeologist, Planning Department</p> <p>Tribal Monitor, County Archaeologist, Planning Department</p>	<p>Prior to issuance of grading permits and during ground-disturbing activities</p> <p>Prior to commencement of construction activities</p> <p>During all construction-related ground-disturbing activities</p>



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		<p>sensitivity of the Project area has been reduced from high to low as a result of mitigation monitoring. Should the monitor(s) determine that there are no cultural resources within the Project site or off-site improvement areas, or should the sensitivity be reduced to low during monitoring, all monitoring shall cease.</p> <p>MM 4.5-6 Unanticipated Discoveries: If subsurface cultural resources are encountered during construction, if evidence of an archaeological/historical site is observed, or if other suspected historic resources are encountered, all ground-disturbing activity shall cease within 100 feet of the resource. In such a case, the County Archaeologist shall be immediately notified. A meeting shall be convened between the developer, the Archaeological Monitor (as required by Mitigation Measure MM 4.5-1), the Native American tribal representative (or other appropriate ethnic/cultural group representative) required pursuant to Mitigation Measure MM 4.5-2, and the County Archaeologist to discuss the significance of the find. Potentially significant cultural resources could consist of, but are not limited to: stone, bone, fossils, wood, or shell artifacts or features, including structural remains, historic dumpsites, hearths, and middens. Midden features are characterized by darkened soil and could conceal material remains, including worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials and special attention should always be paid to uncharacteristic soil color changes. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance under all applicable regulatory criteria. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to whether the identified resource comprises a unique historic resource as defined under § 15064.5 of the State CEQA Guidelines, and as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the identified cultural resource. Resource evaluations shall be limited to nondestructive analysis. Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.</p> <p>MM 4.5-7 Curation: Any archaeological artifacts recovered as a</p>	<p>Project Applicant, Project Archaeologist</p> <p>Project Applicant,</p>	<p>Tribal Monitor, County Archaeologist, Planning Department</p> <p>County</p>	<p>In the event of unanticipated discovery of subsurface cultural resources</p> <p>Following discovery</p>



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		<p>result of mitigation, excluding items covered by the provisions of applicable Treatment Plans or Agreements, shall be donated to the Western Science Center in Hemet or as directed by the County Archaeologist, where they would be afforded long-term preservation. The Developer/Applicant is responsible for all costs and fees associated with curation of the artifacts.</p> <p>MM 4.5-8 Final Phase IV Report: The results of the mitigation monitoring program shall be incorporated into a final report and submitted to the Riverside County Planning Department for review and approval. Upon approval by the Lead Agency, the final report, including any associated DPR 523 Forms, shall be submitted to the Developer/land Owner, the Eastern Information Center (EIC), and the monitoring tribe(s), if any.</p> <p>RR 4.5-1 Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code Section 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).</p> <p>RR 4.5-2 In the event that human remains are encountered during ground-disturbing construction activities on site or within the Project's off-site improvement areas, compliance with California Health and Safety Code § 7050.5 and Public Resources Code § 5097 et. seq. shall be required. State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. The County Coroner shall determine that no investigation of the cause of death is required, and determine if the remains are of Native American origin. In the event that the remains are determined to be</p>	<p>Project Archaeologist</p> <p>Project Applicant, Project Archaeologist</p> <p>As required by Government Code Section 6254 (r)</p> <p>Project Applicant, Project Archaeologist</p>	<p>Archaeologist, Planning Department</p> <p>County Archaeologist, Planning Department</p> <p>As required by Government Code Section 6254 (r)</p> <p>County Archaeologist, Planning Department, NAHC, County Coroner</p>	<p>of previously-undiscovered archaeological artifacts</p> <p>Following completion of the mitigation monitoring program</p> <p>As required by Government Code Section 6254 (r)</p> <p>Upon the discovery of any human remains</p>



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		of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. If the NAHC is unable to identify a Most Likely Descendant, or if the Most Likely Descendant failed to make a recommendation within 48 hours after being notified by the NAHC, or the Project Applicant rejects the recommendation of the Most Likely Descendant, the Project Applicant shall rebury the Native American human remains and associated grave goods on the property in a location not subject to further ground disturbance. Evidence of compliance with this mitigation measure, if human remains are found, shall be provided to Riverside County upon the completion of a treatment plan and final report detailing the significance and treatment finding.			
4.6 Energy					
<u>Threshold a.:</u> Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. As such, Project impacts due to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant requiring no mitigation.	Less-than-Significant Impact	RR 4.6-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude energy consumption impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project. <ul style="list-style-type: none">▪ Pavley Fuel Efficiency Standards (AB1493). Establishes fuel efficiency ratings for new vehicles.▪ Renewable Portfolio Standards (SB 100): Increases California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive	N/A	N/A	N/A
<u>Threshold b.:</u> Energy consumed by the Project's operation is calculated to be comparable to, or less than, energy consumed by other single-family residential projects of similar scale and intensity that are operating in California, as the Project	Less-than-Significant Impact				



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would be subject to current regulatory requirements, such as the 2022 version of Title 24, which was not in effect when most existing residential developments were constructed. Based on the analysis presented herein, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.		Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal. <ul style="list-style-type: none"> CCR Title 13, Motor Vehicles, Section 2449(d)(3): Idling. Grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling. 			
4.7 Geology and Soils					
<p>Thresholds a. and c: No active or potentially active fault is known to exist at the Project site nor is the site situated within an Alquist-Priolo Earthquake Fault Zone. Thus, impacts due to rupture of a known earthquake would be less than significant. The Project site and vicinity is subject to seismic ground shaking associated with earthquakes. A significant impact could occur if the Project was not constructed in accordance with the site-specific recommendations of the Project's Geotechnical Investigation (<i>Technical Appendix E</i>). Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into grading and/or building permit applications to address seismic-related hazards in conformance with the CBSC, the Riverside County Building Code, and the Project's site-specific Geotechnical Investigation (EIR Technical Appendix E). With implementation of the required mitigation, impacts due to strong seismic ground shaking would be reduced to less-than-significant levels.</p> <p>Threshold b.: Groundwater levels in the Project</p>	<p>Less than Significant with Mitigation Incorporated</p> <p>No Impact</p>	<p>MM 4.7-1 Prior to issuance of grading or building permits, the Riverside County Building and Safety Department shall verify that all of the recommendations given in the Project's geotechnical study, entitled "Geotechnical Investigation, Majestic Thousand Palms, NEC Rio Del Sol Road & 30th Avenue," dated September 17, 2021, prepared by Sladden Engineering, and included as Technical Appendix E to the Project's EIR, are incorporated into the construction and grading plans. The recommendations primarily address the need for remedial grading including over-excavation and re-compaction within the building areas to support foundation bearing soil. Recommendations also address building footings, slab on grade construction, and pavement design. Specific recommendations for site preparation are presented in the Earthwork and Grading section of the report. Alternatively, the Project shall comply with the findings and recommendations of any geotechnical studies that may be required in association with future grading and/or building permits.</p> <p>RR 4.7-1 The Project is required to comply with the provisions of County Ordinance Nos. 457 and 460. Ordinance No. 457 requires that all projects comply with California Building Codes and the International Building Codes. These codes establish site-specific investigation requirements, construction standards, and inspection procedures to ensure that development does not pose a threat to the health, safety, and welfare of the public, and includes requirements</p>	<p>Project Applicant, Construction Contractors</p> <p>Project Applicant, Construction Contractors</p>	<p>Riverside County Building and Safety Department</p> <p>Building and Safety Department</p>	<p>Prior to issuance of grading or building permits</p> <p>As specified by Ordinance Nos. 457, 460, and 547</p>



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>area are in excess of 50 feet below the existing ground surface. The potential for liquefaction impacting the Project is therefore considered negligible. Thus, the Project would not be subject to seismic-related ground failure, including liquefaction, and no impact would occur.</p> <p><u>Threshold d.:</u> The areas to be physically impacted by the Project are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. There are no signs of slope instability in the form of landslides, rock falls, earthflows, or slumps. Accordingly, the Project would not be located on an unstable geologic unit and would not result in on- or off-site landslide hazards, and no impact would occur. Additionally, due to the lack of shallow groundwater, the potential for lateral spreading is low and potential impacts associated with lateral spreading would be less than significant. Static settlement of the Project site would be induced by subjecting the existing grades to design grades (adding fill) and by the proposed structural building loads. The geotechnical report prepared for the Project site includes site-specific recommendations to attenuate potential hazards, including hazards due to collapse. Impacts due to collapse hazards could occur if proposed grading activities are not conducted in accordance with the site-specific recommendations of the Project's Geotechnical Update (<i>Technical Appendix E</i>), which is a potentially significant direct impact of the proposed Project. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to address the potential for collapse hazards. With</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>related to erosion. Ordinance No. 460 sets forth soil erosion control requirements and requires preparation and implementation of a wind erosion control plan.</p> <p>RR 4.7-2 The Project is required to comply with the provisions of SCAQMD Rule 403, by addressing blowing dust from the Project's construction activities.</p> <p>RR 4.7-3 The Project is required to comply with the provisions of the County's National Pollution Discharge Elimination System (NPDES) permit, and the future-required Storm Water Pollution Prevention Plan (SWPPP). Compliance with the NPDES permit and the future-required SWPPPs would ensure an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) are implemented to reduce or eliminate sediment discharge to surface water from stormwater and non-stormwater discharges.</p>	<p>Project Applicant, Construction Contractors</p> <p>Project Applicant, Construction Contractors</p>	<p>Building and Safety Department, SCAQMD</p> <p>Building and Safety Department, Santa Ana RWQCB</p>	<p>As specified by Rule 403</p> <p>During construction activities and long-term operations</p>

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<p>implementation of the required mitigation, impacts due to collapse hazards would be reduced to less-than-significant levels.</p> <p><u>Threshold e:</u> The Project site is susceptible to ground subsidence and a significant impact due to ground subsidence could occur if future development on site were to fail to comply with the site-specific recommendations of the Project's Geotechnical Investigation (<i>Technical Appendix E</i>). Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to address the potential for ground subsidence hazards. With implementation of the required mitigation, impacts due to ground subsidence hazards would be reduced to less-than-significant levels.</p> <p><u>Threshold f:</u> There are no volcanoes in the Project region; thus, no impacts due to volcanic hazards would occur. Areas to be physically impacted by the Project are situated at an elevated inland location and are not immediately adjacent to any impounded bodies of water. Thus, the risk of seiches affecting the Project are considered negligible and no impacts due to seiches would occur with implementation of the Project. Areas to be physically impacted by the Project are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. There are no signs of slope instability in the form of landslides, rock falls, earthflows, or slumps on or near the site. Accordingly, areas to be physically impacted by the Project are not subject to mudflow hazards, and no impact would occur.</p>	<p>Less than Significant with Mitigation Incorporated</p> <p>No Impact</p>				



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Threshold g.: Areas to be physically impacted by the project have flat and gently sloping topography. The Project would not result in a substantial change in topography or ground surface relief features, and impacts would be less than significant.	Less-than-Significant Impact				
<p>Threshold h.: Manufactured slopes are proposed along the northern Project site boundary, which would be constructed at a maximum gradient of approximately 2:1 (horizontal:vertical) and would measure up to 16 feet in height. A retaining wall also is proposed at the base of the northern slope that would measure up to four feet in height. Slopes also are proposed around the proposed retention basins in the southern portion of the Project site, which would measure approximately 30 feet in height and would be constructed at a maximum gradient of 3:1. Although the slopes would exceed a height of 10 feet, site-specific recommendations are provided in the Project's Geotechnical Investigation (Technical Appendix E), which would ensure that proposed slopes are grossly stable. A potentially significant impact could occur if site grading activities do not comply with the site-specific recommendations of the Geotechnical Investigation. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to ensure that any slopes higher than 10 feet would be grossly stable. With implementation of the required mitigation, impacts associated with unstable slopes would be reduced to less-than-significant levels.</p>	Less than Significant with Mitigation Incorporated				
Threshold i.: There are no subsurface sewage disposal systems on the Project site under existing	No Impact				



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conditions. Thus, the Project would not result in grading that affects or negates subsurface sewage disposal systems, and no impact would occur.	No Impact				
<u>Threshold l.</u> : Sewer service to the proposed Project would be provided by the CVWD, and no septic tanks or alternative wastewater disposal systems are proposed as part of the Project. As such, no impact associated with septic tanks or alternative wastewater disposal systems would occur.					
<u>Thresholds j. and m.</u> : The Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain an NPDES permit for construction activities and adhere to a Stormwater Pollution Prevention Plan (SWPPP) as well as SCAQMD Rule 403 and Riverside County Ordinance Nos. 457 and 460. With mandatory compliance to these regulatory requirements, the potential for water and wind erosion impacts during construction would be less than significant. Following development, wind and water erosion on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces and drainage would be controlled through a storm drain system. Existing blowsand effects across the site would be reduced. Furthermore, the Project is required by law to implement a WQMP during operation, which would preclude substantial erosion impacts in the long-term. Accordingly, impacts due to soil erosion, loss of top soil, and blow sand would be less than significant.	Less-than-Significant Impact				
<u>Threshold k.</u> : The Project would not be located on expansive soil, as defined in Section 1803.5.3 of	No Impact				



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the California Building Code (2022), and would not create substantial risks to life or property due to expansive soils; thus, no impact would occur.					
4.8 Greenhouse Gas Emissions					
<p>Threshold a: The Project would result in the emissions of approximately 33,130.16 MTCO₂e/yr of GHGs, which would exceed the CAP Update screening threshold of 3,000 MTCO₂e/yr. Accordingly, prior to mitigation, the Project's GHG emissions would represent a significant cumulatively-considerable impact on the environment.</p> <p>Implementation of Mitigation Measure MM 4.8-3 would ensure that that any natural gas used in the Project's warehouse building would not result in air quality or GHG emissions that exceed what has been evaluated and disclosed in the Project's EIR, while Mitigation Measure MM 4.8-4 would require the provision of either skylights or the use of energy-efficient LED lighting. Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update</p>	Significant and Unavoidable Impact	<p>MM 4.8-1 Prior to issuance of building permits, the Project Applicant shall demonstrate that appropriate building construction measures apply to achieve a minimum of 100 points per Appendix D to the Riverside County 2019 Climate Action Plan (CAP) Update. The conceptual measures anticipated for the Project are listed in Table 3-7 of the Project's Greenhouse Gas Analysis (GHGA) technical reports (appended to the Project's EIR as Technical Appendix G). The conceptual measures may be replaced with other measures as listed in Appendix D to the 2019 Riverside County CAP Update, as long as they are replaced at the same time with other measures that in total achieve a minimum of 100 points per Appendix D to the 2019 Riverside County CAP Update. The County shall verify implementation of the identified measures prior to final building inspection.</p> <p>MM 4.8-2 In accordance with Pursuant to Riverside County Climate Action Plan (CAP) Update Measure R2-CE1, <u>the Project shall offset its energy demand by at least 20 percent through the provision of renewable energy generation. This is anticipated to be accommodated by calculating 20 percent of the total Kilovolt-Amperes (kVA) used to service the Project by the electric utility purveyor's final approved drawing showing the transformer size and installing solar panels mounted on the building rooftop sized to generate the same output as 20 percent of the total transformer capacity. The size of the transformer shall be determined by the electric utility purveyor in their final engineered drawings for construction of the Project. If the transformer size cannot be determined during the shell building permit issuance, then this requirement shall be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as the tenant's transformer load and panel size may change. Utilizing the transformer capacity and panel size, the appropriate number of solar panels shall be included with the related building permits to ensure their installation and operation. As it relates</u></p>	Project Applicant	Riverside County Planning Department	Prior to issuance of building permits
			Project Applicant	Riverside County Planning Department, Building & Safety Department	Prior to issuance of building permits



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<p>qualifies as a “Plan for the Reduction of Greenhouse Gas Emissions,” it could be concluded that the Project’s GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 and through MM 4.8-24 would serve to reduce the Project’s GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project’s level of GHG emissions following mitigation still would be substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project’s compliance with the CAP Update, the Project’s GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.</p> <p><u>Threshold b:</u> The Project would be consistent with or otherwise would not conflict with the CARB 2022 Scoping Plan and the SCAG 2024-2050 RTP/SCS. However, the Project has the potential to conflict with the Riverside County CAP Update if the Project were unable to achieve 100 points pursuant to the CAP Screening Tables or if the Project were to fail to comply with CAP Update Measure R2-CE1. Pursuant to Mitigation Measure MM 4.8-1, the Project Applicant would be required to implement Screening Table Measures that would provide a minimum of 100 points pursuant to the CAP Update Screening Tables (Appendix D to the CAP Update). In</p>	<p>Less than Significant with Mitigation Incorporated</p>	<p>to the shell building permit, building code requirements shall be met and the roof shall be designed to accommodate the maximum amount of rooftop solar that is feasible given applicable Building Code requirements, Fire Code requirements, clearance requirements around roof-mounted equipment and skylights, transformer capacity, the electric utility purveyor’s interconnection regulations, and other code compliance constraints.prior to issuance of building permits, future implementing building permits that involve more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development shall be required to offset the energy demand through renewable energy production. Renewable energy production shall be onsite generation of at least 20% of energy demand for commercial, office, industrial or manufacturing development. Prior to issuance of each building permit, the Project Applicant shall provide documentation to the County of Riverside Building & Safety Department demonstrating compliance with CAP measure R2-CE1, which shall include calculations of the building’s estimated energy demands as well as calculations showing that the on-site renewable energy production would achieve at least 20% of the building’s energy demands.</p> <p><u>MM 4.8-3</u> The use of natural gas as part of the operation of the Project’s warehouse building is prohibited. Prior to issuance of building permits, Riverside County shall review the Project’s building plans to ensure that the Project’s building does not include any connections to natural gas lines in the local area, and the prohibition against the use of natural gas other than for electricity generation also shall be specified in any future sales agreements. If natural gas is proposed to be used other than for electricity generation, it may be permitted but only upon the submission and County approval of air quality and greenhouse gas emission calculations demonstrating that the use of natural gas will not result in air pollutant or greenhouse gas emissions above those reported in the Majestic Thousand Palms EIR.</p> <p><u>MM 4.8-4</u> Prior to issuance of shell building permits, the Riverside County Building & Safety Department shall review the plans to determine if at least 1% of the building roof area is designed to include skylights. In the event that skylights are not accommodated in at least</p>	<p>Project Applicant, Future Building Occupants</p> <p>Project Applicant</p>	<p>Riverside County Planning Department, Building & Safety Department</p> <p>Riverside County Planning Department, Building & Safety</p>	<p>Prior to issuance of building permits and during the life of the Project</p> <p>Prior to issuance of shell and tenant improvement building permits</p>



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addition, pursuant to Mitigation Measure MM 4.8-2, future building permit applications would be required to demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site as required by CAP measure R2-CE1. <u>Implementation of Mitigation Measure MM 4.8-3 would ensure that that any natural gas used in the Project's warehouse building would not result in air quality or GHG emissions that exceed what has been evaluated and disclosed in the Project's EIR, while Mitigation Measure MM 4.8-4 would require the provision of either skylights or the use of energy-efficient LED lighting.</u> With implementation of Mitigation Measures MM 4.8-1 <u>and through</u> MM 4.8-24, the Project would be fully consistent with the 2019 CAP Update. With implementation of the required mitigation, Project impacts due to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be reduced to less-than-significant levels.		<u>1% of the roof area, then the Riverside Building & Safety Department shall subsequently review the electrical plans for tenant improvement building permits to ensure that interior lighting consists of Light-Emitting Diode (LED) lighting, or a combination of skylights and LED lighting, that is equivalent to skylights on 1% of the total roof area.</u>		<u>Department</u>	
4.9 Hazards and Hazardous Materials					
<u>Thresholds a. and b.:</u> There are known hazardous materials located within areas that would be physically impacted by the Project. During Project construction and operation, mandatory compliance with federal, State, and local regulations would ensure that the Project as proposed would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.	Less-than-Significant Impact	RR 4.9-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude hazards and hazardous materials impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project. ▪ All future businesses operating on the Project site, as well as IID for operation of the proposed substation, would be subject to compliance with Riverside County Ordinance No. 651.1, which sets forth requirements for handling hazardous materials, requires a permit for handling certain types and quantities of hazardous materials, requires businesses to report their hazardous materials inventory, identifies different classifications of hazardous	N/A	N/A	N/A
<u>Threshold c.:</u> The Project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. No emergency facilities exist on the Project site or in	No Impact				



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<p>the Project's off-site infrastructure alignments, and the site does not serve as an emergency evacuation route. Thus, no impact would occur.</p> <p><u>Threshold d.</u>: The nearest school to the Project site is the Della S. Lindley Elementary School, located approximately 0.6-mile south of the Project site but within 0.25-mile of potential IID power pole and utility line installation. With mandatory regulatory compliance, the Project would not emit hazardous emissions, or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of the school, and no impact would occur.</p> <p><u>Threshold e.</u>: Areas that would be physically impacted by the Project are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As such, the Project would not create a significant hazard to the public or the environment due to the Project site's inclusion on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and no impact would occur.</p> <p><u>Thresholds f., g., and h.</u>: The Project site is not located within two miles of a public airport or within an airport land use plan, and there are no components of the proposed Project that would affect airport operations. The closest airport is the PSIA located roughly 5.2 miles west of the Project site. The Project site is located outside of the compatibility zones for the PSIA, indicating that the Project site is not subject to airport-related hazards. Therefore, the Project would not result in an inconsistency with an Airport Master Plan, would not require review by the Airport Land Use Commission, and would not result in a safety</p>	<p>Less-than-Significant Impact</p> <p>No Impact</p> <p>Less-than-Significant Impact</p>	<p>materials handlers, and requires reporting of spills or releases or threatened releases of a hazardous material to the Riverside County Department of Environmental Health (DEH) and to the Governor's Office of Emergency Services.</p> <ul style="list-style-type: none">▪ All future contracts with construction contractors shall comply with all applicable regulations and requirements promulgated by the federal Occupational Safety and Health Administration (OSHA).▪ Project site occupants shall comply with Title 22, Division 4.5 of the California Code of Regulations, which requires residents and employees to dispose of household hazardous waste, including pesticides, batteries, old paint, solvents, used oil, antifreeze, and other chemicals, at a Household Hazardous Waste Collection Facility.▪ Project site occupants shall comply with Title 22, Division 4.5, Chapter 11 of the California Code of Regulations which requires fluorescent lamps, batteries, and mercury thermostats be recycled or taken to a Household Hazardous Waste Collection Facility.			



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<p>hazard for people residing or working in the Project area. Impacts would be less than significant.</p> <p><u>Threshold i:</u> There are no active private airstrips or heliports within a 10-mile radius of the Project site. Accordingly, the Project would not result in a safety hazard for people residing or working in the Project area due to private airstrips or heliports, and no impact would occur.</p>	No Impact				
4.10 Hydrology and Water Quality					
<p><u>Thresholds a., b., and i:</u> The Project would be served potable water by the CVWD, and no groundwater wells are proposed on site; thus, Project direct impacts to groundwater supplies would be less than significant. Additionally, the vast majority of runoff tributary to or generated on the Project site would be routed to the proposed on-site retention basins and would be allowed to infiltrate into the groundwater table, thereby ensuring that the Project would not adversely affect groundwater recharge. Additionally, water quality impacts during on-site construction activities, including potential impacts due to a conflict with the Colorado River Region Basin Plan and potential impacts to groundwater quality, would be less than significant. However, if installation of off-site IID power poles are not covered by the Project's SWPPP, short-term construction-related erosion impacts have the potential to be significant during off-site power pole installation. This is evaluated as a potentially significant impact for which mitigation would be required. Implementation of Mitigation Measure 4.10-1 would reduce to less-than-significant levels the potential for construction-related soil erosion and erosion-related water quality impacts during</p>	Less than Significant with Mitigation Incorporated	<p>MM 4.10-1 If the installation of off-site IID power poles and overhead lines are not covered by the Construction General Permit and SWPPP required for the Project's warehouse and substation uses (e.g., total ground disturbance associated with the action is less than 1.0 acre), the following best management practices shall be required of the contractor as conditions of approval for the pole installation permit:</p> <ul style="list-style-type: none"> ▪ Limit pole installation construction to forecasted dry periods and days with forecasted wind speeds of less than 20 m.p.h. ▪ Minimize soil disturbance areas to the smallest feasible area. ▪ Implement practices to reduce erosion of exposed soil and stockpiles, including watering for dust control, establishing perimeter silt fences, and/or placing fiber rolls. ▪ Implement practices to maintain water quality, including establishing silt fences, stabilized areas where construction equipment will operate, and storm-drain inlet protection. ▪ Revegetate disturbed areas or apply a soil binder to loose soil in disturbed areas as soon as feasible following construction activity. <p>RR 4.10-1 Prior to issuance of grading permits, the Project Applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) to identify measures that will be undertaken to remove the areas proposed for warehouse and IID electrical substation development from the mapped floodplains on site.</p>	<p>Project Applicant, Construction Contractors</p> <p>Project Applicant</p>	<p>Riverside County Building & Safety Department, Santa Ana RWQCB</p> <p>FEMA, Building & Safety Department</p>	<p>During construction of off-site IID power poles</p> <p>Prior to issuance of grading permits</p>



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
installation of IID power poles and lines by requiring best management practices during construction activities. With implementation of the proposed Project under long-term conditions, all runoff generated on site would be appropriately treated by the Project's BMPs. Thus, the Project would not adversely affect surface or groundwater quality. Accordingly, the proposed Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge; and would not conflict with the Colorado River Region Basin Plan or result in adverse groundwater quality impacts. Impacts would be less than significant.		RR 4.10-2 Prior to issuance of a shell building permit, the Project Applicant shall obtain a Letter of Map Revision (LOMR) from FEMA to verify that the Project site has been graded in such a manner as to remove areas planned for development with warehouse and IID substation uses from areas subject to flooding hazards.	Project Applicant	FEMA, Building & Safety Department	Prior to issuance of shell building permits
<u>Thresholds c. and f.:</u> With implementation of the Project's proposed drainage plan, all runoff tributary to the Project site and generated on the Project site would be directed to proposed retention basins within the southern portions of the Project site. The vast majority of runoff would be allowed to infiltrate into the groundwater table. As such, implementation of the proposed Project would not result in an increase in peak runoff from the Project site and therefore would not result in the alteration of the existing alignment of any downstream receiving waters. Additionally, the Project would not contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Impacts would be less than significant.	Less-than-Significant Impact	RR 4.10-3 The Project Applicant is required to comply with the provisions of the required NPDES permit, and the required SWPPP. Compliance with the NPDES permit and the SWPPP would identify and implement an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate discharge to surface water from storm water and non-stormwater discharges.	Project Applicant, Construction Contractors	Building & Safety Department, Santa Ana RWQCB	During long-term operations
<u>Threshold d.:</u> With mandatory adherence to the SWPPP requirements, Project-related effects associated with construction-related erosion,	Less than Significant with Mitigation				



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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>siltation, water quality, and flooding on downstream water sources and flood control systems would be maintained at a level below significance. However, if installation of off-site IID power poles are not covered by the Project's SWPPP, short-term construction-related erosion impacts have the potential to be significant during off-site power pole installation. Implementation of Mitigation Measure 4.10-1 would reduce to less-than-significant levels the potential for construction-related soil erosion and erosion-related water quality impacts during installation of IID power poles and lines by requiring best management practices during construction activities. During long-term operation of the Project, large portions of the Project site would consist of impervious surfaces, r substantially decreasing erosion potential as compared to existing conditions. Additionally, because the vast majority of runoff tributary to or generated on the Project site would infiltrate into the groundwater table via the proposed retention basins, the Project has no potential to exceed the capacity of existing or planned stormwater drainage systems. Additionally, the retention basins have been designed to treat the Project's pollutants of concern, including heavy metals, nutrients, sediment/turbidity, trash/debris, and oil/grease, the Project would not provide substantial additional sources of polluted runoff. Operational impacts would be less than significant.</p> <p><u>Thresholds e. and g.:</u> Although the Project site occurs within a mapped floodplain, as a standard regulatory requirement (see Code of Federal Regulations Title 44 Parts 60, 65, and 72), the Project Applicant would be required to obtain a CLOMR and LOMR from FEMA prior to the</p>	<p>Incorporated</p> <p>Less-than-Significant Impact</p>				



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<p>issuance of grading and building permits, respectively, which would ensure the developed portions of the Project site are removed from the mapped floodplain. Accordingly, with completion of the CLOMR and LOMR processes, the Project would not impede or redirect flood flows. Additionally, because the vast majority of runoff tributary to or generated on the Project site would be fully retained on site and would infiltrate into the groundwater table, the Project has no potential to increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. Impacts would be less than significant.</p> <p><u>Threshold h:</u> The Project would be required to obtain a CLOMR and LOMR from FEMA, which would ensure that the warehouse and electrical substation portions of the Project are removed from the mapped floodplain. With completion of the CLOMR and LOMR processes, the Project would not risk the release of pollutants due to site inundation from floods, and impacts would be less than significant. The Project site is located approximately 72 miles from the Pacific Ocean, and as such there is no potential for the Project site to be inundated with tsunamis. The Project site is situated at an elevated inland location and is not immediately adjacent to any impounded bodies of water, and the risk of seiches affecting the Project site are considered “negligible.” As such, the Project would not be subject to inundation due to seiches, and no impacts would occur<u>be less than significant</u>.</p>	Less-than-Significant Impact				
4.11 Land Use and Planning					
<p><u>Threshold a:</u> The Project would not conflict with the General Plan, WCVAP, Connect SoCal, or any other land use plan, policy, or regulation adopted</p>	Less-than-Significant Impact	Impacts to land use and planning would be less than significant; therefore, mitigation measures are not required.	N/A	N/A	N/A



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for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant. <u>Threshold b.</u> : The Project would not disrupt or divide the physical arrangement of an established community (including a low-income or minority community), and impacts would be less than significant.	Less-than-Significant Impact				
4.12 Mineral Resources					
<u>Threshold a.</u> : According to the CDC, land that would be physically impacted by the Project is classified as MRZ 3, which includes “areas containing mineral deposits the significance of which cannot be evaluated from available data.” Therefore, the Project is not proposed on land that contains known mineral resources that would be of value to the region or the residents of the State. Accordingly, Project would have no adverse impact to known mineral resources.	No Impact	The Project would result in less-than-significant mineral resources impacts; therefore, mitigation measures are not required.	N/A	N/A	N/A
<u>Threshold b.</u> : Land that would be physically impacted by the Project is not designated as a mineral resource recovery site by the County’s General Plan or the Western Coachella Valley Area Plan (WCVAP). Additionally, the Project site does not occur within any specific plans or other land use plans that identify the Project site as a locally-important mineral resource recovery site. Accordingly, the Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, and no impact would occur.	No Impact				
<u>Threshold c.</u> : Although lands within 0.75-mile of the Project site are subject to on-going mining	No Impact				

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Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>operations, the Project's proposed warehouse and electric substation uses and associated off-site infrastructure would not be incompatible uses with on-going mining operations to the north. Additionally, the Project has no potential to result in a land use conflict with existing mining operations due to the distance between the Project site and the nearest mine. No impact would occur.</p> <p><u>Threshold d.</u>: Although there are several existing mines within the Project site's vicinity, the closest of which occurs approximately 0.75-mile to the north of the Project site, due to distance between the Project site and the existing mines, the Project has no potential to expose future workers on site to mining-related hazards. Impacts would be less than significant.</p>	Less-than-Significant Impact				
4.13 Noise					
<p><u>Threshold a.</u>: The Palm Springs International Airport runway is located more than five miles southwest of the Project site. According to Map PS-3 (Noise Compatibility Contours) from the PSIA Airport Land Use Compatibility Plan (ALUCP), the Project site is located well outside of the 60 dBA CNEL noise contour for this facility. As such, the Project site would not be exposed to excessive noise levels from airport operations. Accordingly, impacts would be less than significant.</p> <p><u>Threshold b.</u>: There are no private airstrips in the Project vicinity. The nearest private airport facility is the Crown Aero (Bermuda Dunes Airport), located approximately 8.5 miles southeast of the Project site within unincorporated Riverside County. According to Map BD-3 of the Bermuda Dunes Airport ALUCP, the Project site is located</p>	<p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p>	<p>MM 4.13-1 Prior to issuance of grading or building permits and prior to issuance of permits for the construction of off-site Imperial Irrigation District (IID) power poles and power lines, Riverside County and/or the IID shall condition the permit(s) to require implementation of the following noise abatement measures. Project construction contractors shall be required to ensure compliance with these requirements and shall permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. The following requirements also shall be specified in bid documents issued to prospective construction contractors. Riverside County shall review all monitoring reports to ensure compliance.</p> <ul style="list-style-type: none"> Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards). All stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers. 	Project Applicant, Construction Contractors	Riverside County Building & Safety Department, IID	Prior to issuance of grading or building permits and prior to issuance of permits for the construction of off-site IID power poles and power lines



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<p>well outside of the 55 dBA CNEL contour for the Bermuda Dunes Airport. Accordingly, the Project would not expose people residing or working in the area to excessive private airport-related noise, and impacts would be less than significant.</p> <p><u>Threshold c.:</u> The construction noise analysis shows that the nearby receiver locations would not be exposed to Project-related construction noise levels exceeding the 80 dBA Leq significance threshold resulting in less-than-significant impacts at all receiver locations. Additionally, Table 4.13-10 shows that Project-related noise impacts during nighttime concrete pouring activities also would not expose any nearby sensitive receptors to noise levels exceeding the FTA 70 dBA Leq nighttime residential noise level threshold at all the nearest noise sensitive receiver locations.</p> <p>Notwithstanding, Urban Crossroads recommends noise abatement measures during typical construction activities and during nighttime concrete pouring activities. In addition, and although impacts are anticipated to be less than significant, the Project has the potential to result in significant noise impacts during construction of the off-site IID utility poles and power lines; this is evaluated as a significant impact on a direct basis. Implementation of Mitigation Measure MM 4.13-1 would ensure that appropriate noise attenuation measures are implemented during the construction activities, including during nighttime concrete pouring activities and during construction and installation of the off-site IID power poles and power lines. Implementation of the required mitigation would reduce the Project's potential impacts due to construction-related noise to less-than-significant levels. Project operational-related noise levels would not exceed the daytime noise</p>	<p>Less than Significant with Mitigation Incorporated</p>	<ul style="list-style-type: none"> Construction equipment staging areas shall be located the greatest distance between the staging area and the nearest sensitive receivers. The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment (between the hours of 6:00am to 6:00pm during the months of June through September and 7:00am to 6:00pm during the months of October through May). Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment. No music or electronically reinforced speech from construction workers shall be allowed. <p>RR 4.13-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude noise. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.</p> <ul style="list-style-type: none"> All construction activities and haul truck deliveries shall adhere to Section 2.i of Riverside County Ordinance No. 847, which prohibits construction activities that make loud noise from occurring between 6:00 p.m. and 6:00 a.m. during the months of June through September, and between 6:00 p.m. and 7:00 a.m. during the months of October through May, and on Sundays and federal holidays. Exceptions to these time restrictions may be granted pursuant to Section 7 of Ordinance No. 847 (e.g., if needed to accommodate nighttime concrete pouring activities). All future implementing developments shall comply with Riverside County Board of Supervisors Policy F-3, "Good Neighbor" Policy for Logistics and Warehouse/Distribution Uses. Applicable measures related to noise, include, but are not necessarily limited to, the following: <ul style="list-style-type: none"> Provision 2.5: Construction contractors shall locate or park all stationary construction equipment so that the emitted noise is directed away from sensitive receptors nearest the project site, to the extent practicable. 	<p>As specified by Ordinance No. 847</p> <p>As specified by Board of Supervisors Policy F-3</p>	<p>As specified by Ordinance No. 847</p> <p>As specified by Board of Supervisors Policy F-3</p>	<p>As specified by Ordinance No. 847</p> <p>As specified by Board of Supervisors Policy F-3</p>



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<p>level standard of 55 dBA Leq and would not exceed the nighttime noise level standard of 45 dBA Leq. Additionally, daytime and nighttime operational noise increases would not exceed 1.5 dBA, and therefore would not exceed the applicable noise increase criteria (5.0 dBA). Accordingly, Project-related operational noise impacts would be less than significant. Table 4.13-16 through Table 4.13-18 demonstrate that Project traffic-related noise increases would not exceed the noise level increase thresholds under EAC 2025 or HY 2045 conditions. As such, Project-related traffic noise increases would be less than significant.</p> <p><u>Threshold d.</u>: At distances ranging from 1,329 to 1,709 feet from Project construction activities, construction vibration velocity levels are 0.000 to 0.001 in/sec PPV and would remain below the continuous vibration threshold of 0.3 PPV at all receiver locations. Therefore, the Project-related vibration impacts would be less than significant during the construction activities at the Project site. Under long-term operating conditions, all trucks generated by the Project would travel along County roadways that are regularly maintained to prevent discontinuous pavement (e.g., potholes); thus, and based on guidance from Caltrans, the Project's operational traffic-related vibration impacts would be less than significant.</p>	Less-than-Significant Impact	<ul style="list-style-type: none">○ Provision 3.1: Warehouse/distribution facilities should be generally designed so that truck bays and loading docks are a minimum of 300 feet, measured from the property line of the sensitive receptor to the nearest dock door using a direct straight-line method. This distance may be reduced if the site design include berms or other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas. Other setbacks appropriate to the site's zoning classification shall be incorporated in the design.○ Provision 3.6: On-site speed bumps shall not be allowed except at security/entry gates. Truck loading bays and drive aisles shall be designed to minimize truck noise.○ Provision 3.7: Dock doors shall be located where they are not readily visible from sensitive receptors or major roads. If it is necessary to site dock doors where they may be visible, a method to screen the dock doors shall be implemented. A combination of landscaping, berms, walls, and similar features shall be considered.○ Provision 3.8: An additional "wing-wall" shall be installed perpendicular to the loading dock areas to further attenuate noise related to truck activities and also address aesthetics by screening the loading area when adjacent to sensitive receptors.○ Provision 3.12: Facility construction shall comply with the hours of operation and exterior noise decibel levels as required by Riverside County Ordinance No. 847 ("Noise Ordinance").○ Provision 4.10: If a public address (PA) system is being used in conjunction with a warehouse/distribution facility operations, the PA system shall be oriented away from sensitive receptors and the volume set at a level not readily audible past the property line.○ Provision 4.11: Facility Operation shall comply with the exterior noise decibel levels as required by Ord. 847 (Noise Ordinance), which includes a maximum exterior decibel level of 55 dba (between 7:00 a.m. and 10:00 p.m.) and 45 dba (between 10:00 p.m. and 7:00 a.m.) as measured on adjacent occupied residences, or as modified by the most current version of Ordinance No. 847.			



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4.14 Paleontological Resources					
<u>Threshold a.:</u> The Project would not impact any known paleontological resources or unique geological features. However, there is a remote potential that fossils may be discovered during grading and earthmoving activities. In the remote event that paleontological resources are uncovered during grading and earthmoving activities, Mitigation Measure MM 4.14-1 would ensure that the area where the resource(s) was identified is subject to monitoring, and would further ensure that any uncovered fossils are appropriately treated. With implementation of Mitigation Measure MM 4.14-1, the Project's potential impacts to previously-undiscovered paleontological resources would be reduced to less-than-significant levels.	Less-than-Significant Impact with Mitigation Incorporated	<p>MM 4.14-1 Prior to grading permit issuance, the Riverside County shall verify that the following notes are included on the grading plans. Project contractors shall be required to ensure compliance with these notes and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors. These requirements only shall apply in the event that a paleontological resource(s) is uncovered during Project grading and earthmoving activities.</p> <ul style="list-style-type: none">▪ If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage, and a county-qualified paleontologist shall be consulted to assess the discovery. If the discovery is determined to be significant by the paleontologist, a Mitigation Monitoring and Reporting Program (MMRP) shall be initiated, which shall include notification of appropriate personnel involved and monitoring of earth disturbance activities:<ul style="list-style-type: none">○ If a paleontological resource(s) are uncovered, monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Monitoring shall be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.○ Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.	Project Applicant, Project Paleontologist	County Geologist, Riverside County Planning Department	Prior to the issuance of grading permits and during grading and ground-disturbing activities



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		<ul style="list-style-type: none">○ Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils shall be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes shall be taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites shall be protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils shall be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site shall be determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.○ Isolated fossils shall be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes shall be taken on the map location and stratigraphy of the site, which is photographed before it is vacated, and the fossils are removed to a safe place.○ Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as many as 20 to 40 five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.○ In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk			



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		<p>sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil “microvertebrates” to test the feasibility of the deposit to yield fossil bones and teeth.</p> <ul style="list-style-type: none">○ In the laboratory, individual fossils shall be cleaned of extraneous matrix, any breaks shall be repaired, and the specimen, if needed, shall be stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).○ Recovered specimens shall be prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.○ Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., Western Science Center [WSC], Natural History Museum of Los Angeles County [LACM], San Diego Natural History Museum [SDNHM], San Bernardino County Museum [SBCM], or Riverside Municipal Museum [RMM]) shall be conducted. The paleontological program shall include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (i.e., Riverside County) shall be consulted on the repository/museum to receive the fossil material.○ A final report of findings and significance shall be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, shall signify satisfactory completion of the Project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.			



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4.15 Population and Housing					
<u>Threshold a:</u> Areas to be physically disturbed by the Project do not contain any existing residences or housing, and the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No impact would occur.	No Impact	No significant environmental impacts related to population and housing would occur as a result of the proposed Project. Thus, no mitigation measures are required.	N/A	N/A	N/A
<u>Threshold b:</u> Although the Project would result in the conversion of the eastern +/- half of the Project site from planned residential to planned light industrial uses, Riverside County has poor jobs-housing ratio, wherein there are not enough jobs within the County to support its residences' employment. Thus, by developing the Project site with an employment-generating land use, the Project would assist the County in improving its jobs-housing balance. Furthermore, the Riverside County General Plan does not rely on residential development on the Project site in order to meet its RHNA obligations. Moreover, future employees generated by the Project can be accommodated by existing residential communities and/or by future residential uses to be constructed in accordance with the General Plan Land Use Plan or the general plans of cities within the County, and no additional housing, including housing affordable to households earning 80% or less of the County's median income, would be required to accommodate Project-related employees. Impacts would be less than significant.	Less-than-Significant Impact				
<u>Threshold c:</u> There is no potential for the Project induce substantial unplanned population growth in the area, either directly or indirectly. By developing the Project site with employment-generating land uses, the Project would assist the	Less-than-Significant Impact				



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
County in improving its jobs-housing balance. Housing for the Project's employees does not represent substantial unplanned population growth, as there already is sufficient existing and planned housing in the County to accommodate workers. Thus, impacts due to the Project's employment generation would be less than significant. The proposed IID joint electric substation would not induce substantial unplanned population growth in the local area because large portions of the Thousand Palms community that would be served by the substation contain already-developed land and undeveloped land that is already designated and planned for urban land uses by the General Plan and WCVAP. Accordingly, impacts associated with unplanned population growth would be less than significant.					
4.16 Public Services					
<u>Threshold a.:</u> The Project would place additional demand on fire protection facilities but would not result in the need to construct or physically expand a fire station or other fire protection facility. With payment of mandatory DIF fees, the proposed Project's potential direct and cumulatively-considerable impacts to the Riverside County Fire Department would be reduced to less-than-significant levels.	Less-than-Significant Impact	RR 4.16-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude impacts resulting from the provision of public services. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project. <ul style="list-style-type: none"> As a condition of Project approval, the Project would be required to conform to all mandatory local, State, and federal laws, ordinances, and standards relating to fire safety. Among other items, these requirements include conformance with the Uniform Building Code Section 1503, which requires that all buildings be constructed with fire retardant roofing material. Access routes in the Project area would be required to be maintained throughout construction and buildout of the proposed Project. The Project would be required to adhere to Riverside County Ordinance No. 659, which requires payment of a development 	As required by local, State, and federal laws, including Uniform Building Code Section 1503	As required by local, State, and federal laws, including Uniform Building Code Section 1503	As required by local, State, and federal laws, including Uniform Building Code Section 1503
<u>Threshold b.:</u> The Project would place additional demand on County Sheriff facilities but would not result in the need to construct or physically expand a Sheriff's substation or other policing facility. With payment of mandatory DIF fees, the proposed Project's potential direct and cumulatively-considerable impacts to the Riverside County Sheriff's Department would be	Less-than-Significant Impact				
			As set forth by Ordinance No.	As set forth by Ordinance No. 659	As set forth by Ordinance No. 659



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>reduced to less-than-significant levels, and the Project would not result in or require the construction of new police protection facilities that could result in a significant impact to the environment.</p> <p><u>Threshold c.:</u> The Project would not directly generate a resident population, and thus would not directly impact school services in the local area. The payment of mandatory school impact fees would ensure that the Project would result in less-than-significant direct and cumulatively-considerable impacts on the ability of the PSUSD to provide for school services.</p> <p><u>Threshold d.:</u> The Project would not directly generate a resident population, and thus would not directly impact library services in the local area. The payment of mandatory DIF fees would be used in part to provide for library space and/or new book volumes. Accordingly, with payment of DIF fees, Project impacts to library services and facilities are less than significant on a direct and cumulatively-considerable basis.</p> <p><u>Threshold e.:</u> The Project would not result in the need for the physical construction or expansion of a public health facility. With payment of mandatory DIF fees, the Project would result in less-than-significant direct and cumulatively-considerable impacts to health services facilities, and the Project would not result in or require the construction of new health services facilities that could result in a significant impact to the environment.</p>	<p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p>	<p>impact fee (DIF) to assist the County in providing for fire protection, sheriff, library, and public health care facilities. Payment of the DIF fee would ensure that funds are available for capital improvements, such as land/equipment purchases and fire station construction.</p> <ul style="list-style-type: none"> The Project is required to comply with Riverside County Ordinance No. 575, which requires mandatory payment of school impact fees pursuant to Public Education Code § 17072.10-18. 	<p>659</p> <p>As set forth by Ordinance No. 575</p>	<p>As set forth by Ordinance No. 575</p>	<p>As set forth by Ordinance No. 575</p>
4.17 Recreation					
<u>Thresholds a. and d.:</u> The physical construction of	Less-than-	Impacts to recreation would be less than significant; thus, mitigation	N/A	N/A	N/A



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
sidewalks and landscaped parkways has been addressed under the relevant issue areas identified throughout this EIR (e.g., air quality, biological resources, cultural resources, etc.). Under each of these topics, the Project impacts are determined to be less than significant, or mitigation measures have been identified to reduce impacts to the maximum feasible extent. There are no components of the planned pedestrian facilities on site that have not already been addressed and accounted for throughout this EIR. Accordingly, Project impacts due to the development of pedestrian facilities on site would be less than significant, requiring no mitigation beyond that which is identified in other portions of this EIR.	Significant Impact	measures are not required.			
<u>Threshold b.</u> : The Project does not propose any residential uses or other land use that may generate a population that would directly increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, and impacts would be less than significant.	Less-than-Significant Impact				
<u>Threshold c.</u> : Less-than-Significant Impact. The Project site is not located within a CSA that was established for recreational facilities, the Project site is not located within a Community Parks and Recreation Plan, and the Project is not subject to payment of in-lieu fees (Quimby fees) for recreational facilities pursuant to § 10.35 of Riverside County Ordinance No. 460. Accordingly, impacts due to a conflict with a Community Parks and Recreation Plan and due to the need for payment of in-lieu fees for parkland	Less-than-Significant Impact				



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
acquisition and construction would be less than significant.					
4.18 Transportation					
<p>Threshold a.: The only applicable programs, plans, ordinances, or policies addressing the circulation system in the Project area are the Riverside County General Plan and Riverside County ordinances. EIR Technical Appendix M includes an analysis of the Project consistency with the policies of the Riverside County General Plan, and demonstrates that the proposed Project would not conflict with applicable General Plan policies, including policies contained within the General Plan Circulation Element. Additionally, the Project would not conflict with Riverside County Ordinance Nos. 413, 452, 460, 461, 499, 659, 671, 748, or 824, which are the applicable ordinances within the County related to the circulation system. Therefore, the proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and impacts would be less than significant.</p>	Less-than-Significant Impact	<p>MM 4.18-1 Prior to the issuance of grading permits or improvement plans affecting Rio Del Sol and/or prior to grading or improvement plans allowing for the construction of the off-site Imperial Irrigation District (IID) power poles, the Project Applicant shall prepare and Riverside County shall approve a temporary traffic control plan to ensure maintained vehicle flow in both directions on Rio Del Sol and along the route of the off-site IID power poles. The temporary traffic control plan(s) shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices (CMUTD). A requirement to comply with the temporary traffic control plan shall be noted on all grading and building plans and also shall be specified in bid documents issued to prospective construction contractors.</p> <p><i>The following measures relate to VMT reduction. The reduction of VMT involves travel behavior change related to individuals' attitudes, goals, and travel choices. The following mitigation measures are included to encourage these changes but it is acknowledged that Riverside County has no involvement in private lease negotiations among and between private property owners, building owners, and building tenants and has no enforcement authority over leases.</i></p>	Project Applicant, Construction Contractors	Riverside County Building & Safety Department	Prior to issuance of grading permits or improvement plans allowing for the construction of off-site IID power poles
<p>Threshold b.: Project-generated Work VMT per employee would be approximately 26.6 miles, which would exceed the County's adopted threshold of 14.2 miles by 87.3%. Additionally, the Project's Total VMT per Service Population would be approximately 70.4 miles, which would exceed the existing County-wide average by 142.8%. Accordingly, the Project would result in a significant impact due to the Project's VMT on both a direct and cumulatively-considerable basis. Although Mitigation Measures MM 4.18-2 and MM 4.18-2 are aimed at reducing the Project's VMT to the maximum practical extent, it is</p>	Significant and Unavoidable Impact	<p>MM 4.18-2 Local Hire Program: Future building lease or sales agreements shall include a requirement to implement a local hire program, with the goal of attracting employees that live within a 12-mile radius of the Project site.</p> <p>MM 4.18-3 Voluntary Commute Trip Reduction Program: Future building lease or sales agreements shall include a requirement to implement a voluntary program to discourage single-occupancy vehicle trips for employees and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. Examples of potential Commute Trip Reduction (CTR) program features include the following:</p>	Project Applicant, Future Tenants	Riverside County Planning Department	As a condition of future building lease or sales agreements
			Project Applicant, Future Tenants	Riverside County Planning Department	As a condition of future building lease or sales agreements



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>unlikely that the mitigation would reduce the Project's Work VMT or Total VMT per employee to below the County's threshold of significance. Accordingly, Project impacts due to VMT would represent a significant and unavoidable impact on both a direct and cumulatively-considerable basis.</p> <p><u>Threshold c.</u>: All physical improvements planned as part of the Project would conform with applicable Riverside County standards. The Project's proposed warehouse and electric substation uses are a compatible use in the local area and the Project would not increase transportation-related hazards in the local area. Impacts would therefore be less than significant.</p> <p><u>Threshold d.</u>: Although the Project would increase traffic volumes in the area, which would result in an increased need for roadway maintenance, any incremental increase in the need to maintain public roadway facilities would be offset by tax revenue generated by the Project. There are no components of the proposed Project that would result in or require a substantial increase in expenditures by Riverside County for public road maintenance such that environmental impacts would result. As such, Project impacts would be less than significant.</p> <p><u>Threshold e.</u>: The Project has the potential to intermittently disrupt traffic flow to the existing uses to the north of the Project site along Rio Del Sol during construction of planned improvements to this roadway and during the construction of the off-site IID power poles. Mitigation Measure MM 4.18-1 requires the Project Applicant to prepare and obtain Riverside County approval of a temporary traffic control plan prior to issuance of</p>	<p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p> <p>Less than Significant with Mitigation Incorporated</p>	<ul style="list-style-type: none"> Designated Employee Transportation Coordinator (ETC): An Employee Transportation Coordinator (ETC) shall be identified as part of future site operations. The role of ETC is to provide education and point of contact for commute-related questions and commuter benefits. Provide designated carpool/vanpool parking in desirable locations on-site, which could encourage employees to carpool/vanpool to work and reduce VMT. Marketing of Commuter Benefits for Employees: Provide an on-site message board (physical or digital) to educate employees of commuter options and benefits. Bicycle Parking: Provide on-site secure bike parking facilities and bike storage lockers. Carpool and Vanpool Ride-Matching Services: Provide information about available carpool/vanpool ride-matching services. Guaranteed Ride Home (GRH) Program. Provide a GRH program via local transportation network companies for employees arriving to work by carpool, vanpool, or transit and that may need to leave work early or are unable to use normal commute accommodations. <p>RR 4.18-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude transportation impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.</p> <ul style="list-style-type: none"> Prior to issuance of building permits, the Project Applicant shall pay appropriate Development Impact Fee Program (DIF) fees at the rates then in effect in accordance with Riverside County Ordinance No. 659. Prior to final building inspection, the Project Applicant shall pay appropriate Coachella Valley Transportation Uniform Mitigation Fee Program Ordinance (TUMF) fees at the rates then in effect in accordance with Riverside County Ordinance No. 673. 	<p>As specified by Ordinance Nos. 413, 452, 460, 461, 499, 500, 659, 673, and 748</p>	<p>As specified by Ordinance Nos. 413, 452, 460, 461, 499, 500, 659, 673, and 748</p>	<p>As specified by Ordinance Nos. 413, 452, 460, 461, 499, 500, 659, 673, and 748</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>grading permits or improvement plans affecting Rio Del Sol or affecting the off-site route for the installation of IID power poles. Implementation of the required mitigation would ensure that Project-related construction activities would not substantially affect circulation during the Project's construction, including along Rio Del Sol and along the roadways where the IID power poles would be installed. With implementation of the required mitigation, impacts would be reduced to less-than-significant levels.</p> <p><u>Threshold f.</u>: Under long-term operating conditions, the Project would have no effect on emergency access in the local area, and impacts would be less than significant. However, during proposed improvements to Rio Del Sol, there is a potential that the Project could intermittently disrupt traffic flow along Rio Del Sol during construction of planned improvements to this roadway, including for emergency vehicles. Additionally, the Project has the potential to adversely affect emergency access during the construction of the off-site IID power poles. Mitigation Measure MM 4.18-1 requires the Project Applicant to prepare and obtain Riverside County approval of a temporary traffic control plan prior to issuance of grading permits. With implementation of the required mitigation, the Project would not result in inadequate emergency access to nearby uses during the Project's construction phase. Accordingly, with implementation of the required mitigation, impacts would be reduced to less-than-significant levels.</p> <p><u>Threshold g.</u>: As part of the Project, Rio Del Sol and 30th Avenue along the Project frontage would be improved to their ultimate half-width standard</p>	<p>Less than Significant with Mitigation Incorporated</p> <p>Less-than-Significant Impact</p>	<ul style="list-style-type: none">The Project shall be subject to compliance with all applicable County ordinances, including Ordinance Nos. 413, 452, 460, 461, 499, 500, and 748.			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
as “Secondary Highways (100-foot (ROW),” which would accommodate bike lanes. No other bike lanes or bike facilities are proposed as part of the Project. Impacts associated with physical improvements to these roadways are inherent to the Project’s construction phase, and have been evaluated throughout this EIR under the appropriate subject heading (e.g., biological resources, etc.). There would be no impacts to the environment specifically related to the construction of this community trail that have not already been evaluated and mitigated for throughout this EIR. Accordingly, impacts would be less than significant.					
4.19 Tribal Cultural Resources					
<u>Threshold a:</u> The Project has the potential to result in significant impacts to Tribal Cultural Resources during ground-disturbing construction activities in the absence of protective measures. Implementation of EIR Mitigation Measures MM 4.5-1 through MM 4.5-8 would ensure monitoring of ground-disturbing activities by an Archaeological Monitor and Tribal Monitor, and further would ensure the appropriate treatment of any Tribal Cultural Resources that may be identified during Project-related ground-disturbing activities. Implementation of the required mitigation would reduce potential Project impacts to Tribal Cultural Resources to below a level of significance.	Less than Significant with Mitigation Incorporated	Mitigation Measures MM 4.5-1 through MM 4.5-8 and RR 4.5-1 and RR 4.5-2 shall apply.	As specified for Mitigation Measures MM 4.5-1 through MM 4.5-8 and RR 4.5-1 and RR 4.5-2	As specified for Mitigation Measures MM 4.5-1 through MM 4.5-8 and RR 4.5-1 and RR 4.5-2	As specified for Mitigation Measures MM 4.5-1 through MM 4.5-8 and RR 4.5-1 and RR 4.5-2
4.20 Utilities and Service Systems					
<u>Threshold a:</u> Although the Project would require construction of new or expanded water, wastewater conveyance, and stormwater drainage systems, impacts associated with the construction of such facilities are evaluated throughout this EIR under the appropriate subject headings (e.g., air	Less-than-Significant Impact	RR 4.20-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude impacts associated with utilities and service systems. Although compliance with mandatory regulatory requirements does not technically meet CEQA’s definition for mitigation, they are specified herein as requirements for the Project.			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>quality, biological resources, etc.). Where significant direct or cumulative impacts are identified, mitigation measures have been imposed to reduce the Project's impacts to the maximum feasible extent. There are no environmental impacts that would occur specifically related to the Project's proposed water, sewer, and drainage improvements that have not already been addressed. As such, with the mitigation measures specified in this EIR, Project impacts due to water, sewer, and drainage improvements would be less than significant. Additionally, the Project's wastewater generation would represent approximately 2.2% of the 5.0 mgd secondary treatment capacity at WRP 7 and approximately 4.5% of the 2.5 mgd tertiary treatment capacity at WRP 10. Additionally, the Project's wastewater generation would represent 0.6% of the 18 mgd treatment capacity at WRP 10. Accordingly, the Project would not result in or require the expansion of the existing facilities at the WRP 7 or WRP 10, and impacts would therefore be less than significant.</p> <p><u>Threshold b.:</u> The RUWMP demonstrates that the CVWD would have sufficient water supplies even during single and multiple dry years to meet the projected demand within its district through year 2045. Because the Project's anticipated water demand would be within the demand projections identified by the RUWMP, it can be concluded that the TVWD would have sufficient water supplies to serve the Project based on existing entitlements and resources. Additionally, the Project would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental</p>	Less-than-Significant Impact	<ul style="list-style-type: none"> The Project is required to comply with the provisions of the California Solid Waste Integrated Waste Management Act, (AB 939, 1989) which mandates a reduction of disposed waste throughout California. The Project is required to comply with the provisions of the California Solid Waste Reuse and Recycling Act (AB 1327) which developed a model ordinance for adoption of recyclable materials in development projects. AB 1327 requires all development projects that are commercial, industrial, institutional, or marina in nature and where solid waste is collected and loaded, to provide an adequate area for collecting and loading recyclable materials over the lifetime of the project. The area is required to be provided before building permits are issued. The Project is required to comply with the provisions of the Mandatory Commercial Recycling Program (AB 341): AB 341 made a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020, and required the Department of Resources Recycling and Recovery, by January 1, 2014, to provide a report to the Legislature that provides strategies to achieve that policy goal and also includes other specified information and recommendations. The Project would be subject to the following applicable standard conditions of approval imposed on the Project by the RCDWR: <ul style="list-style-type: none"> Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., cardboard, concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts; the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of material; the facilities and/or haulers that will be utilized; and the targeted recycling or reduction rate. During Project construction, the Project site shall have, at a minimum, two 	<p>As set forth by AB 939</p> <p>As set forth by AB 1327</p> <p>As set forth by AB 341</p> <p>Project Applicant, Future Building Occupants/ Tenants</p>	<p>As set forth by AB 939</p> <p>As set forth by AB 1327</p> <p>As set forth by AB 341</p> <p>RCDWR</p>	<p>As set forth by AB 939</p> <p>As set forth by AB 1327</p> <p>As set forth by AB 341</p> <p>Prior to issuance of a building permit, prior to final building inspection, and during the life of the proposed Project</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>effects. Furthermore, although the CVWD anticipates it will require an increase in imported water, the CVWD anticipates such demands would be met through the DCFP, Lake Perris Dam Seepage Recovery Project, and Sites Reservoir Project. Impacts to the environment associated with these programs currently are being evaluated as part of project-level EIRs for the DCFP, Lake Perris Dam Seepage Recovery Project, and Sites Reservoir Project (SCH Nos. 2020010227, 2019011027, and 2001112009, respectively), and there are no components of the Project's anticipated water demand that would result in increased impacts to the environment beyond what is already evaluated as part of these EIRs. Accordingly, physical impacts to the environment resulting from the Project's incremental increase in demand for potable water would be less than significant on a Project-level basis.</p> <p><u>Threshold c.</u>: Impacts associated with the Project's proposed sewer improvements are inherent to the Project's construction phase, and impacts have been evaluated throughout this EIR under the appropriate subject headings (e.g., air quality, biological resources, etc.). Where significant direct or cumulative impacts are identified, mitigation measures have been imposed to reduce the Project's impacts to the maximum feasible extent. There are no environmental impacts that would occur specifically related to the Project's proposed sewer improvements that have not already been addressed in pertinent sections of this EIR. As such, with the mitigation measures specified in this EIR, Project impacts due to proposed sewer improvements would be less than significant.</p> <p><u>Threshold d.</u>: The Project's wastewater generation</p>	<p>Less-than-Significant Impact</p> <p>Less-than-</p>	<p>bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.</p> <ul style="list-style-type: none"> ○ Prior to final building inspection, evidence (i.e., receipts or other type of verification) to demonstrate Project compliance with the approved WRP shall be presented by the Project proponent to the Planning Division of the Riverside County Department of Waste Resources in order to clear the project for occupancy permits. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled. ○ Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, State, and local regulations and ordinances, any hazardous waste generated in association with the Project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. 			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

Summary of Impacts	Significance Determination	Mitigation Measures (MM) and Regulatory Requirements (RR)	Responsible Parties	Monitoring Parties	Implementation Stage
<p>would represent approximately 2.4% of the 5.0 mgd secondary treatment capacity at WRP 7 and approximately 4.8% of the 2.5 mgd tertiary treatment capacity at WRP 7. Additionally, the Project's wastewater generation would represent 0.7% of the 18 mgd treatment capacity at WRP 10. Accordingly, the Project would not result in or require the expansion of the existing facilities at WRP 7 or WRP 10, and impacts would therefore be less than significant.</p> <p><u>Threshold e.</u>: The Lamb Canyon Landfill would have adequate capacity to handle solid waste generated by the Project's construction and operational phases. The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Accordingly, impacts would be less than significant.</p> <p><u>Threshold f.</u>: With mandatory compliance to AB 939, AB 341, SB 1383, and RCDWR's programs and policies, the Project would not result in a significant impact due to noncompliance with regulations related to solid waste. A less-than-significant impact would occur.</p> <p><u>Threshold g.</u>: Impacts associated with the construction or expansion of utility facilities would be less than significant or otherwise mitigated to the maximum feasible extent by this EIR. No additional mitigation would be required.</p>	<p>Significant Impact</p> <p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p> <p>Less-than-Significant Impact</p>				
4.21 Wildfire					
<p><u>Threshold a.</u>: The Project site and surrounding areas are not identified as evacuation routes, and there are no adopted emergency response plans or</p>	<p>Less-than-Significant Impact</p>	<p>RR 4.21-1 The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude wildfire-related impacts. Although compliance with mandatory</p>			



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

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<p>emergency evacuation plans applicable to the Project area. During construction and at Project build-out, the proposed Project would be required to maintain adequate access for emergency vehicles. Accordingly, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and impacts would be less than significant.</p> <p><u>Threshold b., c. and e.</u>: The Project site and areas surrounding the Project site to the north, east, south, and west are not classified as having a susceptibility to wildfire hazards, indicating that the chance of wildfires affecting these areas is low. Furthermore, the Project site would be developed primarily with non-flammable surfaces (e.g., parking areas, drive aisles, buildings, etc.), and all landscaping on site would be irrigated. As such, the Project has no potential to exacerbate wildfire risks, expose Project occupants to wildfire-related pollutant concentrations, or expose occupants to the uncontrolled spread of a wildfire. The Project also would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.</p> <p><u>Threshold d.</u>: Under existing and proposed conditions, the Project site exhibits little topographic variation, and development on site as proposed would not involve any uses containing natural vegetation or other features subject to wildland fire hazards. Thus, improvements proposed as part of the Project would not result in an increase in wildfire hazard-related risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope</p>	<p>Less-than-Significant Impact</p> <p>No Impact</p>	<p>regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.</p> <ul style="list-style-type: none">▪ The Project's construction is required to comply with Riverside County Ordinance No. 787, which addresses implementation of the California Fire Code.▪ Installation and maintenance activities associated with the IID substation and overhead electrical lines are required to comply with IID's Regulation No. 23 (addresses clearance requirements around power lines) and Regulation No. 26 (addresses applicable federal, state, and local safety regulations).	<p>As specified by Ordinance No. 787</p> <p>As specified by IID Regulation Nos. 23 and 26</p>	<p>As specified by Ordinance No. 787</p> <p>As specified by IID Regulation Nos. 23 and 26</p>	<p>As specified by Ordinance No. 787</p> <p>As specified by IID Regulation Nos. 23 and 26</p>



Table S-1 Summary of Impacts, Mitigation Measures, and Conclusions

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instability, or drainage changes. Areas surrounding the Project site also are not classified as having a susceptibility to wildfire hazards, indicating that the chance of wildfires affecting these areas is negligible. Therefore, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, and no impact would occur.					



1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all public agencies within the State of California having land use approval over project activities that have the potential to adversely affect the quality of the environment, regulate such activities so that impacts to the environment can be prevented to the extent feasible. Such activities are reviewed and monitored through the CEQA compliance process, as provided in the CEQA Statute (Public Resources Code Sections 21000- 21177, as amended) and the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387, as amended).

Under CEQA, if there is substantial evidence that a project may have a significant effect on the physical environment, an Environmental Impact Report (EIR) must be prepared (State CEQA Guidelines Section 15064(a)(1)). This document serves as an EIR for the proposed Majestic Thousand Palms Project. For purposes of this EIR, the term “Project” refers to all actions associated with implementation of the Majestic Project including its planning, construction, and ongoing operations. The term “Project Applicant” used herein refers to Majestic Realty Co., which is the entity that submitted applications to the County of Riverside (herein, “County”) to entitle the Project. The term “Project site” refers to the property upon which the Project is proposed. The public agency with the principal responsibility for carrying out or approving a project or the first public agency to make a discretionary decision to proceed with a proposed project should ordinarily act as the Lead Agency pursuant to State CEQA Guidelines Sections 15050-15051. The term “Lead Agency” used herein refers to the County of Riverside. Throughout this document, the terms “Draft EIR” and “Final EIR” may be used interchangeably since both are part of the ultimate EIR record; however, “Draft EIR” may be used specifically when referring to information provided in the volume made available for the CEQA-required 45-day public review period.

1.1 PURPOSES OF CEQA AND THIS EIR

This EIR has been prepared in compliance with CEQA (Public Resources Code Section 2100 et. seq.), as amended, and the State CEQA Guidelines (Title 14 California Code of Regulations (CCR) Section 15000 et. seq.), as amended. As stated by State CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.



The purposes of this EIR are to inform public agency decision-makers and the general public about the potentially significant environmental effects of the Majestic Thousand Palms Project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects (State CEQA Guidelines Section 15121(a)). This EIR is an informational document that represents the independent judgment of Riverside County. Staff in the County's Planning Department reviewed and, as necessary, directed revisions to all submitted drafts, technical studies, and reports supporting this EIR for consistency with County policies and requirements, reviewed the Project materials to ensure that this EIR reflects Riverside County's independent judgment. Governmental approvals requested from Riverside County by the Project Applicant include:

1. Adoption by resolution of General Plan Amendment No. 220004 (GPA 220004);
2. Adoption by ordinance of Change of Zone No. 2200013 (CZ 2200013);
3. Approval by resolution of Plot Plan No. 220003 (PPT 220022); and
4. Certification of this EIR.

Other related discretionary and administrative actions that are required to construct and operate the Project described in this EIR are listed in Section 3.0, *Project Description*. This document complies with all criteria, standards, and procedures of CEQA §§ 21000 *et seq.* and State CEQA Guidelines §§ 15000 *et seq.*

As a first step in the CEQA-compliance process, Riverside County determined that implementation of the Project has the potential to result in significant environmental effects, and a Project EIR, as defined by State CEQA Guidelines § 15161, is required. As stated in State CEQA Guidelines § 15161, a Project EIR should "...focus primarily on the changes in the environment that would result from the development project" and "...examine all phases of the project including planning, construction, and operation." This EIR represents the independent judgment of Riverside County (as the Lead Agency) and evaluates the physical environmental effects that could result from constructing and operating the proposed Project. Acting as Lead Agency, Riverside County will consider the following issues regarding the proposed Project: a) evaluation of this EIR to determine if the physical environmental impacts are adequately disclosed; b) assessment of the adequacy and feasibility of identified mitigation measures and the potential addition, modification to, or deletion of mitigation measures, standard conditions of approval, or Project design features; c) consideration of alternatives to the Project that would reduce or eliminate significant environmental effects of the Project; and, if necessary, d) consideration of Project benefits that override the Project's unavoidable and unmitigable significant effects on the environment.

Accordingly, and in conformance with CEQA Guidelines § 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.



Before taking action to approve the Project, the County of Riverside (serving as the Lead Agency) has the obligation to: (1) ensure this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision-making process; (3) make a statement that this EIR reflects Riverside County’s independent judgment; (4) ensure that all significant effects on the environment are avoided or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (State CEQA Guidelines §§ 15090-15093).

The roles and responsibilities of the County of Riverside Planning Commission and Board of Supervisors for Project-related approvals are as follows.

- **The Planning Commission:** The Planning Commission will recommend to the Board of Supervisors whether the Project’s applications, which include GPA 220004, CZ 2200013, and PPT 220022, should be approved, modified, or denied, and will recommend to the Board of Supervisors whether to certify the Final EIR (FEIR) with or without modifications.
- **Board of Supervisors:** The Board of Supervisors will decide whether to approve, modify, or deny GPA 220004, CZ 2200013, and PPT 220022. Project-related approvals will be subject to a noticed public hearing held before the Board of Supervisors. Upon approval or conditional approval of the Project and certification of this EIR by the Board of Supervisors, the County would conduct additional discretionary and administrative level reviews as needed to implement the Project.

This EIR and all supporting technical appendices are available for review at the Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501, during the County’s regular business hours, can be requested in electronic form by contacting the County Planning Department, or can be accessed from the Planning Department’s main web page (<https://planning.rctlma.org/>) under the “CEQA Environmental Noticing” heading.

1.2 SUMMARY OF THE PROJECT EVALUATED BY THIS EIR

The County of Riverside is the Lead Agency for the proposed Project, under whose authority this EIR has been prepared. For purposes of this EIR, the term “Project” refers to the Project’s discretionary applications (GPA 220004, CZ 2200013, and PPT 220022) and the discretionary and ministerial actions required to implement the Project, as proposed, and all of the activities associated with Project implementation including planning, construction, and long-term operations.

In summary, the Project Applicant is proposing development of a 1,238,992 square foot (s.f.) warehouse building and an Imperial Irrigation District (IID) 50 megawatt (MW) joint electric substation on an 83.0-acre property located at the northeast corner of Rio Del Sol and 30th Avenue in the Thousand Palms community of unincorporated Riverside County. The Project also would require off-site road improvements and the construction of power poles supporting overhead lines between the proposed IID substation and existing IID



facilities. Governmental approvals requested from Riverside County by the Project Applicant include the following:

- **General Plan Amendment No. 220004 (GPA 220004)** is a proposal to modify the General Plan land uses designation on the eastern +/- half of the Project site from “Medium Density Residential (MDR)” to “Light Industrial (LI).” The western +/- half of the Project site would not be affected by GPA 220004 and would continue to be designated for LI land uses.
- **Change of Zone No. 2200013 (CZ 2200013)** is a proposal to change the zoning classification for the eastern +/- half of the Project site from “Residential – Agricultural (R-A)” to “Manufacturing – Service Commercial (M-SC).” The western portion of the Project site would not be affected by CZ 2200013 and would continue to be zoned for M-SC land uses.
- **Plot Plan No. 220022 (PPT 220022)** is a proposal for the development of the 83.0-acre property with a 1,238,992 s.f. warehouse building that includes 20,000 s.f. of office uses and 1,218,992 s.f. of warehouse space, as well as a 50 MW IID joint electric substation. Other proposed features include landscaping, parking areas, docking doors, and frontage improvements along Rio Del Sol Road and 30th Avenue. Off-site improvements required to implement the Project entail limited off-site road improvements including the paving of Robert Road between 30th Avenue and Del Norte Way and the installation of power poles supporting overhead lines between the proposed onsite IID substation and existing IID facilities.

Refer to Section 3.0, *Project Description*, for a detailed description of these requested discretionary actions and the proposed physical and operational characteristics of the Project. Other related discretionary and administrative actions that are required to construct and operate the Project are also described in Section 3.0.

1.3 CEQA COMPLIANCE PROCESS

CEQA (Public Resources Code, §§ 21000- 21177) requires that all public agencies within the State of California, having land use approval over project activities that have the potential to affect the quality of the environment, shall regulate such activities so that impacts to the environment can be prevented to the extent feasible. Such activity is reviewed and monitored through the CEQA process, as provided in the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387). CEQA distinguishes varied levels of documentation and public review based on a project’s anticipated level of effect on the environment.

When it is determined through preliminary review that a project may likely have one or more significant effects upon the environment, then an Environmental Impact Report (EIR) must be prepared. The “scope” of the EIR may be determined through preparation of an Initial Study and a public scoping process. The EIR should consider both the potential project-specific (direct and indirect) and cumulative environmental impacts that could result from the implementation of the proposed project.



Pursuant to State CEQA Guidelines § 15121, the EIR is primarily an informational document intended to inform the public agency decision-makers and the general public of the potentially significant effects of a proposed project. The EIR should disclose all known potentially significant impacts; identify feasible means to minimize or mitigate those effects; and consider a number of feasible alternatives to the project that might further reduce significant impacts while still attaining the project objectives. The decision-makers must consider the information in an EIR before taking action on the proposed project. The EIR may constitute substantial evidence in the record to support the agency's action on the project.

The EIR is prepared by or under the direction of the Lead Agency, which for the proposed Project is the County of Riverside. The County of Riverside is the public agency that has the primary responsibility for approving or carrying out the Project. Further, Responsible and Trustee Agencies, which are public agencies that have a level of discretionary approval over some component of the proposed Project, may rely upon the EIR prepared by the County of Riverside.

An EIR is prepared in two key stages. First, a Draft EIR is prepared and distributed for public and agency review. Once comments on the Draft EIR are received, responses to those comments and any additional relevant project information are prepared and compiled in a Final EIR. Both of these documents (i.e., the Draft EIR and the Final EIR), along with any related technical appendices and reference sources, represent the complete record of the EIR. Throughout this document, the terms Final EIR or Draft EIR may be used interchangeably since both are part of the ultimate EIR record; however, "Draft EIR" may be used specifically when referring to information provided in the volume made available for the CEQA-required 45-day public review period.

In accordance with State CEQA Guidelines § 15087, this Draft EIR will be made available for review by the public and public agencies for a minimum period of 45 days to provide comments "on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated" (State CEQA Guidelines § 152049(a)). Responses to written comments received during the public review period will be included in the Final EIR. During the decision-making process, the Project and its design features, objectives, merits, environmental consequences, and socioeconomic factors, among other information contained in the Project's administrative record, will be considered by Riverside County decision-makers. If the Final EIR is certified and the Project approved, Riverside County and other public agencies with permitting authority over all, or portions, of the Project would be able to rely on the Final EIR as part of their permitting processes to evaluate the environmental effects of the Project as they pertain to the approval or denial of applicable permits.

1.4 EIR SCOPE, FORMAT, AND CONTENT

1.4.1 EIR SCOPE

Pursuant to the procedural requirements of CEQA, on December 1, 2022, the County filed a Notice of Preparation (NOP) with the California Office of Planning and Research's (OPR) State Clearinghouse (SCH) and the Riverside County Clerk to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. An Initial Study was not prepared for the Project, and as such this EIR evaluates



all of the environmental subject areas listed in Appendix G to the State CEQA Guidelines, as implemented by Riverside County. The NOP was distributed to surrounding property owners, responsible and trustee agencies, and other interested parties for a 30-day public review period that commenced on December 1, 2022, and concluded on January 6, 2023. The NOP was distributed for public review to solicit responses to help the County identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

In addition, Riverside County held a publicly-noticed EIR Scoping Meeting on December 12, 2022, using a combination in-person meeting and an internet-based virtual platform (Zoom). At the Scoping Meeting, the County provided information about the proposed Project, the intended scope of the EIR, and provided opportunity for public agencies and members of the general public to comment on the scope of environmental issues to be addressed in this EIR.

The NOP, public review distribution list, and written comments received by Riverside County during the NOP public review period are provided in *Technical Appendix A* to this EIR. Please refer to Table 1-1, *Summary of NOP Comments*, for summarized comments received during the NOP public review period. The purpose of this table is to present a summary of the environmental topics that were expressed by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 is not intended to list every comment received by the County during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in the table, all relevant comments received in response to the NOP and during the EIR Scoping Meeting are addressed in this EIR.

Table 1-1 Summary of NOP Comments

Commenter	Comment	EIR Section(s) Where Comment is Addressed
State		
Center for Biological Diversity	<ul style="list-style-type: none">Requests that the EIR adequately assess and mitigate the Project's cumulative impacts on air quality in the region.	EIR Subsection 4.0 (Environmental Analysis) and Subsection 4.3 (Air Quality)
CARE CA	<ul style="list-style-type: none">Requests mailed notice of all records related to the Project.	
California Department of Fish and Wildlife	<ul style="list-style-type: none">Recommends an assessment and inventory of habitats and species located within the Project footprint.Requests that the EIR include a thorough discussion of the direct, indirect, and cumulative impacts to biological resources, as well as an analysis of reasonable alternatives to the Project.	EIR Subsection 4.0 (Environmental Analysis), Subsection 4.4 (Biological Resources), and Section 6.0 (Alternatives)
Native American Heritage Commission	<ul style="list-style-type: none">States the requirements of AB 52 and SB 18.	EIR Subsection 4.5 (Cultural Resources) and EIR Section 4.19 (Tribal Cultural Resources)



Table 1-1 Summary of NOP Comments

Commenter	Comment	EIR Section(s) Where Comment is Addressed
	<ul style="list-style-type: none">Provides recommendations for Project-specific Cultural Resource Assessments	
Regional		
Center for Community Action and Environmental Justice	<ul style="list-style-type: none">Requests that the DEIR identify mitigation measures in order to reduce the impact that truck traffic serving the Project has on surrounding communities.	EIR Subsection 4.3 (Air Quality), Subsection 4.8 (Greenhouse Gas Emissions), and Subsection 4.18 (Transportation)
Coachella Valley Water District	<ul style="list-style-type: none">Requests the submission of a Project-specific Water Supply Assessment (WSA).	EIR Subsection 4.20 (Utilities and Service Systems)
Imperial Irrigation District	<ul style="list-style-type: none">States the plan of service for the IID Substation located on the Project site.States design guidelines and CEQA analysis requirements for the IID Substation.	EIR Subsection 3.0 (Project Description)
South Coast Air Quality Management District	<ul style="list-style-type: none">Recommends a Project-specific mobile health risk assessment due to Project-related diesel-fueled vehicular trips.Notes potential public health impacts due to the proposed Project and existing land uses.Lists potential mitigation measures to reduce operational air quality impacts.	EIR Subsection 4.3 (Air Quality)
Local		
Teamsters Local 1932	<ul style="list-style-type: none">Requests that cumulative impacts, particularly energy demands, greenhouse gas emissions, and air quality, include consideration for all warehouse projects in the region.	EIR Subsection 4.0 (Environmental Analysis), Subsection 4.3 (Air Quality), Subsection 4.6 (Energy), and Subsection 4.8 (Greenhouse Gas Emissions)

As previously indicated, an Initial Study was not prepared for the proposed Project because the County determined that an EIR was clearly required. As such, this EIR evaluates all of the environmental topics identified in Appendix G to the State CEQA Guidelines and in the County's standard Environmental Assessment Checklist form. Based on Appendix G and the County's Environmental Assessment Checklist form, and in consideration of all comments received by Riverside County on the NOP and during the EIR Scoping Meeting, Section 4.0 of this EIR evaluates the Project's potential to cause adverse effects to the following environmental issue areas:



- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

1.4.2 USE OF THIS EIR

Riverside County will release the Draft EIR for a minimum 45-day public review period and make the Draft EIR and its supporting technical appendices available for review in electronic form on the County's website, located at <https://planning.rctlma.org/>. During the 45-day review period, comments on the content of the Draft EIR can be submitted to:

Riverside County – Planning Department
Attn: Russell Brady, Project Planner
P.O. Box 1409
Riverside, CA 92502-1409
Email: rbrady@rivco.org

Public comments should be focused “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” (State CEQA Guidelines Section 152049(a)).

Following the Draft EIR's 45-day public review period, the County will then respond in writing to all submitted comments pertaining to an environmental effect and publish a Final EIR. Before taking action to approve the Project, Riverside County (serving as the Lead Agency) has the obligation to: (1) ensure this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the County's independent judgment; (4) ensure that all significant effects on the environment are avoided or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or project alternatives identified in this EIR are infeasible and citing the specific benefits of the proposed Project that outweigh its unavoidable adverse effects (State CEQA Guidelines Sections 15090-15093).



Project-related decision-making hearings will be subject to noticed public hearings held before the Planning Commission and Board of Supervisors, which will include consideration of the information contained in the Final EIR and the associated administrative record. The roles and responsibilities of the Riverside County Planning Commission and Board of Supervisors for Project-related approvals are as follows.

- **Planning Commission:** The Planning Commission will make advisory recommendations to the Board of Supervisors whether proposed GPA 220004, CZ 2200013, and PPT 220022 should be approved, approved with changes, or not approved, and will recommend to the Board of Supervisors whether to certify the Final EIR with or without modifications.
- **Board of Supervisors:** The Board of Supervisors will decide whether to certify the Final EIR and whether to approve, approve with changes, or deny GPA 220004, CZ 2200013, and PPT 220022.

During the decision-making processes, the Project and its design features, objectives, merits, environmental consequences, and socioeconomic factors, among other information contained in the Project's administrative record, will be considered by Riverside County. If the Final EIR is certified and GPA 220004, CZ 2200013, and PPT 220022 are approved, Riverside County and other public agencies with permitting authority over all or portions of the Project would be able to rely on the Final EIR as part of their permitting and approval processes to evaluate the environmental effects of the Project as they pertain to the approval or denial of applicable permits. County staff also would rely on the certified Final EIR to subsequently conduct administrative level reviews for implementing permits and approvals.

1.4.3 CONTENT AND ORGANIZATION OF THIS EIR

This EIR contains all of the information required to be included in an EIR as specified by the CEQA Statutes and Guidelines (California Public Resources Code, Section 21000 et. seq. and California Code of Regulations, Title 14, Chapter 5). This EIR is organized in the following manner:

- **Section S.0, Executive Summary**, provides an overview of the EIR document and CEQA-compliance process. The Project and its objectives are described, and the location and regional setting of the Project site is documented. In addition, the Executive Summary discloses potential areas of controversy related to the Project, including those issues identified by other agencies and the public, and identifies potential alternatives to the proposed Project that would reduce or avoid significant impacts, as required by CEQA. Finally, the Executive Summary provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the EIR's Mitigation, Monitoring, and Reporting Program (MMRP).
- **Section 1.0, Introduction**, provides introductory information about the CEQA process and the responsibilities of Riverside County, serving as the Lead Agency for this EIR; a brief description of the Project; the purpose of this EIR; applications submitted by the Project Applicant that would require discretionary approvals from Riverside County; and an overview of the EIR format.



- **Section 2.0, Environmental Setting**, describes the environmental setting, including an overview of the regional and local setting, as well as descriptions of the Project site's physical conditions and surrounding context. The existing setting is defined as the condition of the Project site and surrounding area at the approximate date this EIR's NOP was released for public review on December 1, 2022. The setting discussion also addresses the relevant regional planning documents that apply to the Project site and vicinity.
- **Section 3.0, Project Description**, serves as the EIR's Project Description for purposes of CEQA and contains a level of specificity commensurate with the level of detail proposed as part of the Project, including the summary requirements pursuant to State CEQA Guidelines Section 15123. This section provides a detailed description of the Project, including its purpose and main objectives; design features; landscaping; site drainage; utilities; grading and construction characteristics; and operational characteristics expected over the Project's lifetime. In addition, the discretionary actions required of Riverside County and other government agencies to implement the Project are discussed.
- **Section 4.0, Environmental Analysis**, provides an analysis of the potential direct, indirect, and cumulatively considerable impacts that may occur from implementing the proposed Project. Topics that were found to have no potential of being significantly impacted are discussed in Section 5.0, *Other CEQA Considerations*. A conclusion concerning significance is reached for each discussion, and mitigation measures are presented as warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. The State CEQA Guidelines also describe the terms "effects" and "impacts" as being synonymous (State CEQA Guidelines Section 15358).

In the environmental analysis subsections of Section 4.0, the existing conditions are disclosed that are pertinent to the subject area being analyzed, accompanied by a specific analysis of physical impacts that may be caused by implementing the proposed Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the proposed Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in State CEQA Guidelines Section 15355 as "...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

The analysis in Section 4.0 is based in part upon technical studies that are appended to this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the proposed Project and are cited in EIR Section 7.0, *References*. Where the analysis demonstrates that a physical adverse environmental effect may or would occur without undue speculation, feasible mitigation measures are recommended to reduce or avoid the significant effect. Mitigation measures must be fully enforceable, have an essential nexus to a legitimate governmental interest, and be "roughly proportional" to the impacts of the Project. The discussion then indicates whether the identified mitigation measures would reduce impacts to below a level of significance. In most cases, implementation of the mitigation measures would reduce the adverse environmental impacts to below



a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by Riverside County pursuant to State CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations**, includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the proposed Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not to be significant during the preparation of this EIR.
- **Section 6.0, Project Alternatives**, describes and evaluates alternatives to the proposed Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives that will foster informed decision making and public participation. A range of four (4) alternatives is presented in Section 6.0, including a No Development Alternative, No Project Alternative, Reduced Project Alternative, and Small Building Alternative.
- **Section 7.0, References**, cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted during preparation of this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, *Location of CEQA Required Topics*, provides a quick reference in locating the CEQA-required sections within this document.

1.4.4 INCORPORATION BY REFERENCE

State CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized... information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "placement of highly technical and specialized analysis and data in the body of an EIR shall be avoided." State CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document... [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR.

Therefore, the detailed technical studies, reports, and supporting documentation that were used in preparing this EIR are bound separately as Technical Appendices. The Technical Appendices are available for review at



Table 1-2 Location of CEQA Required Topics

CEQA Required Topic	State CEQA Guidelines Reference	Location in this EIR
Table of Contents	§ 15122	Table of Contents
Summary	§ 15123	Section S.0
Project Description	§ 15124	Section 3.0
Environmental Setting	§ 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	§ 15126 and § 15126.2(a)	Section 4.0
Energy Conservation	§ 15126.2(b) and Appendix F	Subsection 4.5
Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented	§ 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Involved in the Proposed Project Should it be Implemented	§ 15126.2(d)	Subsection 5.2
Growth-Inducing Impacts of the Proposed Project	§ 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	§ 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Proposed Project	§ 15126.6	Section 6.0
Effects Not Found to be Significant During the EIR Scoping Process	§ 15128	Subsection 5.4
Organizations and Persons Consulted	§ 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	§ 15130	Section 4.0

the Riverside County Planning Department, located at 4080 Lemon Street, 12th Floor, Riverside, CA 92501, or on the Planning Department's web site, located at <https://planning.rctlma.org/>. The individual technical studies, reports, and supporting documentation that comprise the Technical Appendices are as follows:

- A. Initial Study, Notice of Preparation (NOP) and Written Comments on the NOP
- B1. Air Quality Impact Analysis
- B2. Mobile Source Health Risk Assessment
- B3. Infeasibility of All-Electric Trucks Memorandum**
- C1. Biological Resources and MSHCP Consistency Report
- C2. Aquatic Resources Delineation Report
- C3. Corps Determination Letter
- D. Cultural Resources Assessment
- E. Energy Analysis
- F. Geotechnical Evaluation
- G. Greenhouse Gas Emissions Report
- H. Phase I Environmental Site Assessment
- II. Water Quality Management Plan



- I2. Hydrology Report
- K1. Traffic Analysis
- K2. Vehicle Miles Travelled Analysis
- K3. Supplemental Truck Vehicle Miles Traveled Analysis
- L. Water Supply Assessment
- M. Project Correspondence
- N. General Plan Consistency Analysis
- O. “Good Neighbor Policy” Consistency Analysis

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents or websites not included in the EIR’s Technical Appendices are cited for convenience by a link to the online location where the document/website can be viewed by the public. All references relied upon by this EIR are included as part of Riverside County’s Administrative Record pertaining to the proposed Project.

1.5 RESPONSIBLE AND TRUSTEE AGENCIES

The California Public Resource Code Section 21104 requires that all EIRs be reviewed by Responsible and Trustee Agencies (see also State CEQA Guidelines Section 15082 and Section 15086(a)). As defined by State CEQA Guidelines Section 15381, “the term ‘Responsible Agency’ includes all public agencies other than the Lead Agency that have discretionary approval power over the project.” A “Trustee Agency” is defined in State CEQA Guidelines Section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.” The known Responsible and Trustee Agencies for the Majestic Thousand Palms Project are listed below. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes in relation to the proposed Project.

- **Federal Emergency Management Agency (FEMA)** is identified as a Responsible Agency pertaining to the issuance of a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) to remove the Project’s development area footprint from mapped flood hazard areas.
- **Colorado River Basin Regional Water Quality Control Board (RWQCB)** is identified as a Trustee Agency that is responsible for the protection of California’s water resources and water quality. The Colorado River Basin RWQCB is responsible for issuance of a Construction Activity General Construction Permit and National Pollutant Discharge Elimination System (NPDES) Permit to ensure that on-site water flows do not result in siltation, other erosional effects, or degradation of surface or subsurface water quality. The Colorado River Basin RWQCB also would be responsible for issuing a Waste Discharge Permit for Project impacts to Colorado River Basin RWQCB jurisdictional areas pursuant to the Porter-Cologne Water Quality Act.
- **California Department of Fish and Wildlife (CDFW)** is identified as a Trustee Agency that is responsible for the protection of fish and wildlife resources, and has jurisdiction over the conservation,



protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. The CDFW would be responsible for issuing a Section 1602 Streambed Alteration Agreement (SAA) pursuant to Section 1600 of the California Fish and Game Code.

- **South Coast Air Quality Management District (SCAQMD)** is identified as a Responsible Agency, in the event that any future tenant/user of the Project site requires a permit to construct or permit to operate. These permits are required to install or operate equipment pursuant to SCAQMD Rules related to specific types and quantities of air pollutant emissions.
- **Imperial Irrigation District (IID)** is identified as a Responsible Agency and would be responsible for approving the design and development of the proposed on-site IID substation, installation of power poles and overhead lines off site, and for approving the Project's proposed improvements to connect to IID's electrical grid.
- **Coachella Valley Water District (CVWD)** is identified as a Responsible Agency pertaining to the approval of the Project's proposed water and wastewater system connections and improvements and for issuing the Project's Water Supply Assessment ("WSA"; EIR *Technical Appendix L*). CVWD also is responsible for approval of the Project's flood control and drainage system.
- **Southern California Gas Company (SCG)** is identified as a Responsible Agency pertaining to the approval of the Project's connections to SCG's natural gas distribution systems.

1.6 AREAS OF CONTROVERSY

Substantive issues raised in response to this EIR's NOP were previously summarized in Table 1-1. Based on comments received in response to the NOP, concerns were raised regarding potential impacts to the environment pertaining to the topics of air quality (including localized emissions and cancer and non-cancer related health risks, as well as mitigation measures addressing these concerns), biological resources (habitat, sensitive species, and direct, indirect, and cumulative impacts), sensitive cultural resources (including tribal cultural resources), water supply, greenhouse gas (GHG) emissions, and cumulatively-considerable impacts of the Project. No other areas of concern or controversy were identified pertaining to the proposed Project, beyond comments regarding the Project's potential environmental effects summarized in Table 1-1.

1.7 ISSUES TO BE RESOLVED BY THE DECISION-MAKING BODY

The primary issue to be resolved by the decision-making body for the proposed Project involves the Project's significant and unavoidable impacts in the environmental topic areas of Air Quality (due to a conflict with the SCAQMD Air Quality Management Plan (AQMP) and due to regional emissions of nitrogen oxides (NO_x)) and Transportation (due to the Project's Vehicle Miles Traveled (VMT)), which are addressed in EIR Subsections 4.3 and 4.18, respectively. The Riverside County Board of Supervisors will evaluate whether the mitigation measures presented in this document to reduce the Project's unavoidable environmental impacts to air quality and due to VMT adequately reduces the Project's impacts to the maximum feasible extent. The



Board of Supervisors also will determine whether the Project's benefits outweigh the adverse environmental effects in support of adopting a Statement of Overriding Considerations pursuant to State CEQA Guidelines Section 15093. Finally, the Board of Supervisors will decide whether to approve one of the Project alternatives in lieu of the proposed Project, if it is determined that one of the alternatives is feasible, meets the Project's objectives, and its approval would serve to substantially reduce or avoid the significant environmental effects.



2.0 ENVIRONMENTAL SETTING

This Section 2.0 is provided pursuant to CEQA Guidelines § 15125(a), and includes a description of the physical environmental conditions in the vicinity of the Project site and its off-site improvement areas from both a local and regional perspective as it existed at the approximate time the Notice of Preparation (NOP) was published for this EIR, which occurred on December 1, 2022. This Section provides a brief overview of resources on and surrounding the Project site; additional detail regarding existing conditions for individual issue areas (e.g., biology, geology, etc.) is provided within the appropriate subsection headings within Section 4.0, *Environmental Analysis*, of this EIR.

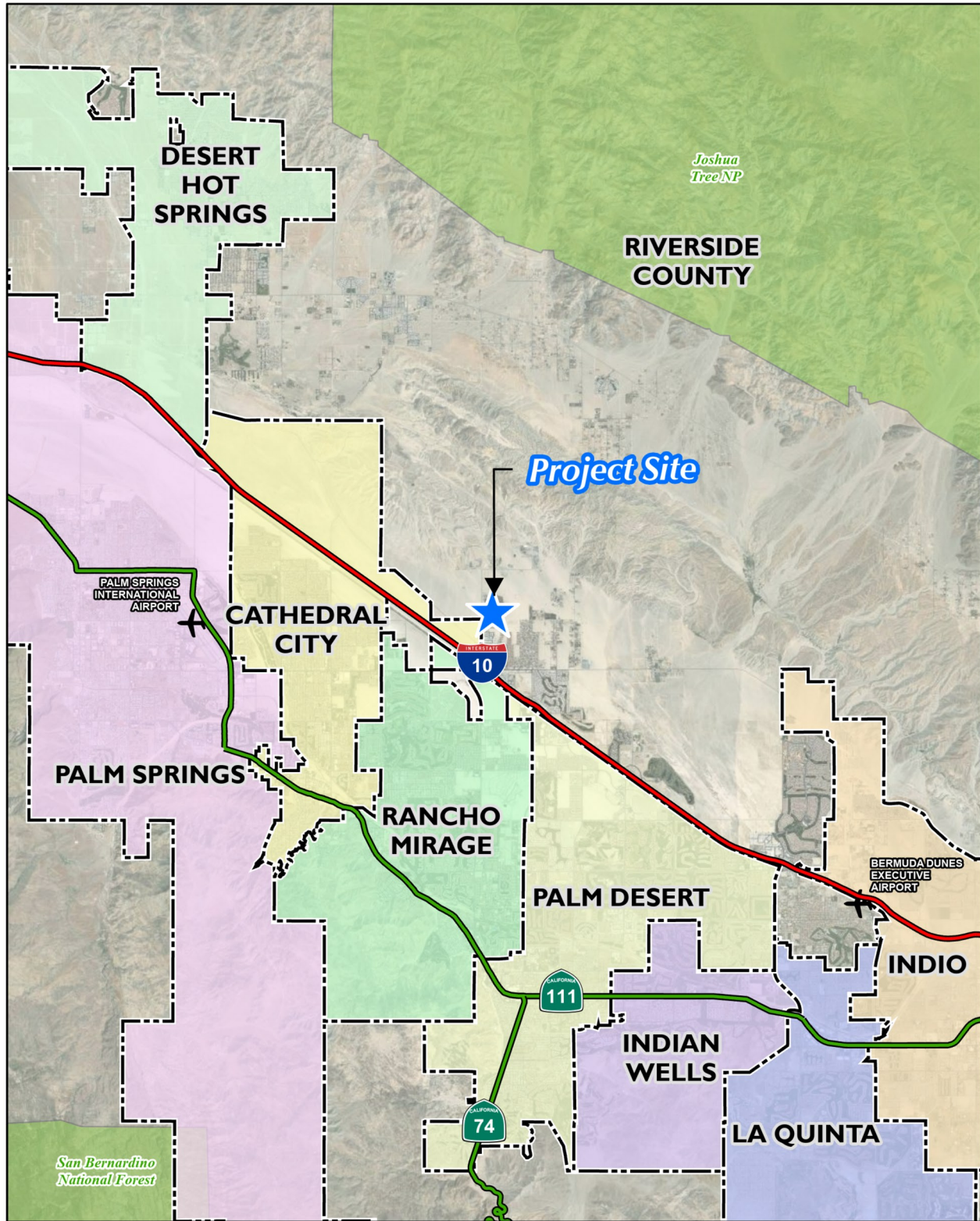
2.1 REGIONAL SETTING AND LOCATION

The 83.0-acre Project site is located within the Thousand Palms community of unincorporated Riverside County, California, within the City of Cathedral City's sphere of influence. Figure 2-1, *Regional Map*, depicts the Project site's location within the regional vicinity. As shown, Riverside County abuts San Bernardino County to the north; Orange County to the west; and San Diego and Imperial Counties to the south. Riverside County is located in an urbanizing area of southern California commonly referred to as the Inland Empire. The Inland Empire is an approximate 28,000 square-mile region comprising western San Bernardino County, western Riverside County, and the eastern reaches of Los Angeles County. As of 2018, the Southern California Association of Governments (SCAG) estimated that Riverside County as a whole had a population 2,415,954 (SCAG, 2019, p. 3). SCAG estimated that the population within the SCAG region will increase from a population of 18.8 million in 2016 to a population of 22.5 million by 2045 (SCAG, 2020, Demographics and Growth Forecast Technical Appendix, Table 14).

2.2 LOCAL SETTING AND LOCATION

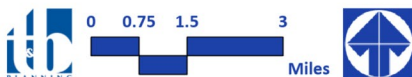
The Project site is located within the central portion of unincorporated Riverside County, California. As depicted on Figure 2-2, *Vicinity Map*, the 83.0-acre Project site and off-site improvement areas are located within the Thousand Palms community of the Western Coachella Valley Area Plan (WCVAP) portion of unincorporated Riverside County. The 83.0-acre Project site is located east of and abutting Rio del Sol, north of and abutting the future alignment of 30th Avenue, west of and abutting the future alignment of Robert Road, and approximately 0.75-mile south of 28th Avenue. The Project site is located approximately 0.7-mile northeast of the Interstate 10 (I-10) on and off ramps at Bob Hope Drive. The Project site encompasses Assessor's Parcel Numbers (APNs) 648-150-034 and 648-150-035, and is located within the southwest portion of Section 7, Township 4 south, Range 6 east, San Bernardino Baseline and Meridian.

As described in further detail in EIR Section 3.0, *Project Description*, the Project also would entail the construction of off-site power poles to connect the proposed on-site Imperial Irrigation District (IID) joint substation to existing IID facilities. Although the precise location of individual power poles is unknown at this time, it is anticipated that the power poles would be constructed along one or more of the following roadway segments: 30th Avenue between the Project site and Sierra del Sol; Roberts Road between the Project site and Ramon Road; Sierra del Sol between 30th Avenue and Ramon Road; El Centro Way between Roberts Road

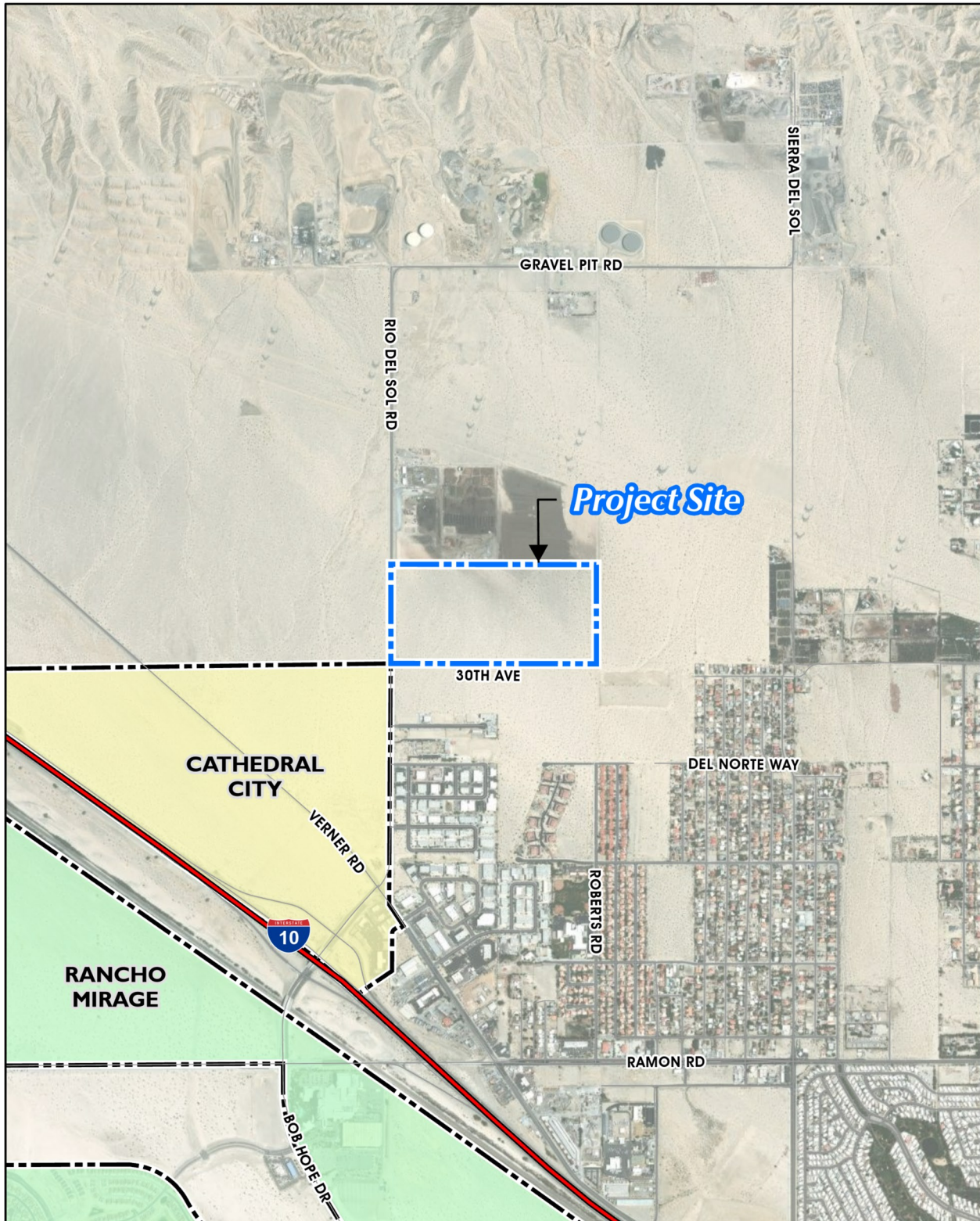


Source(s): ESRI, RCIT (2023)

Figure 2-1

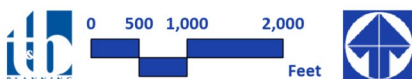


Regional Map



Source(s): ESRI, RCTLMA (2022)

Figure 2-2



Vicinity Map



and San Miguelito Drive; San Miguelito Drive between El Centro Way and Ramon Road; and Ramon Road between Roberts Road and Sierra del Sol. The segments of Robert Road between the Project site and Del Norte Way and the of 30th Avenue between the Project site and just west of Monte Vista Way are planned roadways that are currently undeveloped and consist of vacant desert land with scattered vegetation. The remaining potential off-site alignments for the power poles would traverse existing single-family residential neighborhoods located to the east and southeast of the Project site.

The census tract containing the Project site (Census Tract 6065044505) is ranked by the State as being in the 27th percentile for pollution burden, which, based on the Census Tract's demographic characteristics results in the Office of Environmental Health Hazard Assessment (OEHHA) ranking the area in the 41st percentile of communities that are disproportionately burdened by multiple sources of pollution (OEHHA, 2022a).

OEHHA's California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0, is a screening methodology that the State uses to identify California communities that are disproportionately burdened by multiple sources of pollution. The CalEnviroScreen 4.0 indicators for the Project site's Census Tract based on data collected between approximately 2016 and 2019 are shown in Table 2-1, *CalEnviroScreen Indicators for Census Tract 6065044505*.

Table 2-1 CalEnviroScreen Indicators for Census Tract 6065044505

Indicator	% Burden	Indicator	% Burden
Exposures		Environmental Effects	
Ozone:	89	Cleanup Sites	0
PM 2.5:	7	Groundwater Threats	22
Diesel PM:	54	Hazardous Waste	5
Pesticides:	0	Impaired Waters	0
Toxic Releases:	4	Solid Waste	85
Traffic:	87	Sensitive Populations	
Drinking Water Contaminants:	45	Asthma	44
Lead in Housing:	34	Low Birth Weight	9
Cleanups:	0	Cardiovascular Disease	73
Groundwater Threats:	22	Socioeconomic Factors	
Hazardous Waste:	5	Education	59
Impaired Water:	0	Linguistic Isolation	56
Solid Waste:	85	Poverty	62
		Unemployment	65
		Housing Burden	48

(OEHHA, n.d.)

Exposure indicators are based on measurements of different types of pollution that people may come into contact with. Environmental effects indicators are based on the locations of toxic chemicals in or near communities. Sensitive population indicators measure the number of people in a community who may be more severely affected by pollution because of their age or health. Socioeconomic factor indicators are conditions



that may increase people's stress or make healthy living difficult and cause them to be more sensitive to pollution's effects. As indicated in Table 2-1, for the Project site's Census Tract, the highest environmental exposures (over 80%) are from ozone (O₃), traffic, and solid waste. The highest population and socioeconomic factors (over 80%) are limited to environmental effects associated with solid waste. (OEHHA, n.d.) There is an organic wastes recycling facility located immediately north of the Project site's boundary.

The Project site is not located in a SB 535 Disadvantaged Community identified by the California Environmental Protection Agency (CalEPA) (CalEPA, 2022).

2.3 SURROUNDING LAND USES AND DEVELOPMENT

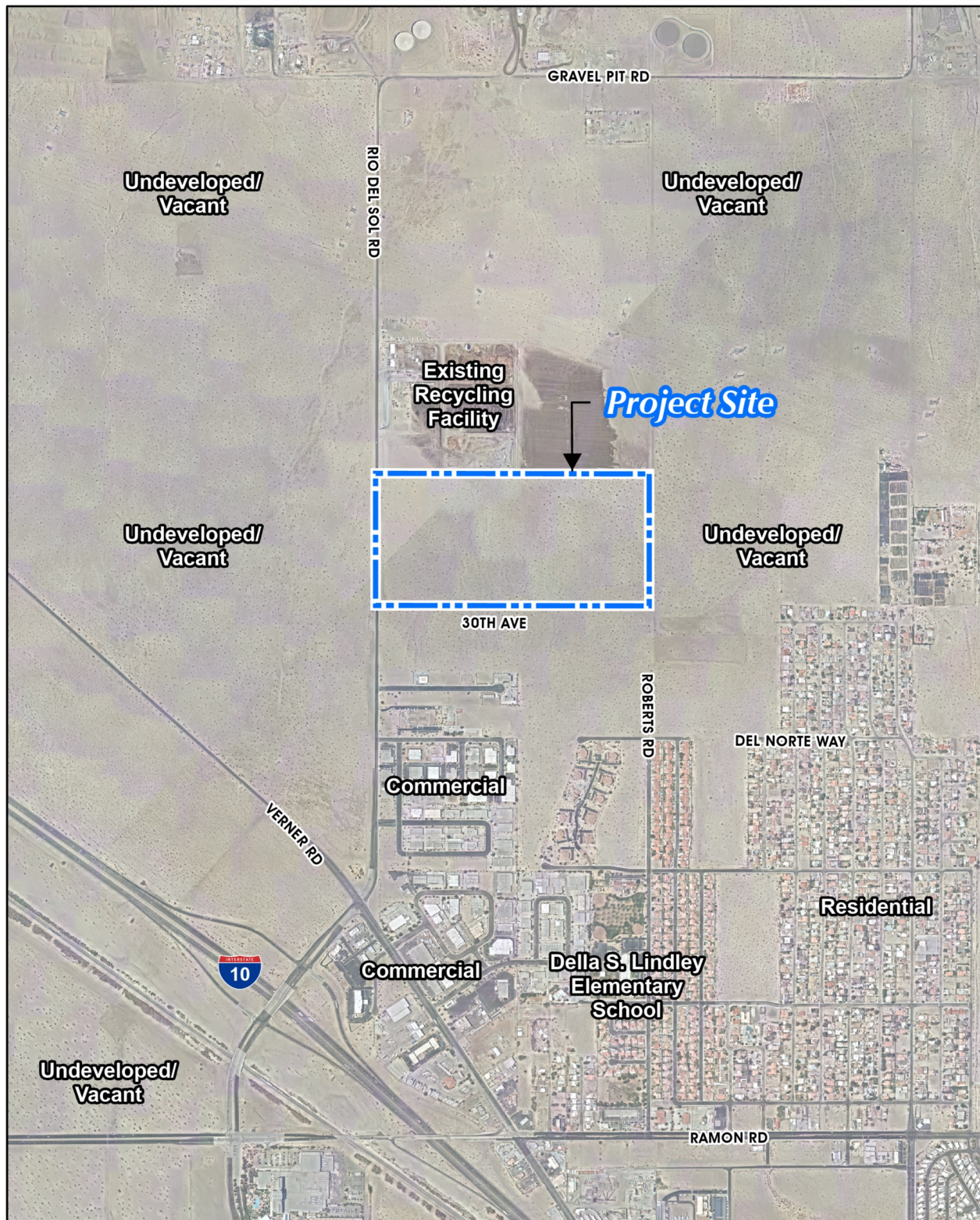
Land uses in the vicinity of the Project site are depicted on Figure 2-3, *Surrounding Land Uses*. As shown, there is an existing organic wastes recycling facility (SA Recycling) located north of and abutting the western +/- half of the northern Project boundary, with remaining lands to the north comprising undeveloped vacant land. To the east of the Project site is the planned alignment of Robert Road, beyond which are undeveloped lands and agricultural uses, while single-family residences occur to the southeast of the Project site. To the south of the Project site are undeveloped and vacant lands, with land located south of the westerly +/- half of the Project site planned as a recreational vehicle storage lot. Further south are several light industrial/business park uses and single family residences. To the west of the Project site are undeveloped and vacant lands, with Varner Road occurring approximately 0.4-mile southwest of the Project site. The I-10 freeway is located approximately 0.7-mile southwest of the Project site. The Project site is located approximately 5.2 miles east of the Palm Springs International Airport. There are two existing schools within two miles of the Project site, including the Della S. Lindley Elementary School, located at 31495 Robert Road, Thousand Palms, California (approximately 0.6-mile south of the Project site), and Rancho Mirage High School, located at 31001 Rattler Road in the City of Rancho Mirage, California (approximately 1.6 miles southwest of the Project site).

2.4 PLANNING CONTEXT

CEQA Guidelines § 15125(d) requires that EIRs identify the general plans and regional plans that are applicable to the project under evaluation, and recognize potential inconsistencies. Plans that are applicable to the Project evaluated herein are summarized below, with additional information provided in the applicable resource discussions in Section 4.0, *Environmental Analysis*.

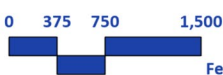
2.4.1 SCAG REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (RTP/SCS)

SCAG is a regional agency established pursuant to California Government Code § 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project site is within SCAG's regional authority. In April 2024, SCAG's Regional Council adopted the *2024-2050 Regional Transportation Plan/Sustainable Communities Strategy* ("Connect SoCal"). Connect SoCal is the applicable Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for the Project. Connect SoCal embodies a collective vision for the region's future, prepared with input by local governments,



Source(s): ESRI, NearMap Imagery (June 2023), RCIT (2023)

Figure 2-3



Surrounding Land Uses



county transportation commissions (CTCs), tribal governments, non-profit organizations, businesses, and stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. Connect SoCal plans for a large number of transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs, and replacement bridges. These future investments were included in county plans developed by the six CTCs and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices. The goals of Connect SoCal are to: 1) build and maintain an integrated multimodal transportation network; 2) develop, connect and sustain communities that are livable and thriving; 3) create a healthy region for the people of today and tomorrow; and 4) support a sustainable, efficient and productive regional economic environment that provides opportunities for all residents. (SCAG, 2024)

2.4.2 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AIR QUALITY MANAGEMENT PLAN (AQMP)

The Project site is located within the Riverside County portion of the Salton Sea Air Basin (SSAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Currently, the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) are exceeded in most parts of the SSAB. In response, and in conformance with California Health and Safety Code Section 40702 et seq. and the California Clean Air Act, the SCAQMD adopted a series of Air Quality Management Plans (AQMPs) to meet the State and federal ambient air quality standards. AQMPs are updated regularly to more effectively reduce air pollutant emissions, to accommodate growth, and to minimize negative fiscal impacts of air pollution control on the economy. The *Coachella Valley PM₁₀ State Implementation Plan* (CVSIP) establishes additional controls needed for expeditious attainment of the PM₁₀ standards in the Coachella Valley, including within the SSAB. In addition, the most recent AQMP adopted by the AQMD Governing Board on December 2, 2022 ("2022 AQMP"), addresses air quality within the South Coast Air Basin (SCAB), the Riverside County portion of the SSAB (which includes the Project site), and the Riverside County portion of the Mojave Desert Air Basin (MDAB). The 2022 AQMP incorporates the latest scientific and technological information and planning assumptions, including the 2020-2045 RTP/SCS. The 2022 AQMP is based on assumptions provided by the Emission FACtor model (EMFAC) developed by the California Air Resources Board (CARB) for motor vehicle information and assumptions provided by SCAG for demographics. The air quality levels projected in the 2022 AQMP are based on the assumption that development associated with general plans, specific plans, residential projects, and wastewater facilities will be constructed in accordance with population growth projections identified by SCAG in its 2020-2045 RTP/SCS. The 2022 AQMP also assumes that such development projects will implement strategies to reduce emissions generated during the construction and operational phases of development. (SCAQMD, 2022)

2.4.3 RIVERSIDE COUNTY GENERAL PLAN AND WESTERN COACHELLA VALLEY AREA PLAN (WCVAP)

The prevailing planning document for the Project site and its surrounding area is the Riverside County General Plan. The Project site is located within the Western Coachella Valley Area Plan (WCVAP) portion of the Riverside County General Plan. As depicted on Figure 2-4, *Existing General Plan Land Use Designations*, the County's General Plan and WCVAP designate the western +/- half of the 83.0-acre Project site for "Light Industrial (LI)" land uses, and designates the eastern +/- half of the Project site for "Medium Density Residential (MDR)" land uses (RCIT, n.d.). The LI land use designation is intended to accommodate industrial



and related uses including warehousing/distribution, assembly and light manufacturing, repair facilities, and supporting retail uses. The MDR land use designation is intended to accommodate single-family attached and detached residences with a density range of 5 to 8 dwelling units per acre (du/ac) and on lot sizes ranging from 4,000 to 6,500 s.f. (Riverside County, 2021a, Table LU-4).

2.4.4 ZONING

The Riverside County Zoning Ordinance is intended to implement the Riverside County General Plan's land use plan. As shown on Figure 2-5, *Existing Zoning Classifications*, under existing conditions, the western +/- half of the Project site is zoned for "Manufacturing – Service Commercial (M-SC)" land uses, while the eastern +/- half of the Project site is zoned for "Residential Agricultural (R-A)." The M-SC zoning classification allows for most light manufacturing and industrial uses defined under the Standard Industrial Classification Code (SIC) with Plot Plan approval. The R-A zoning classification allows for one-family dwellings and a variety of agricultural uses. (Riverside County, 2021c; RCIT, n.d.)

2.4.5 COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (CVMSHCP)

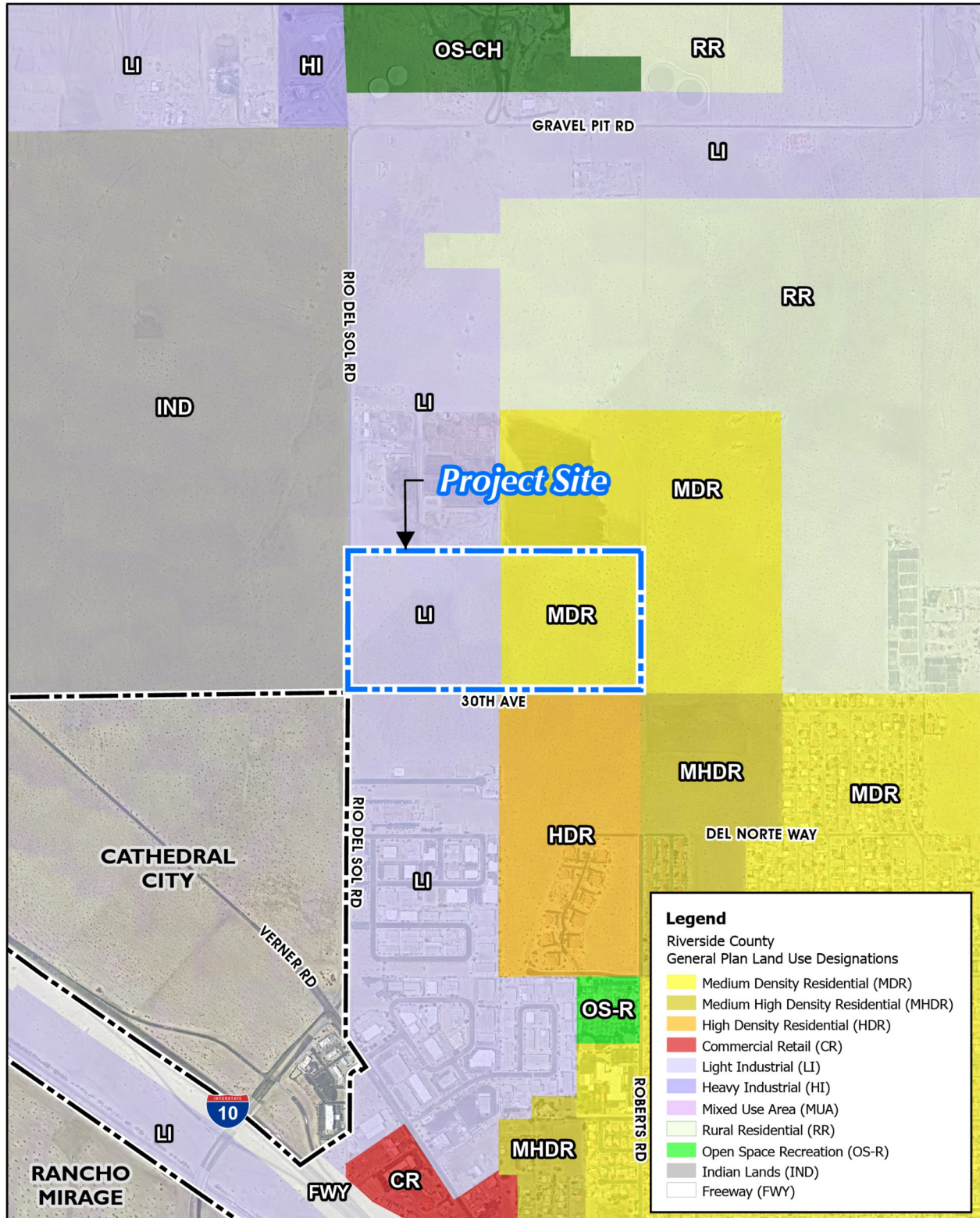
The Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), a regional Habitat Conservation Plan (HCP), received final approval on October 1, 2008, and an Implementing Agreement (IA) was executed between the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and participating entities. The CVMSHCP allows signatories to the IA to issue take authorizations for all species covered by the CVMSHCP, including State and federally-listed species and other identified covered species and their habitats. The Project site is not located within a Conservation Area or Core Habitat for any of the CVMSHCP Covered Species. The Thousand Palms Conservation Area is the nearest preserved open space, located approximately 1,200 feet northeast of the Project site's north-central extent. Refer to EIR Subsection 4.4, *Biological Resources*, for additional information about the CVMSHCP and the Project site's relationship thereto. (Riverside County, 2015, p. 4.8-51; Rocks, 2022a, p. 35)

2.5 EXISTING PHYSICAL SITE CONDITIONS

Pursuant to CEQA Guidelines § 15125, the physical environmental condition for purposes of establishing the setting of an EIR is the environment as it existed at the time the EIR's NOP was released for public review. The NOP for this EIR was released for public review on December 1, 2022. The following subsections provide a description of the Project site's physical environmental condition ("existing conditions") as of that approximate date. The site's current physical conditions and surrounding areas are shown on Figure 2-6, *Aerial Photograph*.

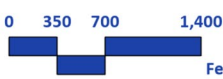
2.5.1 LAND USE

As shown on Figure 2-6, under existing conditions, the 83.0-acre Project site consists of vacant and undeveloped desert land. Research conducted for the Project site by Nova Group determined that the Project site has never been subject to improvements or development, aside from improvements to Rio Del Sol along the Project site's frontage with this roadway consisting of two paved travel lanes (Nova, 2021, p. 17). Existing

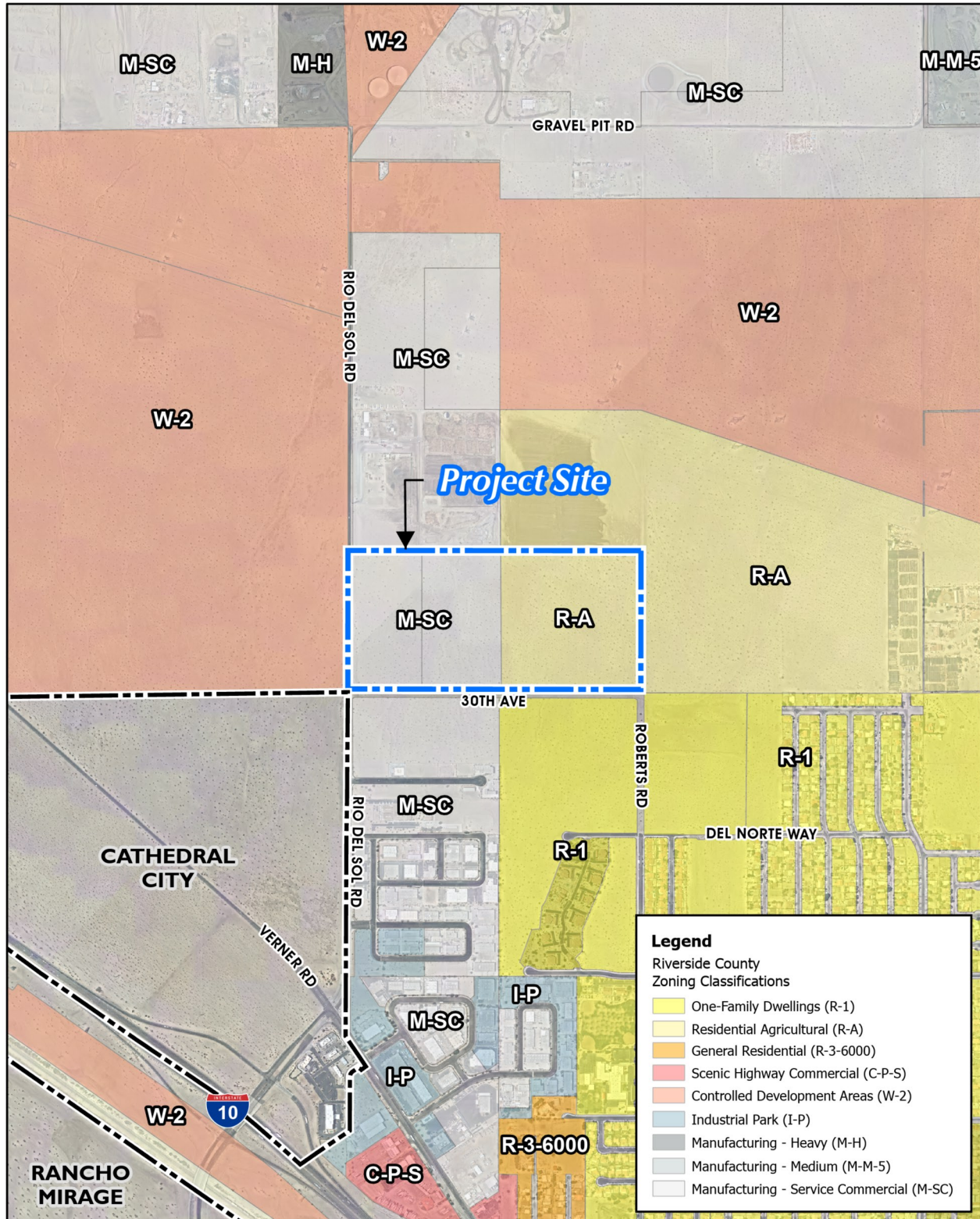


Source(s): ESRI, NearMap Imagery (June 2023), RCIT (2023)

Figure 2-4

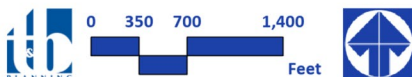


Existing General Plan Land Use Designations



Source(s): ESRI, NearMap Imagery (June 2023), RCIT (2023)

Figure 2-5

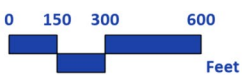


Existing Zoning Classifications



Source(s): ESRI, NearMap Imagery (June 2023), RCIT (2023)

Figure 2-6



Aerial Photograph



land uses in the Project's off-site improvement areas include unimproved roads, improved (paved) roads, and developed and undeveloped roadway shoulders inside and outside of the public right-of-way.

2.5.2 SITE TOPOGRAPHY

Figure 2-7, *USGS Topographic Map*, depicts the topographic conditions of the Project site. As shown, the Project site gently slopes downward from the northeast corner to the southwest corner of the Project site. Elevations on site range from approximately 280 feet above mean sea level (amsl) near the southwest corner of the Project site to 326 feet amsl near the northeastern corner of the Project site. Overall topographic relief is approximately 46 feet. Topography of the Project's off-site improvement areas are flat and gently sloping.

2.5.3 AIR QUALITY AND CLIMATE

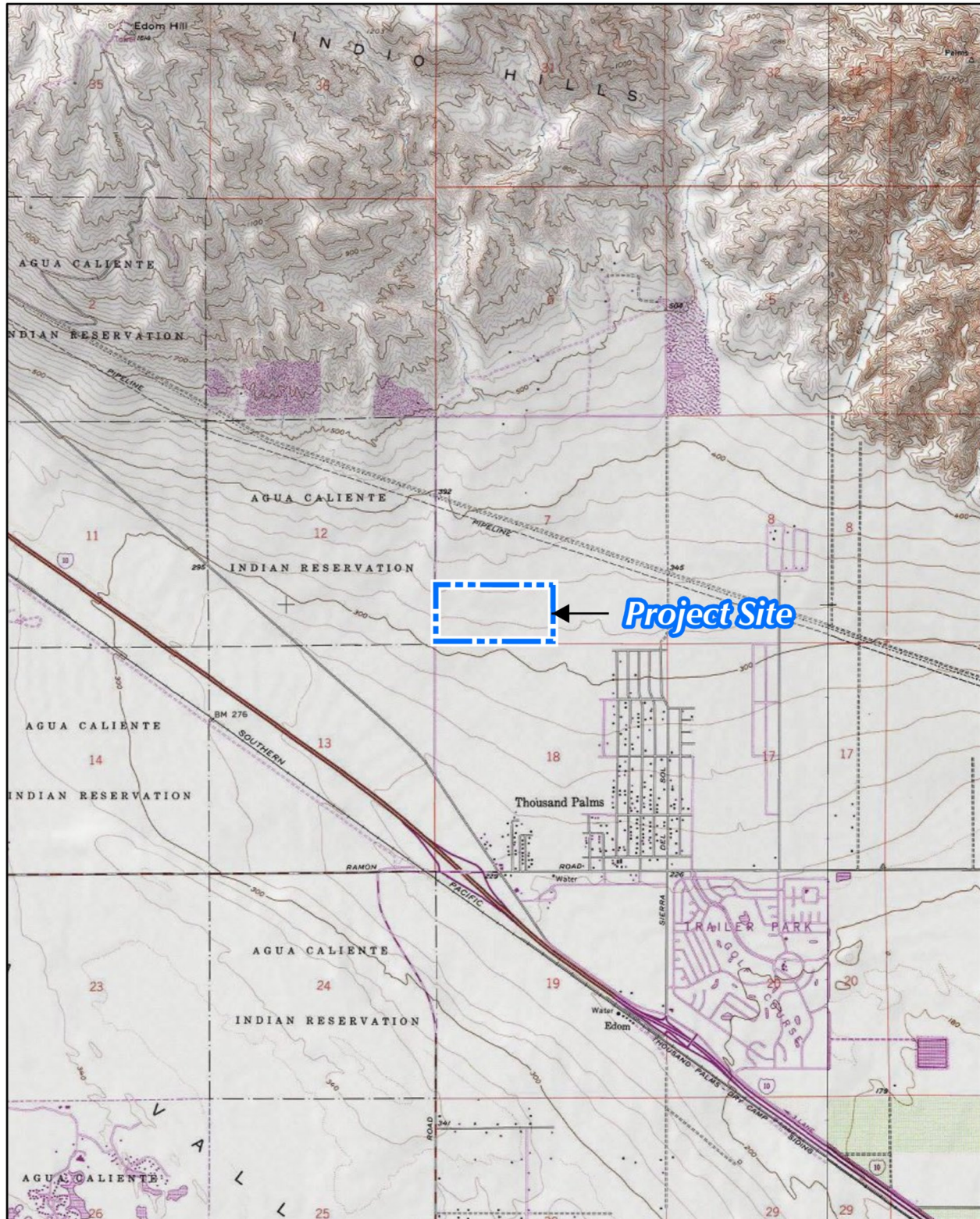
The Project site is located in the SSAB within the jurisdiction of SCAQMD. The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and State air quality standards. The SSAB (also referred to as "the Basin") is aligned in a north-west-southwest orientation stretching from Banning Pass to the Mexican border. The regional climate, as well as the temperature, wind, humidity, precipitation, and amount of sunshine significantly influence the air quality in the Basin.

As documented in the Project's Air Quality Impact Analysis (*Technical Appendix B* to this EIR), the climate of the Coachella Valley is a continental, desert-type climate, with hot summers, mild winters, and very little annual rainfall. Precipitation is less than six inches annually and occurs mostly in the winter months from active frontal systems and in the late summer months from thunderstorms. Almost all of the annual rainfall comes from the fringes of mid-latitude storms from late November to early April with summers often being completely dry. Temperatures exceed 100 degrees Fahrenheit (°F), on the average, for four months each year, with daily highs near 110 °F during July and August. Summer nights are cooler with minimum temperatures in the mid-70s. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40 °F. The Coachella Valley and adjacent areas also are exposed to frequent gusty winds. In addition, portions of the SSAB experience surface inversions almost every day of the year. Inversions in the SSAB are attributed to strong surface heating, but are usually broken, allowing pollutants to disperse more easily. Weak surface inversions are caused by cooling of air in contact with the cold surface of the earth at night. In the valleys and low-lying areas, this condition is intensified by the addition of cold air flowing downslope from the hills and pooling on the valley floor.

Refer to EIR Subsection 4.3, *Air Quality*, for additional discussion of the air quality and climate setting.

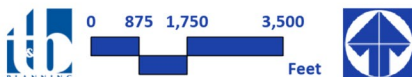
2.5.4 AGRICULTURE AND FORESTRY RESOURCES

As more fully discussed in EIR Subsection 4.2, *Agriculture and Forestry Resources*, the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) identifies "Important Farmland" to include lands mapped as "Prime Farmland," "Farmland of Statewide Importance," "Unique Farmland," and



Source(s): ESRI, USGS (2013)

Figure 2-7



USGS Topographic Map



“Farmland of Local Importance.” The Project site (83.0 acres) and its off-site improvement areas are classified by the FMMP as “Other Land,” indicating that there is no Important Farmland under existing conditions (RCIT, n.d.). Additionally, the Project site and surrounding areas consist of desert lands that do not contain any forestry resources.

2.5.5 BIOLOGICAL RESOURCES

Table 2-2, *Summary of On- and Off-Site Vegetation Communities*, provides a summary of the vegetation communities that occur on the Project site and within the Project’s off-site improvement areas. As shown, the Project site and off-site improvement areas include 40.2 acres of Developed lands, <0.1-acre of Disturbed lands, 0.6-acre of Disturbed Desert Saltbush Scrub, and 104.5 acres of Disturbed Sonoran Creosote Bush Scrub. Vegetation within the 83.0-acre Project site primarily includes Disturbed Sonoran Creosote Bush Scrub, with a strip along the western boundary of the Project site comprising Developed lands and a small portion (<0.1-acre) of the northern boundary in the eastern portion of the Project site comprising Disturbed lands. Refer to EIR Subsection 4.4, *Biological Resources*, for a more detailed discussion of biological resources on site and within the Project’s off-site improvement areas. (Rocks, 2022a, Table 1 and Figure 2)

Table 2-2 Summary of On- and Off-Site Vegetation Communities

Vegetation Community/Land Use	Acres (On and Off Site)¹
Developed	40.2
Disturbed	<0.1
Disturbed Desert Saltbush Scrub	0.6
Disturbed Sonoran Creosote Bush Scrub	104.5
Total:	145.4

(Rocks, 2022a, Table 1); 1. Acreages are rounded.

2.5.6 GEOLOGY

The Project site is located within the Colorado Desert Physiographic Province (also referred to as the Salton Trough) that is characterized as a northwest-southeast trending structural depression extending from the Gulf of California to the Banning Pass. The Salton Trough is dominated by several northwest trending faults, most notably the San Andreas Fault system. The Salton Trough is bounded by the Santa Rosa/San Jacinto Mountains on the southwest, the San Bernardino Mountains on the north, the Little San Bernardino/Chocolate/Orocopia Mountains on the east, and extends through the Imperial Valley into the Gulf of California on the south. A relatively thick sequence (20,000 feet) of sediment has been deposited in the Coachella Valley portion of the Salton Trough from Miocene to present times. These sediments are predominately terrestrial in nature with some lacustrine (lake) and minor marine deposits. The major contributor of these sediments has been the Colorado River. The mountains surrounding the Coachella Valley are composed primarily of Precambrian metamorphic and Mesozoic II granitic rock. (Sladden, 2021, p. 3)

The Project site is mapped to be underlain by undifferentiated Quaternary-age dune sand (Qs) and alluvium (Qal). During field investigations, which included site borings, disturbed soil was encountered to a depth of approximately one (1) foot below ground surface (bgs). Underlying the disturbed soil and extending to the



maximum depths explored, native earth materials were encountered. Generally, the native earth materials consisted of silty sand and gravelly sand. (Sladden, 2021, p. 3)

Refer to EIR Subsection 4.7, *Geology and Soils*, for additional discussion about the site's existing geologic conditions.

2.5.7 SOIL TYPES AND EROSION POTENTIAL

Table 2-3, *Summary of On-Site Soil Characteristics*, provides a summary of the soils present on the Project site, and identifies the attendant rate of runoff and susceptibility to erosion by water and wind. As shown, approximately 39.5% of the Project site has a slow rate of runoff, a moderate susceptibility to water erosion, and a slight susceptibility to wind erosion. Approximately 48.5% of the Project site has a slow rate of runoff, a slight susceptibility to water erosion, and a high susceptibility to wind erosion. Approximately 11.9% of the Project site has a very slow rate of runoff, a slight susceptibility to water erosion, and a high susceptibility to wind erosion. (USDA, 1980, p. 12 and 23; USDA, n.d.)

Table 2-3 Summary of On-Site Soil Characteristics

Map Symbol	Map Unit Name	Rate of Runoff	Susceptibility to Water Erosion/ Wind Erosion	Acreage	Percent of Site
CdC	Carsitas gravelly sand, 0 to 9 percent slopes	Slow	Moderate/Slight	32.8	39.5%
CkB	Carsitas fine sand, 0 to 5 percent slopes	Slow	Slight/High	40.3	48.5%
MaB	Myoma fine sand, 0 to 5 percent slopes	Very Slow	Slight/High	9.9	11.9%
Totals for Area of Interest:		--	--	83.0	100.0%

(USDA, 1980, p. 12 and 23)

2.5.8 HYDROLOGY

The Project site is located on an alluvial fan and alluvial fans present variable drainage patterns given the loose nature of the soil. Under existing conditions, the Project site is unimproved with exception of improved portions of Rio Del Sol Road that traverse the western boundary of the site. The natural drainage pattern flows north to south between 2.5% and 3.5%. The Project site receives run-on sheet flow drainage on the eastern half of the site; however, the western half does not due to the adjacent organic materials recycling development to the north. Flows existing the site do so at concentrated points but the majority of runoff generated on the Project site infiltrates into the groundwater table. (PBLA, 2022a, p. 1) Please refer to EIR Subsection 4.10, *Hydrology and Water Quality*, for additional discussion of the existing hydrologic conditions of the Project site.

2.5.9 NOISE

The most common and substantial source of noise in Riverside County is mobile noise generated by transportation-related sources. Other sources of noise are the various land uses (i.e., residential, commercial, and institutional) that generate stationary-source noise. Within the Project area, and based on noise measurements collected by Urban Crossroads, Inc., ambient noise levels in the vicinity of the Project site range from approximately 51.4 CNEL to approximately 56.1 CNEL. (Urban Crossroads, 2023, p. 26). Refer to EIR



Subsection 4.13, *Noise*, for additional information regarding the existing noise conditions within the Project area.

2.5.10 TRANSPORTATION

The primary transportation facility in the Project area is I-10, located approximately 0.7-mile southwest of the Project site. Other regional transportation facilities in the area include State Route (SR) 111, located approximately 4.5 miles southwest of the Project site, and SR 62, located approximately 12.8 miles northwest of the Project site. Primary access to the Project site is provided via Rio del Sol, which directly connects with I-10 to the south. Varner Road, located approximately 0.4-mile southwest of the Project site, and Ramon Road, located approximately 1.0-mile south of the Project site, are designated by the Riverside County General Plan Circulation Element as “Major Highways (118-foot Right-of-Way (ROW)).” Rio Del Sol Road and 30th Avenue are classified by the Circulation Element as “Secondary Highways (100-foot ROW).” No other roadways in the immediate vicinity of the Project site are classified as General Plan Circulation Element roadways. (Urban Crossroads, 2023f, p. 19)

The Project area currently is served by Sunline Transit Agency (STA), a public transit agency serving various jurisdictions within Riverside County. Based on a review of the existing transit routes within the vicinity of the Project site, Sunline Route 4 runs along Ramon Road. There are no bus stops along the Project site’s frontages under existing conditions. (Urban Crossroads, 2023f, p. 23)

The County General Plan Circulation Element and adjacent City of Cathedral City’s Active Transportation Plan (ATP) identify planned bicycle and pedestrian facilities. The County identifies a planned Class II bike path along portions of Varner Road in the vicinity of the Project site, whereas the City of Cathedral City’s ATP identifies this same alignment for a planned Class I shared bike/pedestrian trail. Neither the County General Plan nor the City’s ATP identify any bicycle or trail facilities along or within the Project site. The City of Cathedral City’s North City Extended Specific Plan area is located west of Rio del Sol, west of the Project site, and calls for the establishment of a multi-purpose/equestrian trail generally aligned with 30th Avenue, extending into off-site open space areas. Under existing conditions, there are limited pedestrian facilities in the vicinity of the Project site. Field observations and traffic counts conducted in April 2022 indicate light pedestrian and bicycle activity within the study area. (Urban Crossroads, 2023f, p. 23)

2.5.11 PUBLIC FACILITIES

Fire protection services for the Project site are provided by the Riverside County Fire Department (RCFD). The RCFD provides a full range of fire services within the County and contracting cities. The level of service provided is dependent on response times, travel distance, and staffing workload levels established in the Riverside County Fire Protection and Emergency Medical Aid Plan. The Fire Protection Master Plan contains four fire response categories that are used to determine the response times/travel distances for primary and secondary fire stations. The response categories are based on the amount of community build-out presumed in the Master Fire Plan. The Fire Department assumes in any given region that three or more fire engines respond to any reported fire.



The fire station that would serve the Project is Station 35 (Roy Wilson), located at 31920 Robert Road in Thousand Palms, or approximately 1.0-mile south of the Project site. The Project also could be served by RCFD Station 69 (North Rancho Mirage), located at 71751 Gerald Ford Drive in Rancho Mirage, or approximately 3.1 miles southwest of the Project site. The fire stations that could serve the Project site are staffed full-time, 24 hours per day, 7 days per week with a minimum three-person crew, including paramedics, operating a “Type 1” structural firefighting apparatus.

The Riverside County Sheriff’s Department (RCSD) provides community policing for the Project area. The Sheriff Station serving the Project area is the Palm Desert Station, located at 73705 Gerald Ford Drive in Palm Desert, CA, 92211, approximately 4.9 miles southwest of the Project site. In addition to community policing, other services provided by the Sheriff’s Department include, but are not limited to, operating of the emergency 911 system, operating correctional facilities, performing traffic control, and providing crime prevention education. Also, the Sheriff’s Department coordinates with volunteer groups such as Neighborhood Watch Programs and the Community Oriented and Policing Problem Solving (COPPS) Program and the Community Oriented Policing (COP) Program. COPPS shifts the focus of police work from a solely reactive mode by supplementing traditional law enforcement methods with proactive problem-solving approaches that involve the community as well as the police.

The Project site is located within the Palm Springs Unified School District (PSUSD). The nearest schools to the Project site include Della S Lindley Elementary School, located approximately 0.6-mile south of the Project site; James Workman Middle School, located approximately 2.6 miles west of the Project site; and Rancho Mirage High School, located approximately 1.6 miles southwest of the Project site. In the 2022-2023 school year, the PSUSD had a total enrollment of 21,032 students (DOE, n.d.). As reported by the March 2022 PSUSD School Fee Justification Study, the PSUSD has a total capacity of 25,699 students (PSUSD, 2022, p. ES=1).

Under existing conditions, there is only one park facility (Century Park) within a 2.0-mile radius of the Project site. Century Park includes a tot lot, shade areas, restrooms, half-court basketball court, tennis court, and an open field play area.

The Project site is located within the Riverside County Public Library System (RCPLS) service area. The nearest library servicing the proposed Project site is the Desert Center Library, located at 70251 Ramon Road, Rancho Mirage, CA 92270, or approximately 2.0 miles southwest of the Project site.

2.5.12 UTILITIES AND SERVICE SYSTEMS

A. Water Service

The Project site is located in the service area of the Coachella Valley Water District (CVWD). The CVWD service area consists of approximately 640,000 acres and served approximately 112,609 domestic water connections in 2021. Under normal, single-dry year, and multiple dry year conditions, CVWD projects 100% water supply reliability. Under existing conditions, there is a 36-inch water main within Rio Del Sol Road along the Project site’s frontage. (Charles Marr, 2023, p. 30)



B. Sewer Service

CVWD's Sanitation Division provides sewer collection and treatment services within the Project area. CVWD owns and operates a large collection system and five water reclamation plants (WRPs): 1, 2, 4, 7, and 10. The CVWD sanitary collection sewer system includes more than 1,130 miles of sanitary sewer pipeline, which are composed of approximately 1,060 miles of gravity pipelines and 70 miles of force mains.

Sewer flows collected in the Project area are conveyed to WRP 7 for treatment. WRP 7 has a secondary treatment permit capacity of 5.0 million gallons per day (mgd) and a tertiary treatment capacity of 2.5 mgd. WRP 7 consists of a headworks facility followed by an activated sludge system, tertiary filters, and chlorine disinfection. Secondary effluent may be pumped to the tertiary treatment system, stored in the secondary equalization basin, or diverted to on-site and/or off-site percolation ponds for land disposal. The tertiary treatment system includes dual media filtration and chlorine disinfection to meet Title 22 requirements for recycled water. The recycled water is used for off-site irrigation delivery and is either stored in a covered storage reservoir or pumped offsite to an open reservoir near the Del Webb Sun City Golf Course (Palm Desert).

Under existing conditions there is a 15-inch CVWD sewer line located within Rio Del Sol Road. There are no sewer facilities on the Project site under existing conditions.

C. Solid Waste Services

The Riverside County Department of Waste Resources (RCDWR) is responsible for the efficient and effective landfill disposal of non-hazardous county waste within the County, and operates five active landfills in addition to holding a contract agreement to dispose of waste at the private El Sobrante Landfill (Riverside County, 2015a, p. 4.17-36).

Solid waste generated in the Project area is conveyed to either the Edom Hill Transfer Station, located approximately 4.0 miles northwest of the Project site, or the Coachella Valley Transfer Station, located approximately 16.0 miles southeast of the Project site. Solid waste collected at these transfer stations is conveyed to the Lamb Canyon Landfill for disposal, located 34.2 miles west of the Project site. The Lamb Canyon Landfill is permitted to receive 5,000 tons per day (tpd) of solid waste, while data from July 2023 shows that the Lamb Canyon Landfill received a daily average of approximately 1,411.6 tpd. (RCDWR, 2023)

D. Other Services

The Project site also is located in the service territories of the Imperial Irrigation District (IID) for electricity, Southern California Gas Company (SCG) for natural gas, while telecommunication services are provided by AT&T, MCI, and Frontier Communications.



2.5.13 RARE AND UNIQUE RESOURCES

As required by State CEQA Guidelines § 15125(c), the environmental setting should identify any inconsistencies between a proposed project and applicable general, specific, or regional plans, and place special emphasis on resources that are rare or unique to that region and would be affected by the project. Based on the existing conditions of the Project site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project site does not contain any rare or unique resources.

The principal discretionary actions required of Riverside County to implement the Project are described in detail in Section 3.0, *Project Description*, and are listed in Table 3-1, *Matrix of Project Approvals/Permits*. The Project entails a proposed amendment to the County's General Plan (proposed GPA 220004) that would modify the General Plan land uses designation on the eastern +/- half of the Project site from "Medium Density Residential (MDR)" to "Light Industrial (LI)." The western +/- half of the Project site would not be affected by GPA 220004 and would continue to be designated for Light Industrial (LI) land uses.



3.0 PROJECT DESCRIPTION

This Section 3.0 provides all of the information required of an EIR Project Description by California Environmental Quality Act (CEQA) Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR, including a list of the governmental agencies that are expected to use this EIR in their decision-making processes, a list of permits and approvals that are required to implement the Project, and a list of related environmental review and consultation requirements.

3.1 SUMMARY OF THE PROPOSED PROJECT

The Project as evaluated herein involves the proposed development of a 1,238,992 square foot (s.f.) warehouse building and a potential Imperial Irrigation District (IID) joint electric substation on an 83.0-acre property located on the northeast corner of Rio Del Sol and 30th Avenue in the Thousand Palms community of unincorporated Riverside County in the City of Cathedral City's sphere of influence. The governmental approvals requested from Riverside County to implement the Project consist of the following:

- **General Plan Amendment No. 220004 (GPA 220004)** is a proposal to modify the General Plan and Western Coachella Valley Area Plan (WCVAP) land uses designation on the eastern +/- half of the Project site from "Community Development – Medium Density Residential (CD-MDR)" to "Community Development – Light Industrial (LI)." The western +/- half of the Project site would not be affected by GPA 220004 and would continue to be designated for LI land uses. The General Plan Amendment would make the entire Project site consistent with one land use designation of "Community Development – Light Industrial (LI)," and the proposed GPA would not affect the Project site's General Plan Foundation Component designation, which would remain as "Community Development."
- **Change of Zone No. 2200013 (CZ 2200013)** is a proposal to change the zoning classification for the eastern +/- half of the Project site from "Residential – Agricultural (R-A)" to "Manufacturing – Service Commercial (M-SC)." The western +/- half of the Project site would not be affected by CZ 2200013 and would continue to be zoned for M-SC land uses. The Change of Zone would amend roughly half the site in order to zone the entire site as Manufacturing-Service Commercial in order to eliminate any split zoning.
- **Plot Plan No. 220022 (PPT 220022)** is a proposal for the development of the 83.0-acre property with a 1,238,992 s.f. warehouse building that includes 20,000 s.f. off office uses and 1,218,992 s.f. of warehouse space, as well as a potential 50 megawatt (MW) IID joint electric substation¹. Other proposed features include landscaping, parking areas, docking doors, and frontage improvements along

¹ As discussed in further detail in Subsection 3.5, although this EIR evaluates potential physical impacts to the environment associated with the construction and long-term operation of the IID substation and off-site power poles and power lines, it is anticipated that the IID substation ultimately would be constructed at an off-site location.



Rio Del Sol Road and 30th Avenue. Off-site improvements required to implement the Project entail limited off-site road improvements including the paving of Robert Road between 30th Avenue and Del Norte Way and the installation of power poles supporting overhead lines between the potential onsite IID substation and existing IID facilities.

The Project's applications, as submitted to the County of Riverside by the Project Applicant, are herein incorporated by reference pursuant to State CEQA Guidelines § 15150 and are available for review at the Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. All other discretionary and administrative approvals that would be required of the County of Riverside or other government agencies also are within the scope of the Project analyzed in this EIR.

3.2 SUMMARY OF REQUESTED APPROVAL ACTIONS

The County of Riverside has primary approval responsibility for the proposed Project. As such, the County of Riverside serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The role of the Lead Agency was previously described in Section 1.0 of this EIR. As part of the approval process of the proposed Project, the County's Planning Commission will hold a public hearing to consider the Final EIR, GPA 220004, CZ 2200013, and PPT 220022. The Planning Commission will make advisory recommendations to the Riverside County Board of Supervisors on whether to approve, approve with changes, or not approve GPA 220004, CZ 2200013, and PPT 220022. A public hearing will then be held before the Board of Supervisors, which will consider the information contained in the Project's EIR and the EIR's Administrative Record in its decision-making processes, will certify or decline to certify this EIR, and will approve, approve with changes, or deny approval of proposed GPA 220004, CZ 2200013, and PPT 220022.

Should these actions be approved, additional discretionary and ministerial actions by the County and other agencies would be required to implement the Project. Table 3-1, *Matrix of Project Approvals/Permits*, lists the authorities and agencies that are expected to use this EIR and provides a summary of subsequent actions associated with the Project. This EIR covers all federal, State, and local government and quasi-governmental approvals which may be needed to construct and implement the Project, whether or not they are explicitly listed in Table 3-1 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

3.3 PROJECT LOCATION AND BOUNDARIES

A more detailed description of the Project site's regional location and setting is included in EIR Section 2.0, *Environmental Setting*. The Project site is located in the northern portion of unincorporated Riverside County, California and positioned in the southwest quarter of Section 7, Township 4 South, Range 6 East, San Bernadino Base and Meridian. The Project site includes Assessor Parcel Numbers (APNs) 648-150-034 and 678-150-035. Refer to Figure 3-1, *Regional Map* for the Project site's location within the regional vicinity. More specifically and as depicted Figure 3-2, *Vicinity Map*, the 83.0-acre Project site is located north of Interstate 10 (I-10) and the future extension of 30th Avenue, east of Rio Del Sol Road, and west of the planned alignment of Robert Road within the Thousand Palms community of unincorporated Riverside County.



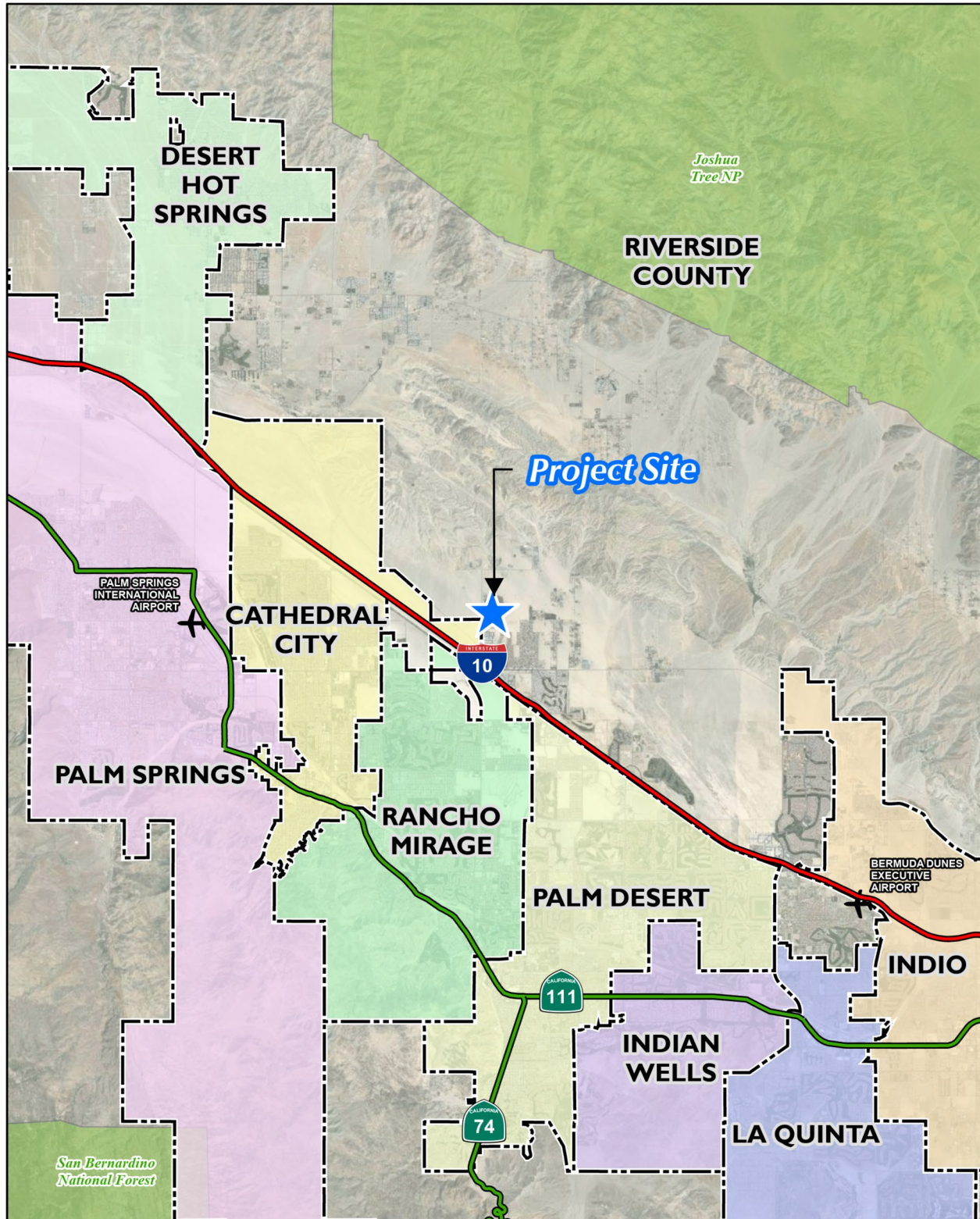
3.4 STATEMENT OF OBJECTIVES

The fundamental purpose and goal of the Majestic Thousand Palms Project is to develop an economically viable, employment-generating warehouse distribution center that is compatible with the surrounding area and in close proximity with the State highway system. The Project would achieve its underlying purpose and goal through the following objectives.

- A. Increase employment-generating land uses north of I-10 in the Western Coachella Valley portion of unincorporated Riverside County.

Table 3-1 Matrix of Project Approvals/Permits

Agency	Approvals and Decisions
County of Riverside Discretionary Approvals	
Planning Commission	<ul style="list-style-type: none"> • Provide recommendations to the Board of Supervisors whether to approve, conditionally approve, or not approve GPA 220004, CZ 2200013, and PPT 220022.
Board of Supervisors	<ul style="list-style-type: none"> • Approve, conditionally approve, or not approve GPA 220004, CZ 2200013, and PPT 2020022. • Certify or not certify the Final EIR along and adopt associated CEQA Findings.
Subsequent County of Riverside Approvals	
Riverside County Subsequent Implementing Approvals: Planning Department and/or Building and Safety	<ul style="list-style-type: none"> • Issue grading permits. • Issue building permits • Accept public right-of-way dedications • Approve road improvement plans. • Issue encroachment permits • Authorize nighttime construction activities, if proposed.
Other Agencies – Subsequent Approvals and Permits	
Colorado River Basin Regional Water Quality Control Board	<ul style="list-style-type: none"> • Issue a Construction Activity General Construction Permit. • Confirm Compliance with National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements. • Issuance of a Waste Discharge Permit per the Porter Colone Water Quality Control Act.
California Department of Fish and Wildlife	<ul style="list-style-type: none"> • Issuance of a Section 1602 Streambed Alteration Agreement (SAA).
South Coast Air Quality Management District	<ul style="list-style-type: none"> • Approve permits to construct and permit to operate (if such permits are required by Project site occupants).
Southern California Gas Company	<ul style="list-style-type: none"> • Approve connections to natural gas distribution systems.
Imperial Irrigation District	<ul style="list-style-type: none"> • Approve design and development of on-site IID substation and off-site transmission lines. • Approve electrical connections and transformer installation.
Coachella Valley Water District	<ul style="list-style-type: none"> • Approve proposed drainage infrastructure and improvements. • Approve proposed water and wastewater system connections and improvements.
Federal Emergency Management Agency	<ul style="list-style-type: none"> • Issuance of a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

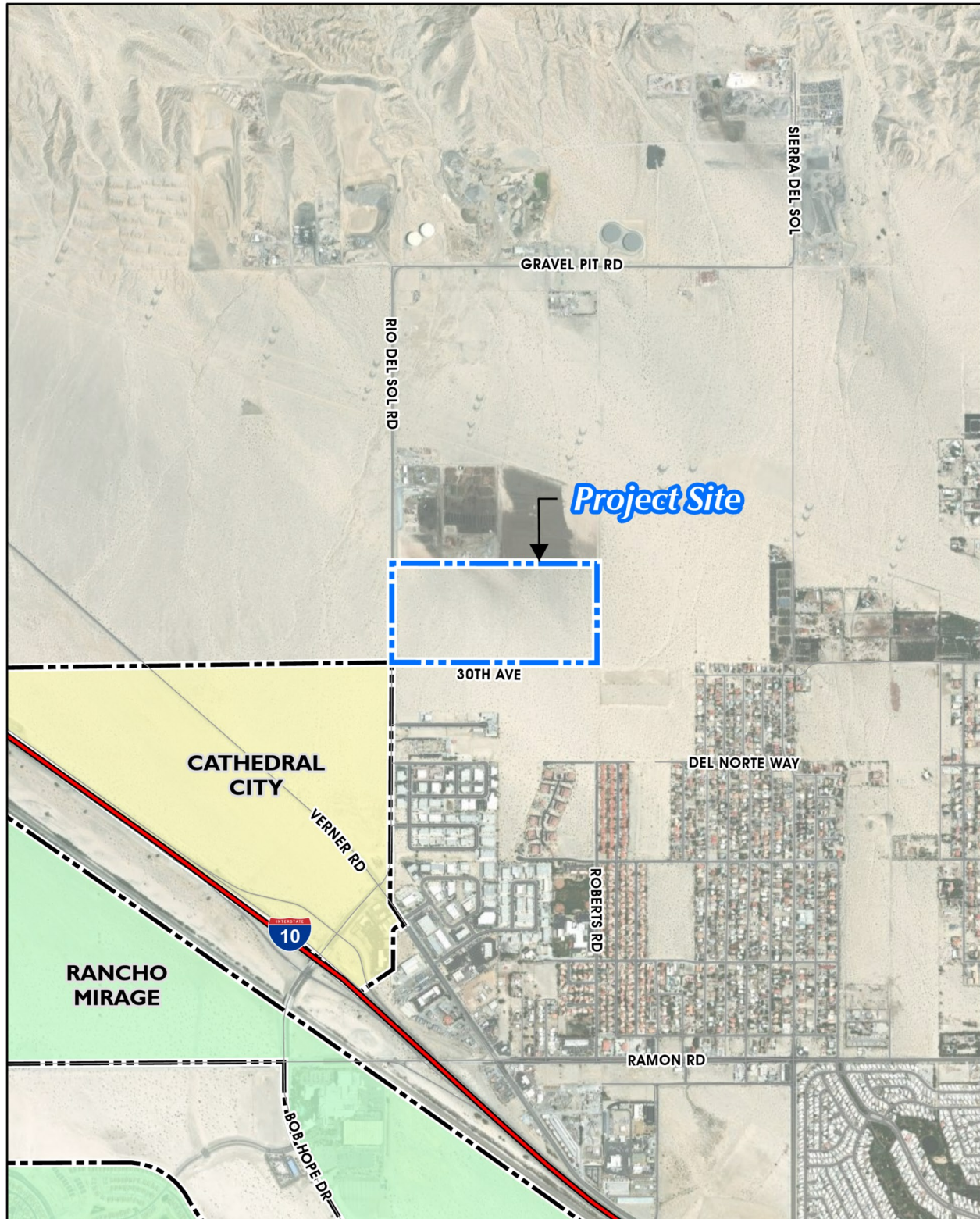


Source(s): ESRI, RCIT (2023)

Figure 3-1

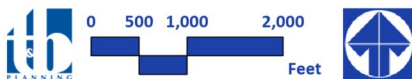


Regional Map



Source(s): ESRI, RCTLMA (2022)

Figure 3-2



Vicinity Map



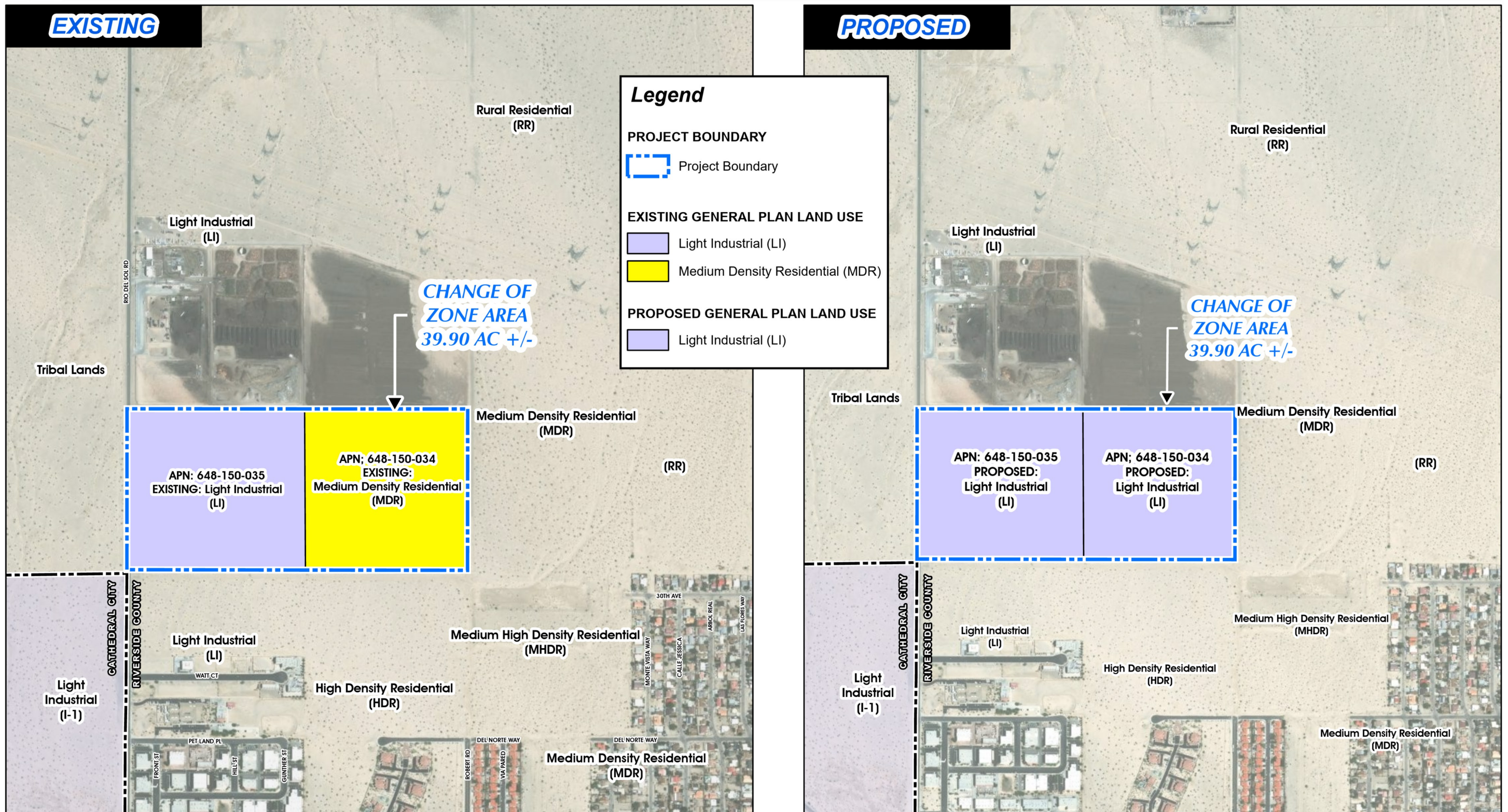
- B. Strengthen the goods movement supply chain in the Western Coachella Valley portion of unincorporated Riverside County by locating a supply chain use close proximity to designated truck routes and the State highway system to avoid or shorten vehicular trip lengths on other roadways.
- C. Expand economic development, facilitate job creation, and increase the tax base in the Western Coachella Valley portion of unincorporated Riverside County by accommodating and diversifying facilities needed to support the goods movement supply chain.
- D. Increase the electric utility supply and delivery capacity for the Thousand Palms community.
- E. Provide a land use that is not sensitive to potential odor and windblown material as a transitional land use between an existing organic materials recycling facility and other businesses and residences in Thousand Palms to the south.

3.5 PROJECT'S COMPONENT PARTS AND DISCRETIONARY APPROVALS

The Project Applicant proposes the development of 83.0 acres located north of I-10 and the future extension of 30th Avenue, east of Rio Del Sol Road, and west of the planned alignment of Robert Road, with a proposed 1,238,992 s.f. light industrial warehouse building, a potential IID electrical substation, the construction of off-site roadway improvements, and the potential installation of IID power poles off site. Applications submitted to the County of Riverside to entitle the Project for development as proposed are described below. The principal approval actions requested of the County of Riverside to implement the Project include General Plan Amendment No. 220004 (GPA 220004), Change of Zone No. 2200013 (CZ 2200013), and Plot Plan No. 220022 (PPT 220022), as described herein. Additional discretionary and administrative actions that would be necessary to implement the Project previously were listed in Table 3-1. A full set of Project application materials are on file with the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92502.

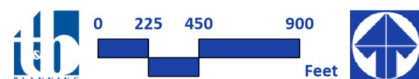
3.5.1 GENERAL PLAN AMENDMENT NO. 220004

The Riverside County General Plan, which was comprehensively updated in 2015 and most recently amended in September 2021, assigns a land use designation to all properties within the County's jurisdiction. Development is required by law to comply with the provisions of the County's General Plan. The Project Applicant is seeking a General Plan Amendment (GPA No. 220004) to modify the General Plan and WCVAP land use designations for the 83.0-acre Project site. Specifically, and as depicted on Figure 3-3, *General Plan Amendment No. 220004*, under existing conditions the eastern +/- half of the Project site is designated for "Medium Density Residential (MDR)" land uses and the western +/- half of the Project site is designated for "Light Industrial (LI)" land uses. As also shown on Figure 3-3, as part of GPA No. 220004, the eastern +/- half of the Project site would be redesignated for LI land uses. The western +/- half of the Project site would not be affected by GPA 220004 and would continue to be designated for LI land uses; thus, with approval of GPA No. 220004, the entire 83.0-acre Project site would be designated for LI land uses. The General Plan describes the "Light Industrial (LI)" land use designation as providing for "industrial and related uses including



Source(s): ESRI, Nearmap Imagery (2022), RCTLMA (2022), Cathedral City General Plan Draft (2019), North City Extended Specific Plan (01-15-2014)

Figure 3-3



General Plan Amendment No. 220004



warehousing distribution, assembly and light manufacturing, repair facilities, and supporting retail uses.” The LI land uses designation allows for a Floor Area Ratio (FAR) of between 0.25 to 0.60. (Riverside County, 2021a, Table LU-4)

3.5.2 CHANGE OF ZONE NO. 2200013

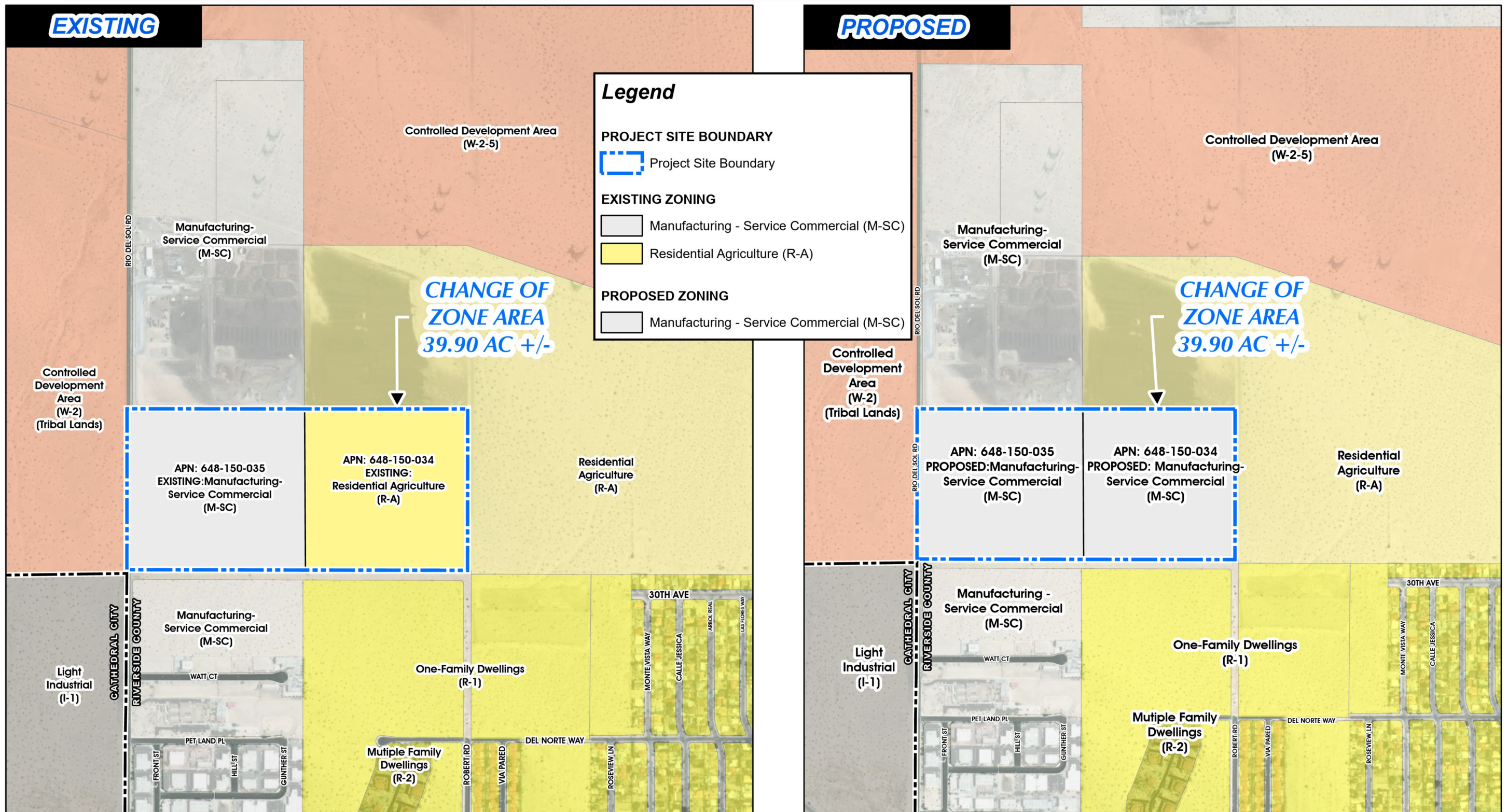
The Riverside County Zoning Ordinance (Riverside County Ordinance No. 348), which is part of the County’s Code of Ordinances, assigns a zoning classification to all properties within unincorporated Riverside County. All development within the County is required, by law, to comply with the provisions of the Zoning Ordinance. As shown on Figure 3-4, *Change of Zone No. 2200013*, under existing conditions, the eastern +/- half of the Project site is zoned for “Residential – Agriculture (R-A)” land uses and the western +/- half of the Project site is zoned for “Manufacturing – Service Commercial (M-SC)” land uses. As part of Change of Zone No. 2200013 (CZ 2200013), and as also shown on Figure 3-4, the Project Applicant proposes to change the zoning classification on the eastern +/- half of the property from R-A to M-SC. No changes are proposed to the existing M-SC zoning classification that currently applies to the western +/- half of the Project site; thus, with approval of CZ 2200013, the entire 83.0-acre Project site would be zoned for M-SC land uses. The M-SC zoning classification permits industrial and manufacturing uses, such as warehousing and distribution, as well as related service and commercial uses, which are the use types of uses intended for the proposed building. The M-SC zoning classification allows for a building height of between 50 feet and 75 feet. (Riverside County, 2023)

3.5.3 PLOT PLAN NO. 220022

The Project Applicant proposes to develop the 83.0-acre Project site with a 1,238,992 s.f. light industrial warehouse building and a potential IID joint substation. Section 11.2 of Ordinance No. 348, which establishes permitted uses within the M-SC zone, allows for warehousing and distribution uses with approval of a Plot Plan. Accordingly, Plot Plan No. 220022 (PPT 220022) is proposed to allow for the development of the proposed light industrial warehouse building. Figure 3-5, *Plot Plan No. 220022 Site Plan*, depicts the conceptual site plan included as part of PPT 220022. Major components of PPT 220022 are discussed below.

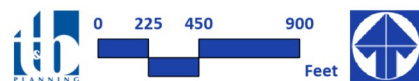
A. Site Plan and Building Configuration

As shown on Figure 3-5, the warehouse building is proposed on the western approximately 80.5 acres of the Project site, and would include 1,218,992 s.f. of warehouse space along with 20,000 s.f. of office uses that may be located in any of the four corners of the proposed building. The building’s user(s) is not known at this time. The proposed building is rectangular in shape and would be positioned with the short sides of the building facing west and east and the longer sides of the building facing north and south. A total of 212 truck docking doors are proposed, with 106 dock doors along the northern façade of the building and 106 dock doors along the southern façade of the building. Because dock doors are proposed on two opposite sides of the building, the building is referred to as a “cross dock warehouse,” which is typical in warehouse design. A total of ±732 parking spaces for passenger vehicles are proposed to the east and west of the proposed building, inclusive of 137 Electric Vehicle (EV) charging stations, 147 EV capable spaces, and 16 accessible parking spaces. A total of ±484 parking spaces for truck trailers is proposed to the north, east, and south of the proposed building,

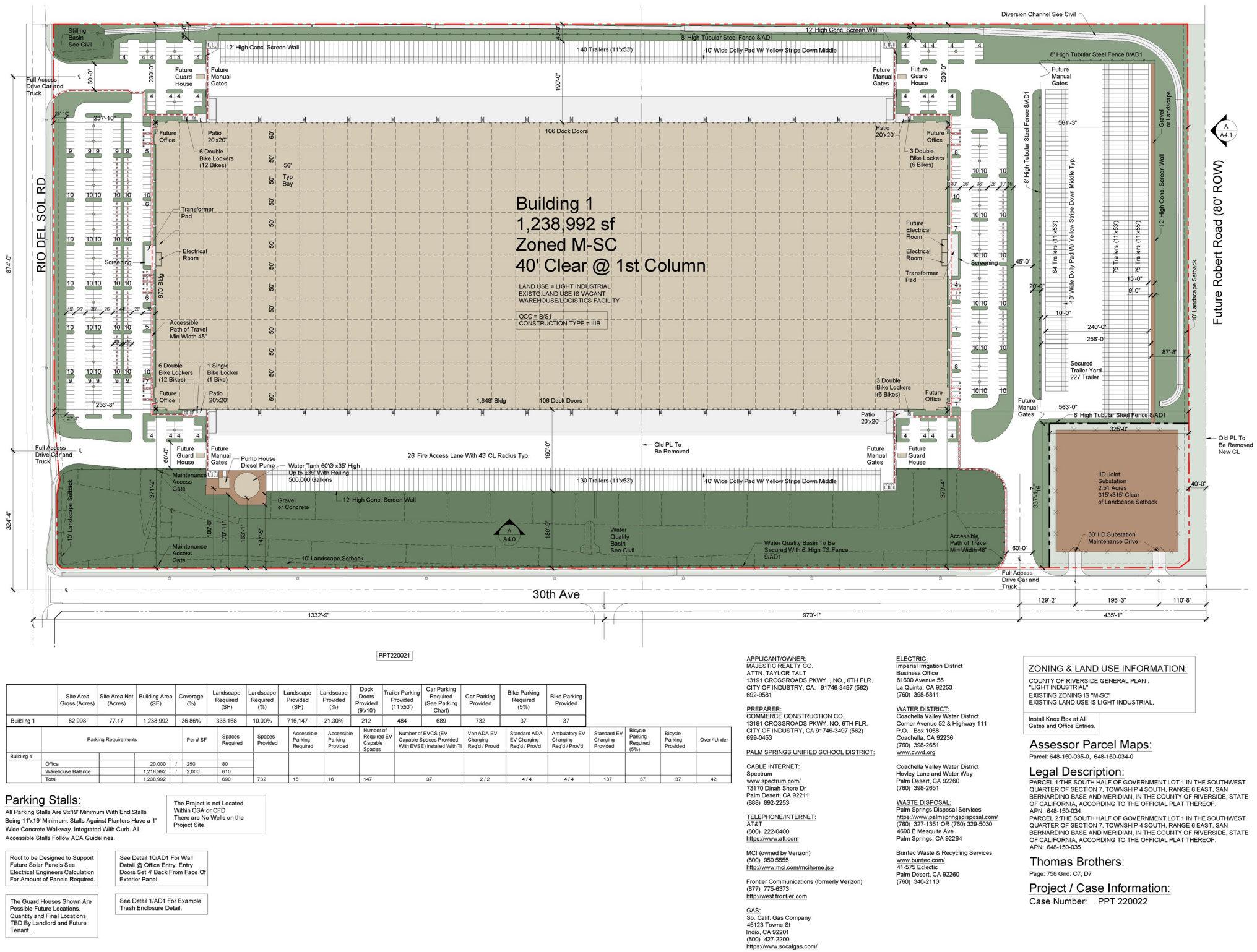


Source(s): ESRI, RCTLMA (2022), Cathedral City General Plan Draft (2019), North City Extended Specific Plan (01-15-2014)

Figure 3-4

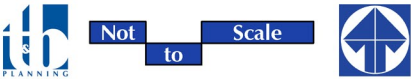


Change of Zone No. 2200013



Source(s): Commerce Construction Co. (01-10-2024)

Figure 3-5



Lead Agency: County of Riverside

Plot Plan No. 220022 Site Plan

SCH No. 2022110600



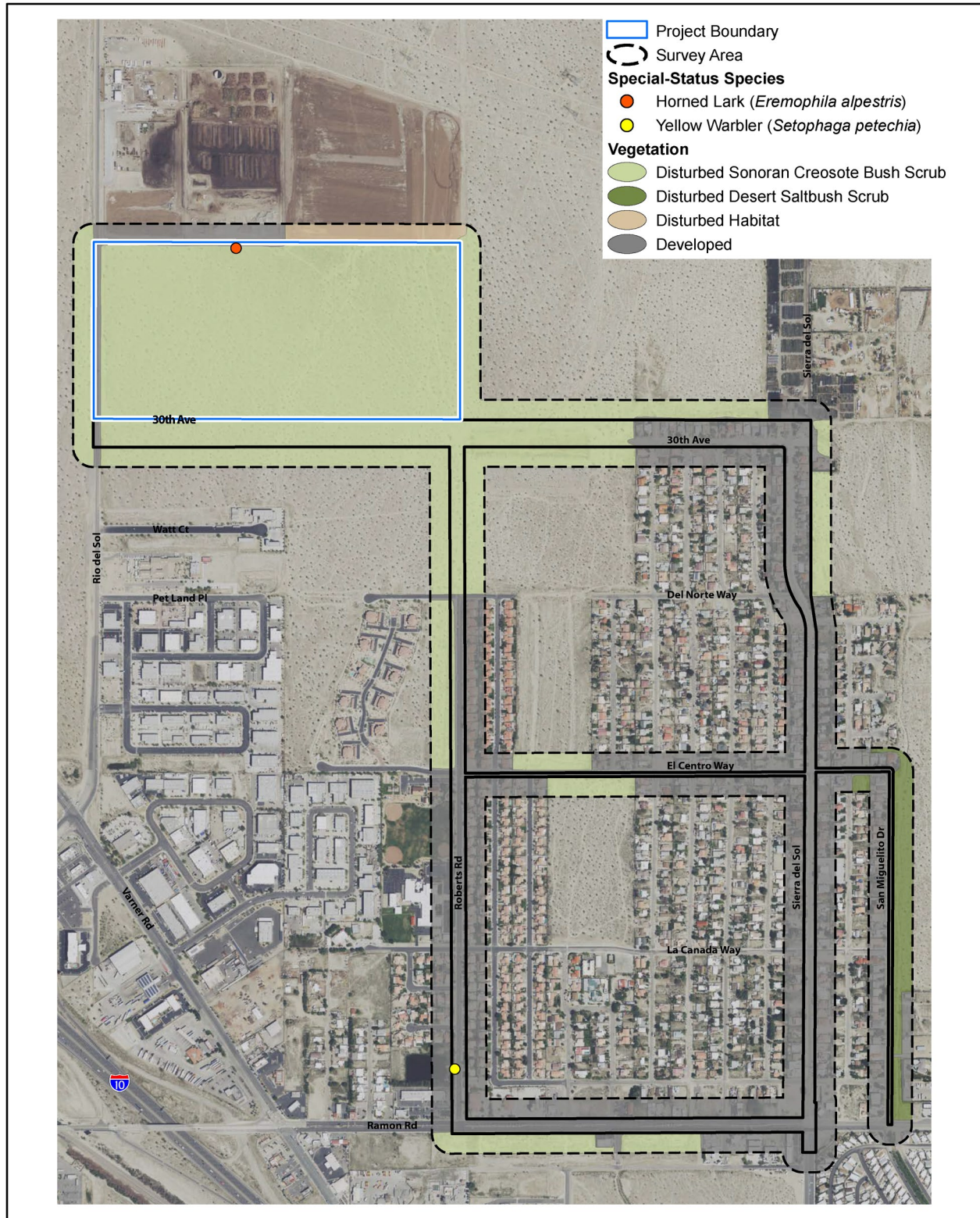
inclusive of a truck trailer parking area proposed in the eastern and northeastern portions of the Project site. Access to the proposed warehouse building would be accommodated via two driveways along Rio Del Sol Road (from north to south, Driveways 1 and 2) and one driveway along 30th Avenue (Driveway 3). All three of these driveways would serve both passenger vehicles and trucks. In addition, water quality/retention basins are proposed along the southern portion of the warehouse building site, and a stilling basin is proposed in the northwest corner of the warehouse building site.

This EIR also includes an evaluation of potential impacts associated with the construction and operation of a potential IID joint substation in the southeastern corner of the Project site on approximately 2.5 acres. A new substation is necessary because the IID does not have capacity in the local area to serve the Project's proposed warehouse building and other parts of the Thousand Palms community with electricity. However, based on discussions with IID staff, it was determined that the necessary IID substation likely would be constructed at an off-site location. If constructed at an off-site location, the IID substation would not be a Project-related component, and the IID already is undertaking a separate review of the off-site substation location pursuant to the requirements of CEQA. However, in order to account for the potential that the IID substation ultimately may be constructed on site, this EIR includes an evaluation of potential physical impacts to the environment that would result should the substation be constructed on site. If constructed on site, the IID substation would be square in shape, measuring approximately 315 feet by 315 feet in size, and would accommodate a typical 2 bank station. Two driveways would occur along 30th Avenue to provide maintenance access to the IID substation. Additionally, and in the event the IID substation ultimately is constructed on site, power poles would be installed in the Project vicinity between the on-site substation and existing IID facilities. Although not depicted on the PPT 220022 site plan, the potential off-site routes for transmission lines are evaluated as part of this EIR, although the precise location of, and ultimate need for, individual power poles is unknown at this time. The potentially impacted areas resulting from power pole installation off site are depicted on Figure 3-6, *Survey Area for Off-Site Power Pole Locations*. It should be noted that the off-site areas shown on Figure 3-6 depict the potential routes for the power lines; however, in the event the IID substation is constructed on site, not all of the depicted alignments would be implemented, and physical impacts only would occur in specific locations where power poles would be installed. Thus, the study area depicted on Figure 3-6 overstates the Project's potential off-site impacts due to the potential power pole installation.

In addition, the Project would construct a water tank and pump house on site to provide adequate water pressure for on-site fire hydrants. The water tank is proposed at the southwestern corner of the truck court to the south of the proposed warehouse building, and would have a diameter of 60 feet, and would measure up to 35 feet in height. The water tank would have a maximum storage capacity of 500,000 gallons. A building for diesel pumps also is proposed to the west of the water tank. Access to the water tank and pump house would be accommodated via manual gates providing access via Driveway 2.

B. Grading and Site Work

Figure 3-7 through Figure 3-10, *Plot Plan No. 220022 Grading Plan*, depicts the grading plan included as part of PPT 220022. As shown, the site would be graded in a manner that largely approximates the site's existing topographic conditions, except as necessary to accommodate proper site drainage and sewer flows. The Project



Source(s): Rocks Biological Consulting (12-09-2022)

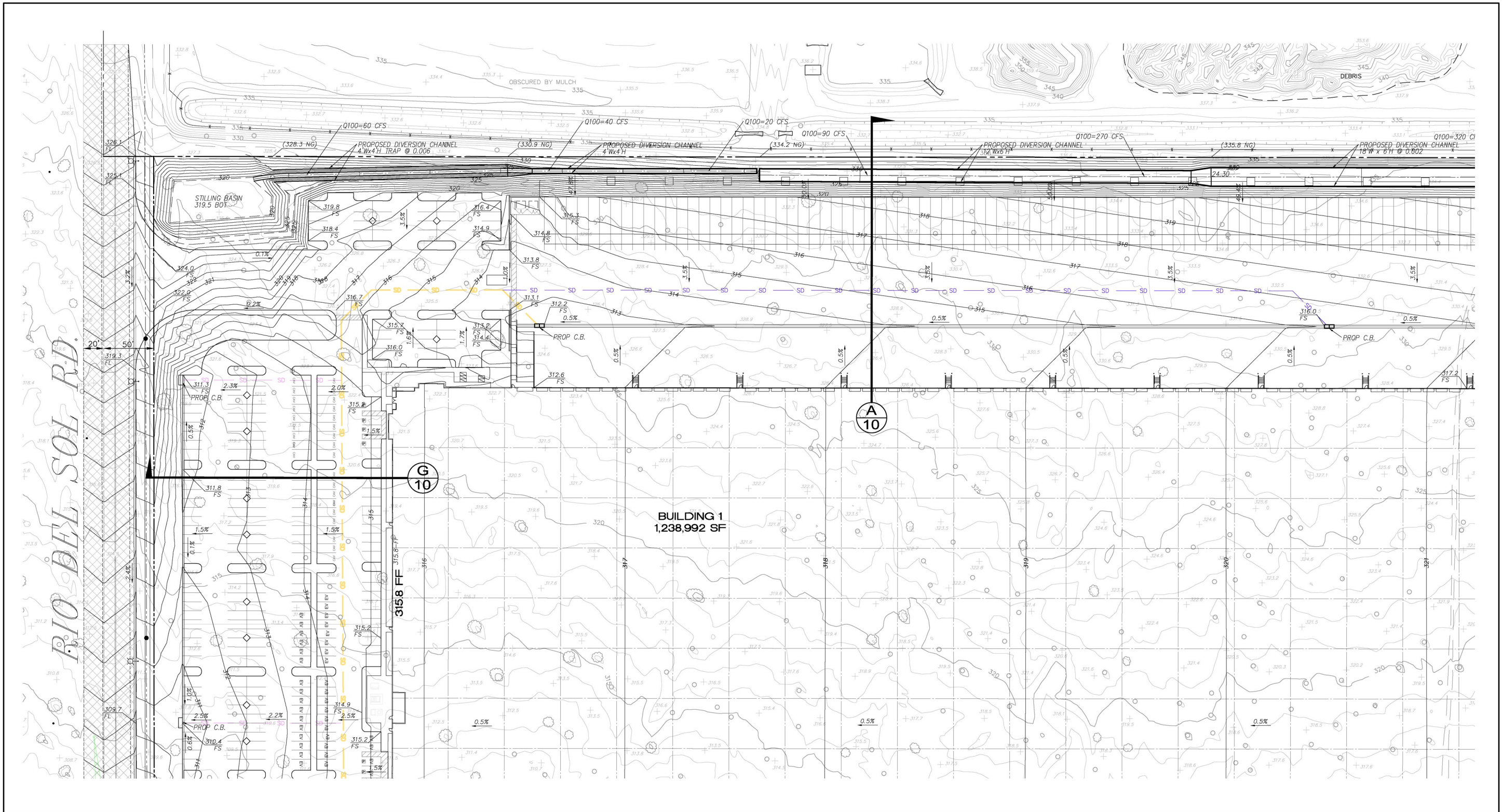
Figure 3-6



Not to Scale

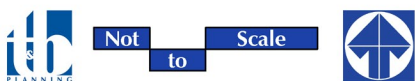


Survey Area for Off-Site Power Pole Locations

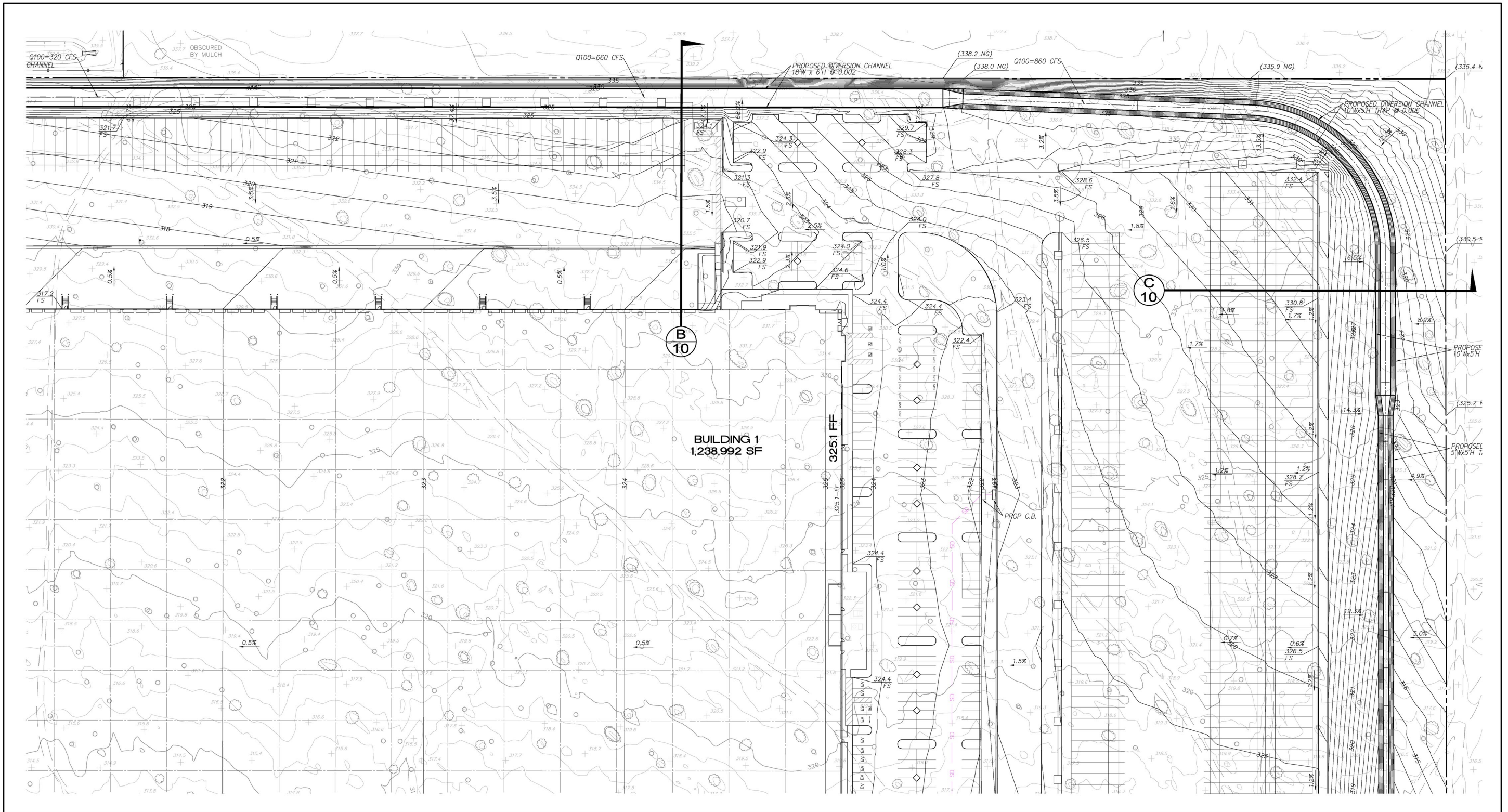


Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-7

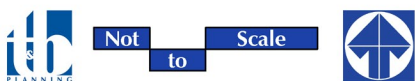


Plot Plan No. 220022 Grading Plan (1 of 4)

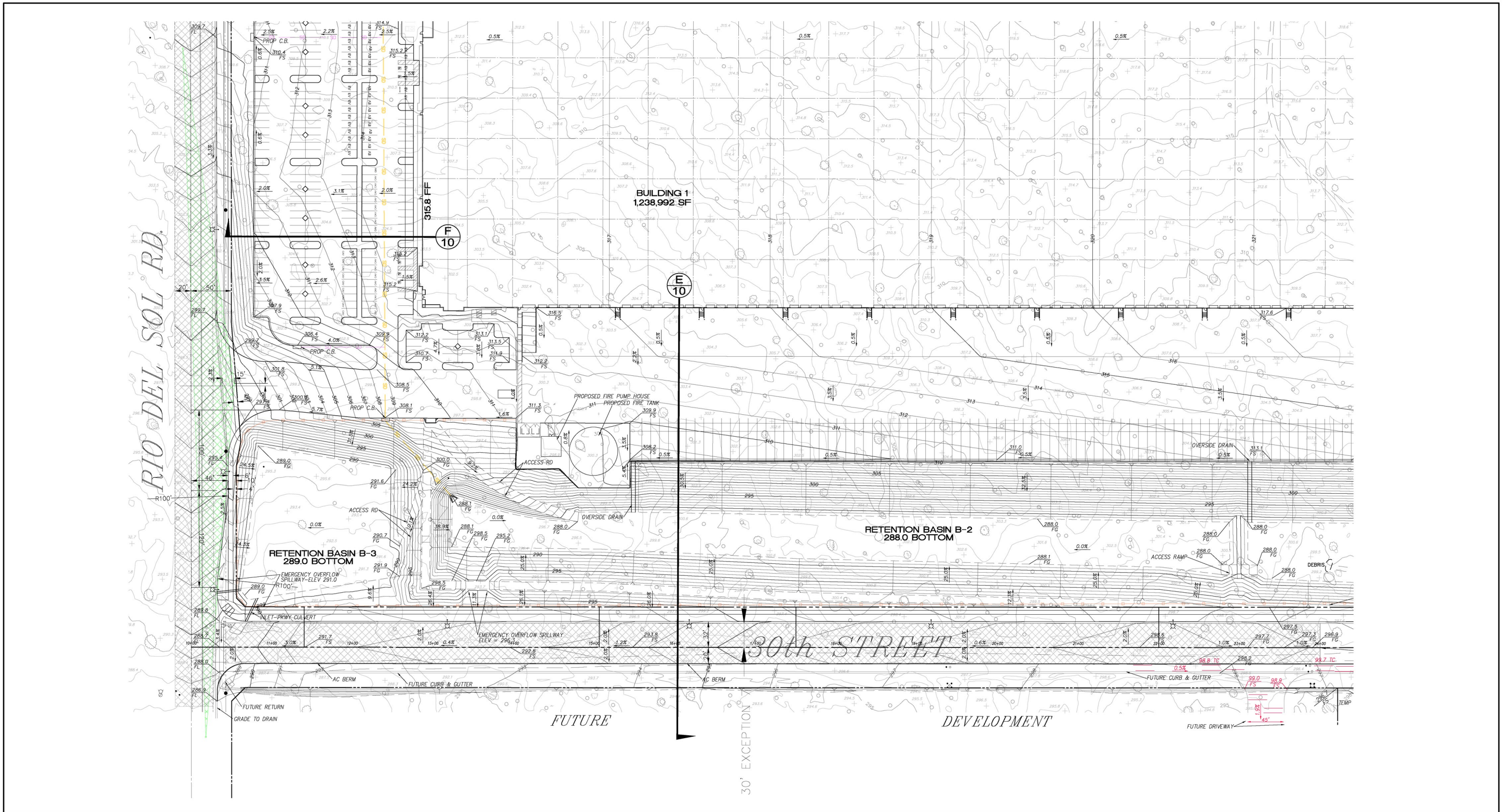


Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-8

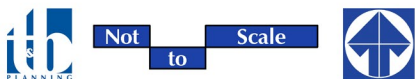


Plot Plan No. 220022 Grading Plan (2 of 4)

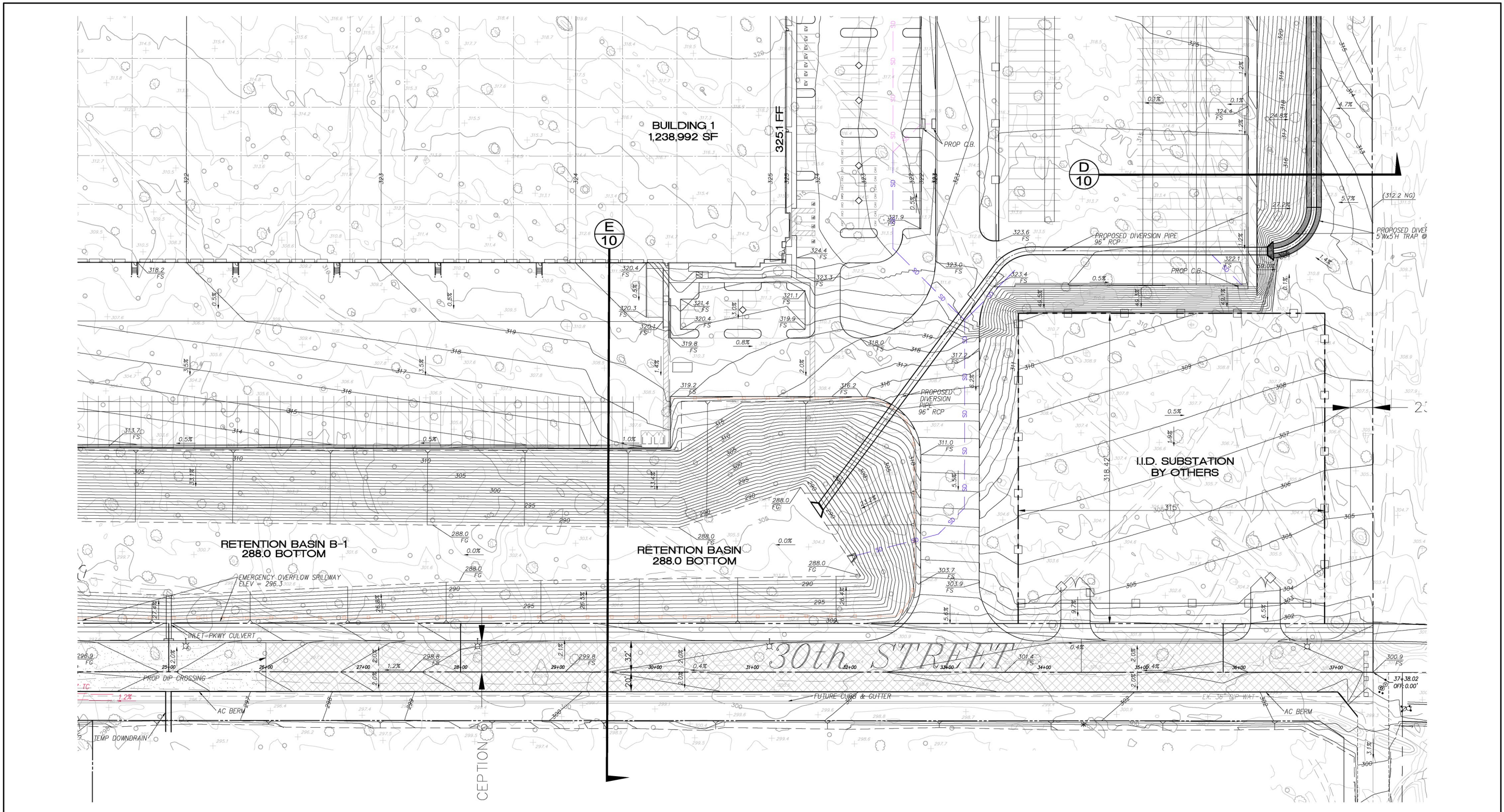


Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-9

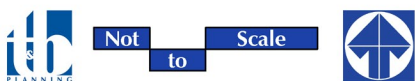


Plot Plan No. 220022 Grading Plan (3 of 4)



Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-10



Plot Plan No. 220022 Grading Plan (4 of 4)



would require a total of 681,925 cubic yards (cy) of cut and 712,323 cy of fill, requiring the net import of approximately 30,398 cy of soils². No blasting is required for the Project. Manufactured slopes are proposed along the northern site boundary, which would be constructed at a maximum gradient of approximately 2:1 (horizontal:vertical) and would measure up to 16 feet in height. The slope along the northern Project boundary also would accommodate a proposed 6-foot by 12-foot stormwater drainage diversion channel/berm (as described more fully below under the discussion of Drainage in subsection 3.5.3.G). Slopes also are proposed around the proposed retention basins in the southern portion of the Project site, which would measure up to ± 28 feet in height and would be constructed at a maximum gradient of 3:1. Minor slopes also are proposed along the western site boundary measuring up to ± 9 feet in height.

In addition, and as shown on Figure 3-11, *Proposed Grading – Off-Site Roadway Improvements*, the County will require the Project Applicant to pave Robert Road between 30th Avenue and the existing improved portion of this roadway at the intersection with Del Norte Way. The proposed minor grading and a 32-foot-wide paved road segment is necessary to provide access primarily for fire trucks and other emergency vehicles between the Project site and Del Norte Way. It is not anticipated that daily Project-related traffic would use this segment of Robert Road.

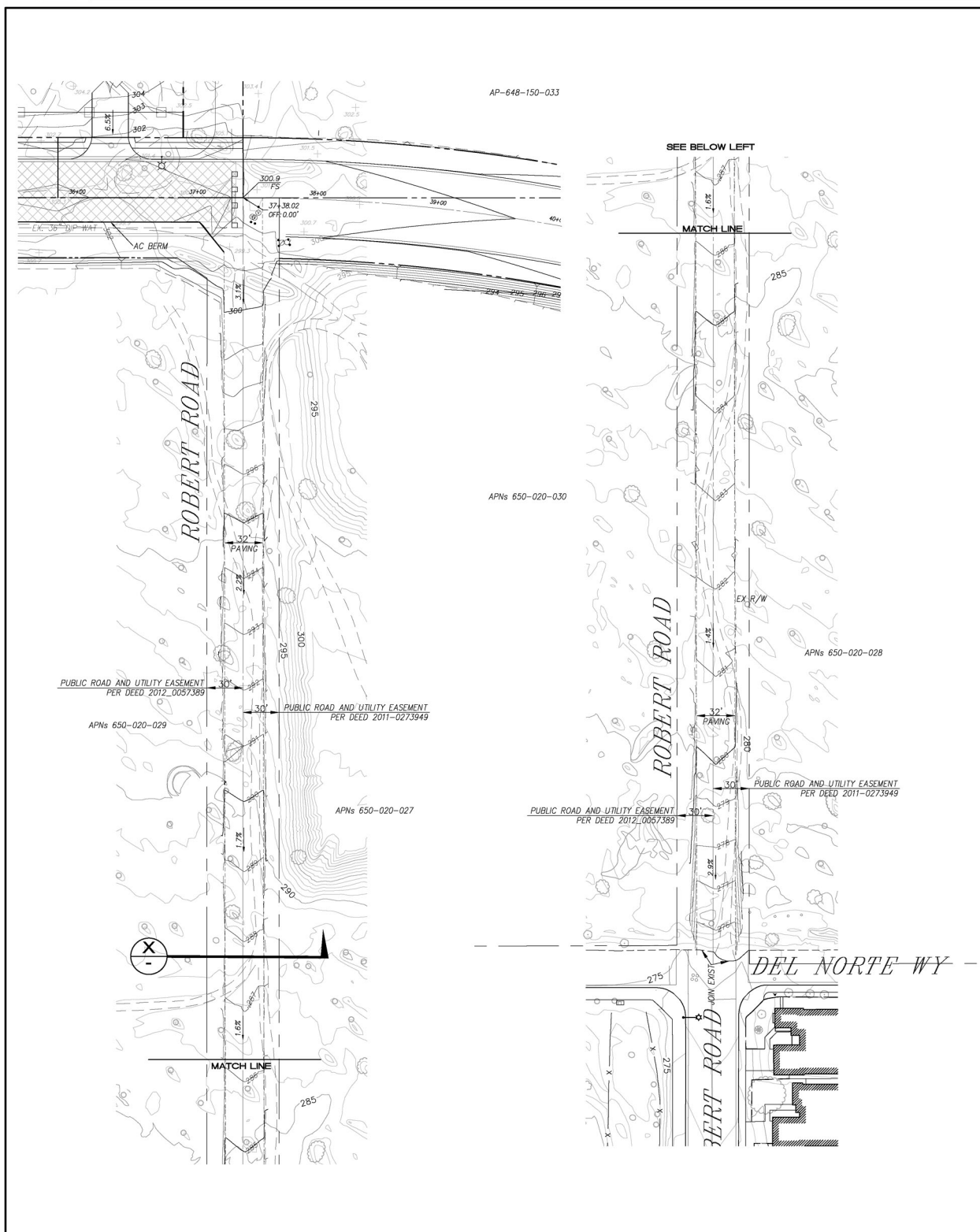
C. Architectural Design

Architectural characteristics proposed as part of the warehouse building are depicted on Figure 3-12 through Figure 3-14, *Building Elevations*. As shown, the building is designed in a contemporary style with concrete tilt up panels that would be painted in shades of tan, brown, and maroon. The proposed office spaces would be treated with solar cool gray glazing (glass) and spandrel glass that would be accented with a mixture of compatible colors. The proposed building would range from ~~44-49~~ to ~~49-54~~ feet in height, with the taller portions of the building occurring at the corners of the building and at several locations along the longer sides of the building, and the shorter portions of the building occurring along the northern and southern sides of the building. As previously noted, a total of 212 dock doors are proposed, with 106 dock doors along the northern facing side of the building and 106 dock doors along the southern facing side of the building. Additionally, and in accordance with Measure R2-CE1 (Clean Energy) of the Riverside County Climate Action Plan Update (CAP Update), the proposed warehouse building is designed to accommodate rooftop solar panels that would serve a minimum of 20 percent of the building's energy demand. The precise number of solar panels required would be determined as part of future building permits for tenant improvements once the precise user(s) of the proposed building are identified.

D. Circulation

As previously shown on Figure 3-5, access to the Project site would be accommodated via Rio Del Sol and 30th Avenue. As part of the Project, the Project Applicant would be required to construct improvements along the Project site's frontages with Rio Del Sol Road and 30th Street, as depicted on Figure 3-15, *Plot Plan No. 220022 Roadway Cross-Sections*. In addition, the Project Applicant would be required to improve Robert

² Although the Project only would require the net import of approximately 30,398 cy of soil, the Project's technical studies provided a "worst case" analysis by assuming that the Project would require up to 101,140 cy of soil import.



Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-11



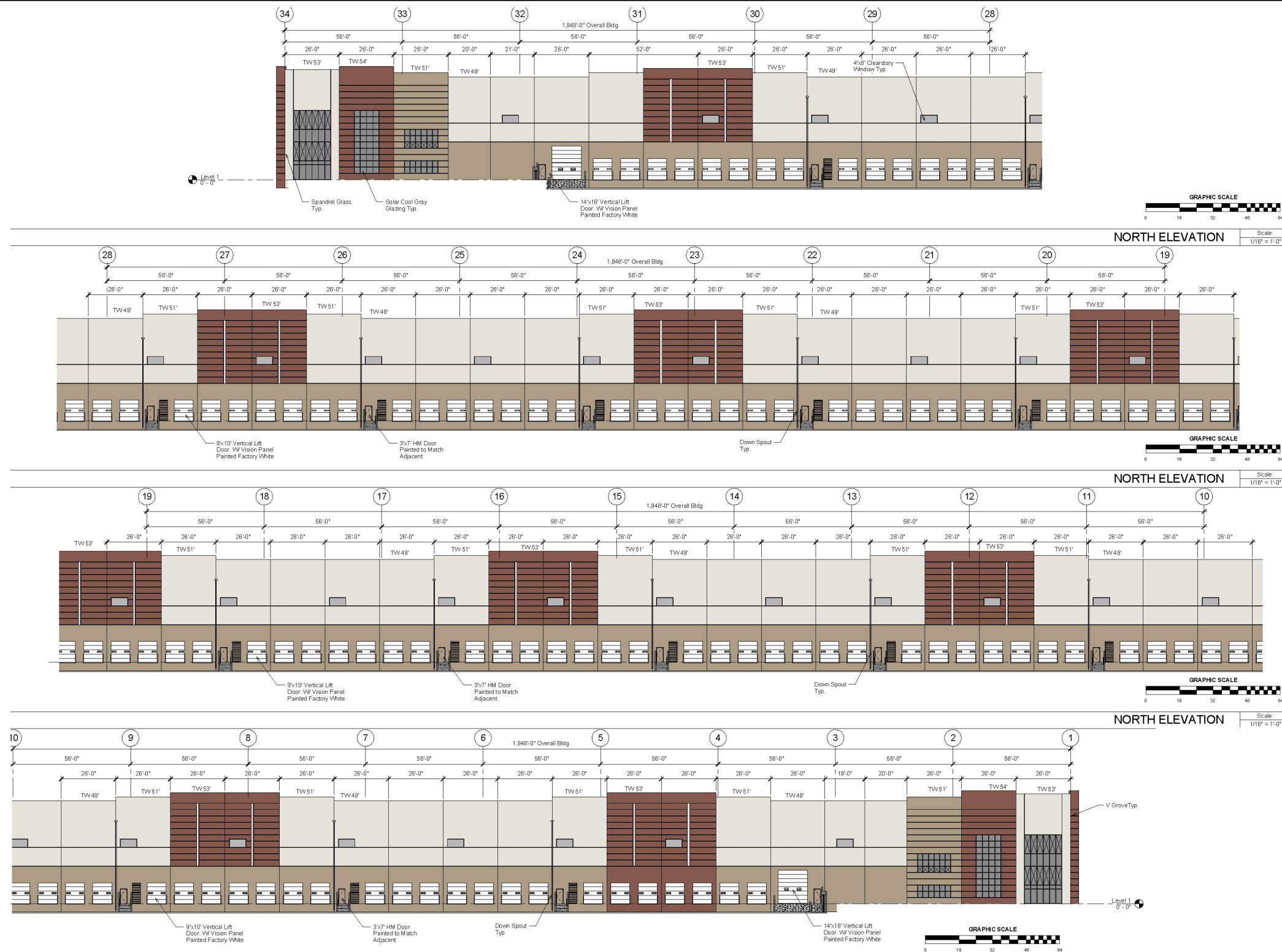
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Proposed Grading - Off-Site Roadway Improvements

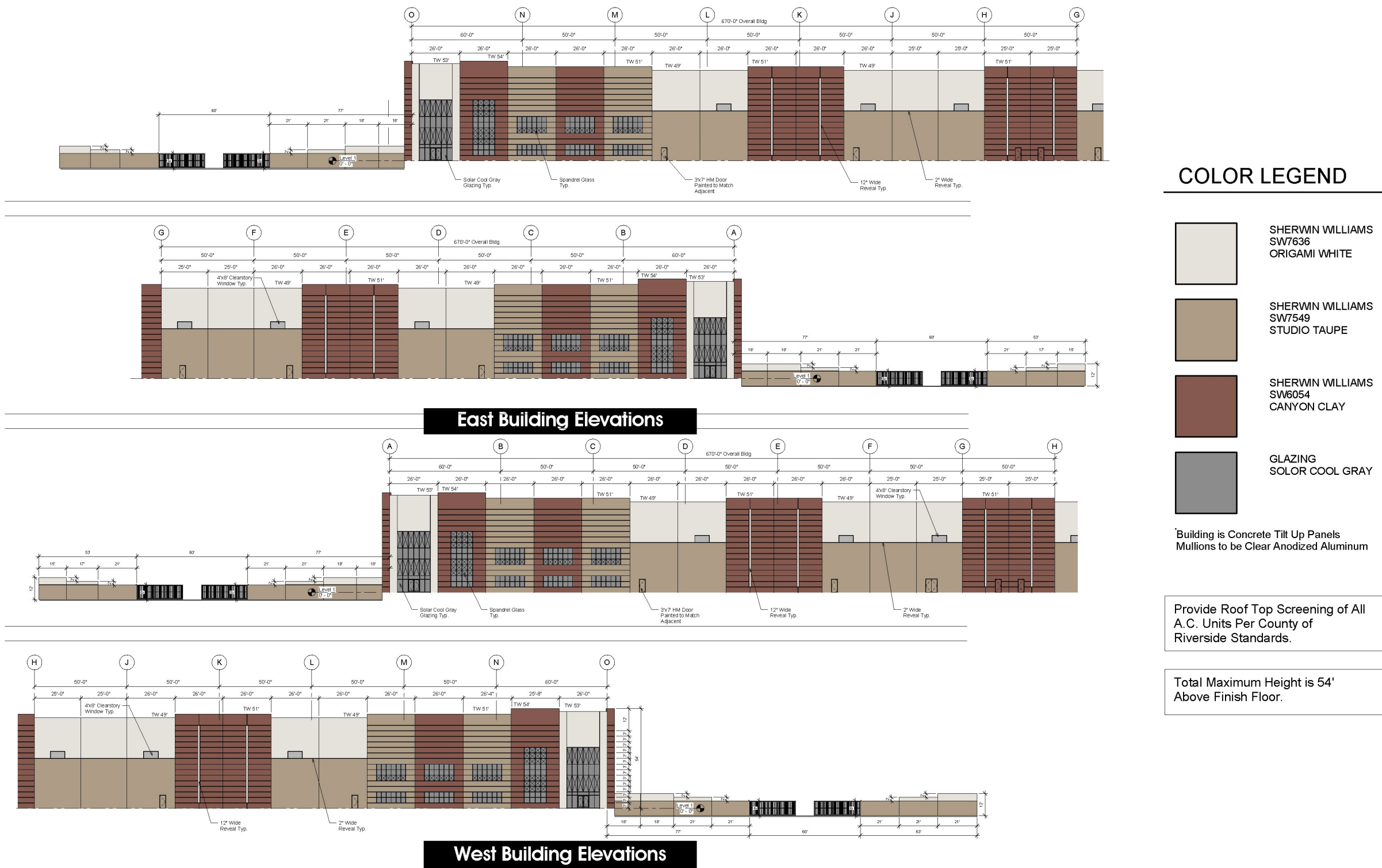
Lead Agency: County of Riverside

SCH No. 2022110600



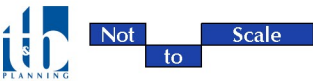
Source(s): Commerce Construction Co. (09-26-2024)

Figure 3-12

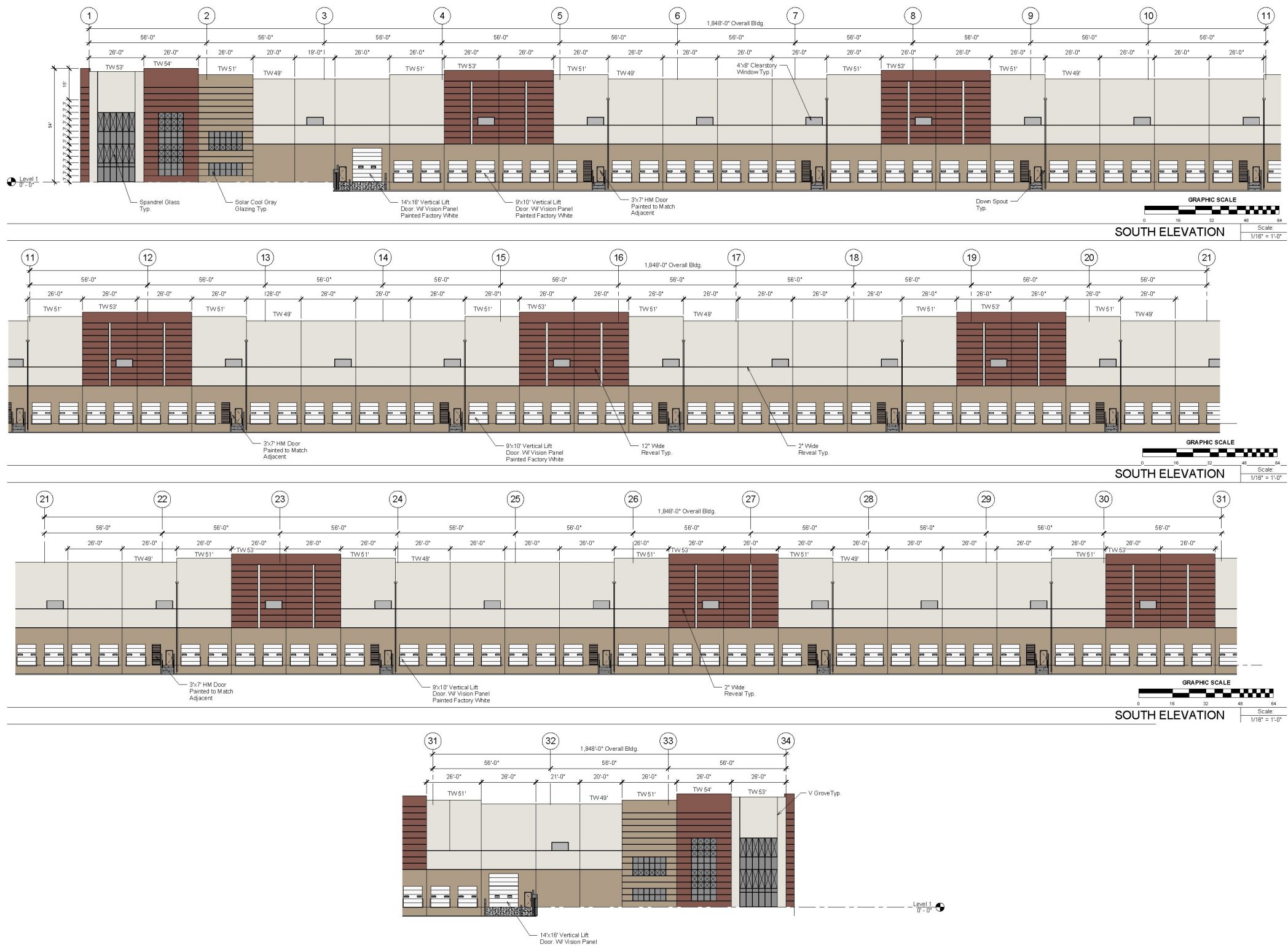


Source(s): Commerce Construction Co. (09-26-2024)

Figure 3-13



Building Elevations (East and West)

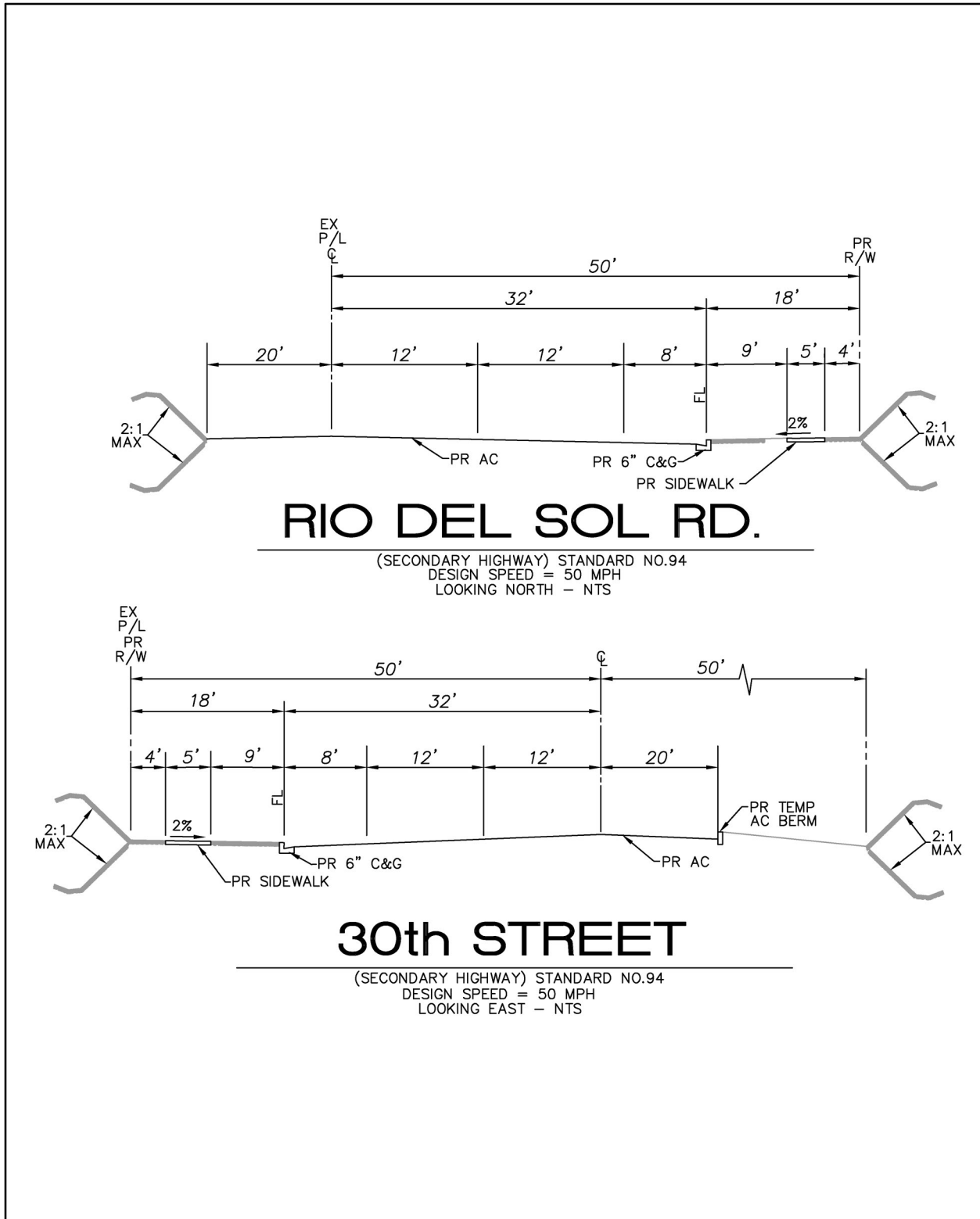


Source(s): Commerce Construction Co. (09-26-2024)

Figure 3-14

Not to Scale

Building Elevations (South)



Source(s): PBLA Engineering, Inc. (01-30-2024)

Figure 3-15



Not to Scale

Plot Plan No. 220022 Roadway Cross-Sections

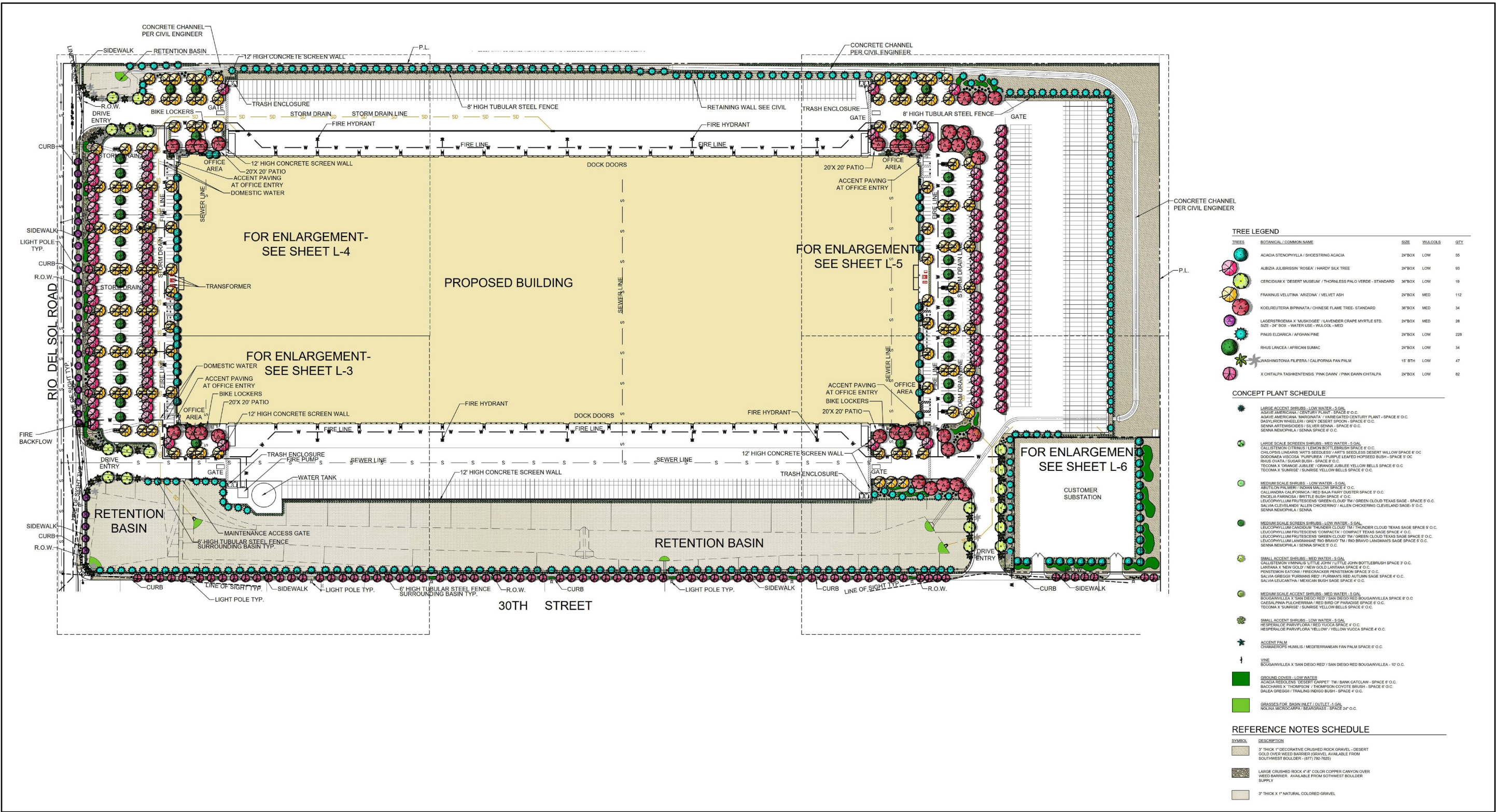


Road off site between the southeast corner of the Project site and Del Norte Way. Proposed roadway improvements are described below.

- Rio Del Sol Road: Under existing conditions, Rio Del Sol Road along the Project site's frontage exists as a two-lane undivided roadway with one lane in each direction and approximately 24 feet of paved roadway surface. As shown on Figure 3-15, the Project Applicant would be required to improve this segment of Rio Del Sol Road to its ultimate half-width standard as a "Secondary Highway (100-foot right-of-way (ROW))." The Project Applicant would dedicate 50 feet of ROW for this roadway along the Project site frontage and would improve the roadway to include two northbound travel lanes, inclusive of an 8-foot-wide turning lane, curb, gutter, and a variable width landscaped parkway that includes a five-foot-wide curb-separated sidewalk. No traffic signals are proposed.
- 30th Avenue. Under existing conditions, 30th Avenue along the Project site's frontage does not exist. As part of the Project, the Project Applicant would be required to construct the segment of 30th Avenue along the site's frontage between Rio del Sol and Robert Road to its ultimate General Plan Circulation Element standard as a Secondary Highway (100-foot ROW). The Project Applicant would dedicate 50 feet of ROW for this roadway along the Project site's frontage and would improve the roadway to include two travel lanes, an 8-foot-wide turning lane, curb, gutter, and an 18-foot-wide landscaped parkway along the northern side of the roadway that would include a five-foot-wide curb-separated sidewalk. Ultimate improvements to the southern half of this segment of 30th Avenue would be completed by property owners along the southern side of the road as part of future development of these parcels.
- Robert Road. Under existing conditions, the segment of Robert Road between 30th Avenue and Del Norte Way is an unimproved dirt road. As part of the Project, and in order to accommodate emergency access to the Project site, the Project Applicant would be required to pave Robert Road to a 32-foot width between 30th Avenue and Del Norte Way.

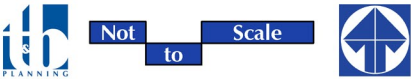
E. Landscaping

Figure 3-16, *Plot Plan No. 220022 Conceptual Landscape Plan*, depicts the Project's conceptual landscape plan. As shown, landscaping would be ornamental in nature and would feature trees, hedges, shrubs, groundcovers, and accent plants, with landscaping concentrated along the site boundaries, along the eastern and western sides of the building, around the potential IID substation site, in the passenger vehicle parking areas to the east and west of the proposed building, and within the proposed retention basins in the southern portions of the Project site. Trees proposed as part of site landscaping would include 24-inch box shoestring acacia (*Acacia stenophylla*), 24-inch box hardy silk tree (*Albizia julibrissin* 'Rosea'), 36-inch box thornless Palo Verde (*Cercidium x 'Desert Museum'*), 24-inch box velvet ash (*Fraxinus velutina* 'Arizona'), 36-inch box Chinese flame tree (*Koelreuteria bipinnata*), 24-inch box lavender crape myrtle (*Lagerstroemia x 'Muskogee'*), 24-inch box Afghan pine (*Pinus eldarica*), 24-inch box African sumac (*Rhus lancea*), 15-foot brown trunk height California fan palm (*Washingtonia filifera*), and 24-inch box pink dawn chitalpa (*X Chitalpa tashkentensis* 'Pink Dawn').



Source(s): Commerce Construction Co. (01-08-2024)

Figure 3-16



Plot Plan No. 220022 Conceptual Landscape Plan

Lead Agency: County of Riverside

SCH No. 2022110600



F. Walls and Fencing

As shown on the proposed PPT 220022 Site Plan (refer to Figure 3-5, previously presented), 12-foot-tall concrete screen walls are proposed along the southern edge of the southern truck court, and along the northern and eastern sides of the northern truck court. An 8-foot-tall tubular steel fence also is proposed along the northern edge of the northern truck court. Manual gates are proposed at the east and west ends of the truck courts to restrict access to these areas. The proposed retention basins in the southern portions of the Project site would be secured with 6-foot-tall tubular steel fencing, with maintenance access gates proposed along the northern and southern sides of the retention basins within the western portion of the Project site. The potential IID substation would be surrounded by 8-foot-tall tubular steel fencing.

G. Water, Sewer, and Drainage

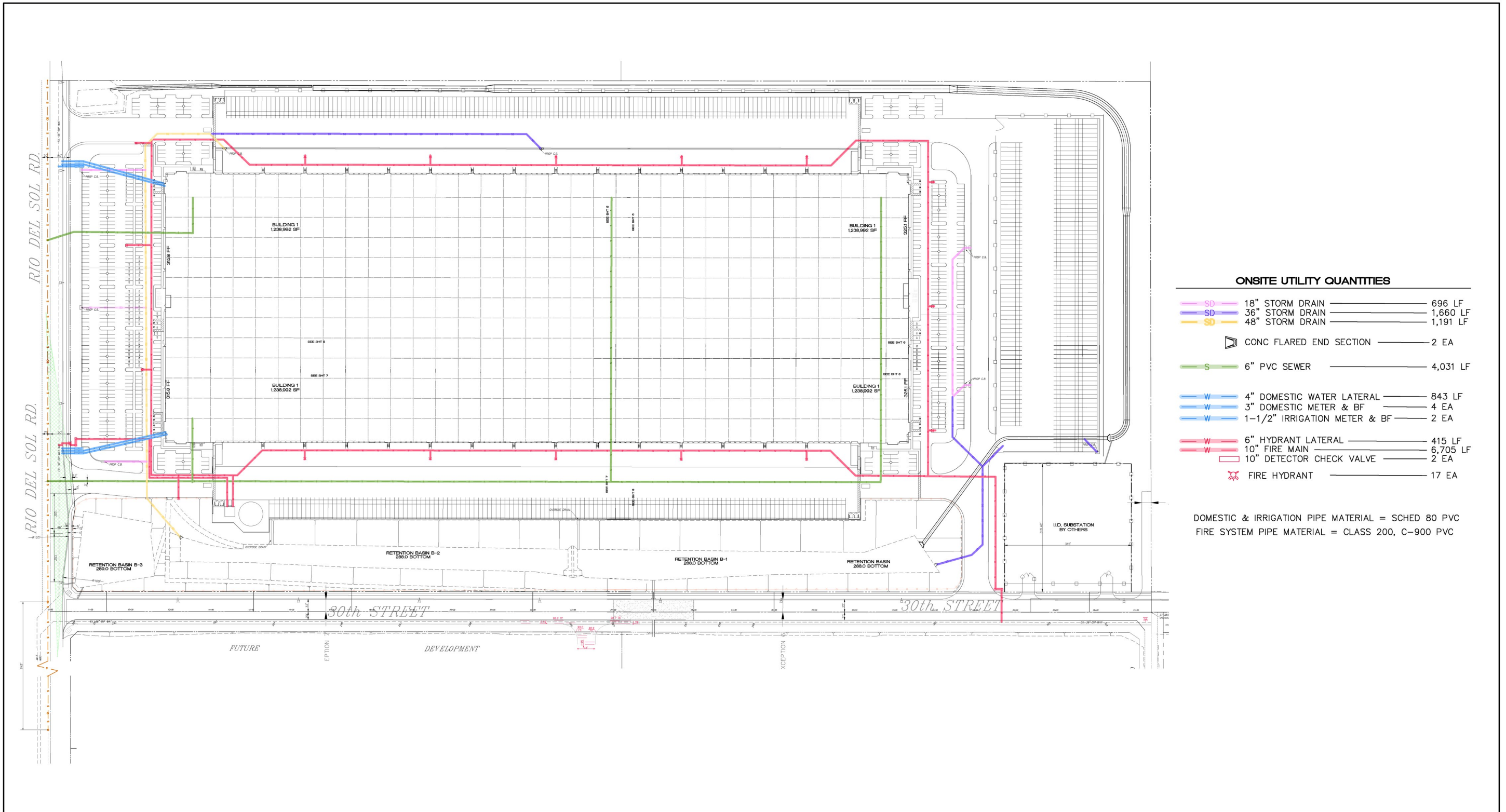
PPT 220022 also includes a proposed utility plan, as depicted on Figure 3-17, *Plot Plan No. 220022 Utility Plan*. Major components of the Project's proposed utility improvements are described below.

1. Water Service

Water service and supply to the Project site is provided by Coachella Valley Water District (CVWD). Under existing conditions, there is a 36-inch water main within Rio Del Sol Road and a 36-inch water main within the 30th Avenue alignment along the Project site's frontages with these roadways. As part of the Project, domestic water lines are proposed to extend from the existing 36-inch water main within Rio Del Sol to the northwest and southwest corners of the proposed warehouse building, which would provide domestic water service to the entire building. Fire water service would be accommodated by the existing 36-inch water mains within 30th Avenue and Rio Del Sol. The Project's design would extend a fire water main from the existing 36-inch water mains and the proposed water tank in the southwestern portion of the Project site. The water tank is intended to ensure there would be adequate water pressure on site for fire suppression purposes. A series of ±10-inch fire water mains would extend from the water tank and would surround the proposed warehouse building. Fire hydrant lateral lines are proposed extend from the fire water mains to provide water to individual fire hydrants proposed around the proposed building to ensure adequate fire protection.

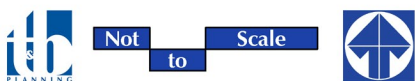
2. Sewer Service

Sewer service to the proposed Project also would be provided by CVWD. As depicted on Figure 3-17, under existing conditions there is a 15-inch vitrified clay pipe (VCP) sewer line located within Rio Del Sol Road. As part of the Project, a polyvinyl chloride (PVC) sewer line is proposed on site within the southern drive aisle that would extend to the north beneath the building at two locations, with one sewer line extending to the north beneath the building in the central portion of the southern truck court and the other sewer line extending to the north near the southeast corner of the proposed warehouse building. An additional PVC sewer line is proposed just to the south of the northern driveway entrance along Rio Del Sol, which would extend from the northwest corner of the building to the existing 15-inch PVC sewer line. Wastewater generated by the proposed Project would be conveyed to CVWD Water Reclamation Plant (WRP) No. 7, which is located at the southeast corner



Source(s): PBLA Engineering, Inc. (01-11-2024)

Figure 3-17



Plot Plan No. 220022 Utility Plan

Lead Agency: County of Riverside

SCH No. 2022110600



of Avenue 38 and Burr Street in the City of Indio, approximately 8.8 miles southeast of the Project site. WRP 7 has a secondary treatment permit capacity of 5.0 million gallons per day (mgd) and a tertiary treatment capacity of 2.5 mgd (CVWD, 2020, p. 3-11)

3. *Drainage*

Figure 3-17 also depicts the Project's proposed drainage improvements. As shown, a series of catch basins and storm drain lines of various diameters would be constructed on the site to convey runoff towards one of three retention basins proposed in the southern portions of the site. The three retention basins, labeled from east to west as Retention Basins B-1, B-2, and B-3, would collect and retain runoff generated on the Project site, runoff that would be tributary to the Project site from 30th Avenue and Rio Del Sol, and runoff that is tributary to the Project site from off-site areas the north. Specifically, runoff generated in the northern truck court and the western portions of the Project site would be conveyed to the west and south via proposed 36- and 48-inch storm drain lines, ultimately discharging directly into the western portion of Retention Basin B-2. Runoff generated in the eastern portion of the Project site would be conveyed to the south by proposed 18- and 36-inch storm drain lines and would discharge directly into the eastern portion of Retention Basin B-1. Retention Basins B-1 and B-2 also would receive a majority of run-on flows from 30th Avenue. Retention Basin B-3 is designed to collect flows generated along Rio Del Sol and the remaining run-on flows from 30th Avenue.

In addition and to convey off site flows, a diversion berm is proposed along the northern edge of the Project site, which would direct run-on flows from the western portion of the site westerly along the northern property line to a proposed stilling basin proposed in the northwest corner of the Project site. Low flows would not overflow the stilling basin, while peak flows from the stilling basin as well as the remaining run-on flows along the central and eastern portions of the northern Project boundary would be conveyed to the east and south along the northern and eastern Project boundaries via a proposed diversion channel to a proposed 96-inch RCP diversion pipe in the southeastern portion of the Project site that would discharge directly into Retention Basin B-1. In addition, run-on flows from the improved portion of Rio Del Sol, as well as a portion of the run-on flows from the improved portion of 30th Avenue, would be conveyed into Retention Basin B-3. The three retention basins have been sized to retain and infiltrate all runoff that is tributary to the site, such that there would be no runoff discharged from the Project site except during unusually high rainfall events. During unusually high rain events, the three retention basins are designed with emergency overflow spillways that would discharge a majority of the excess runoff directly onto 30th Avenue, with a portion of these flows being discharged onto Rio Del Sol. Specifically, Retention Basins B-1 and B-2 would discharge onto 30th Avenue once flows within the basin exceed the design elevation of 296.3 feet above mean sea level (amsl), while flows within Retention Basin B-3 would discharge onto 30th Avenue and Rio Del Sol once flows within the basin exceed the design elevation of 291.0 feet amsl.



3.6 PROJECT'S TECHNICAL CHARACTERISTICS

3.6.1 CONSTRUCTION CHARACTERISTICS

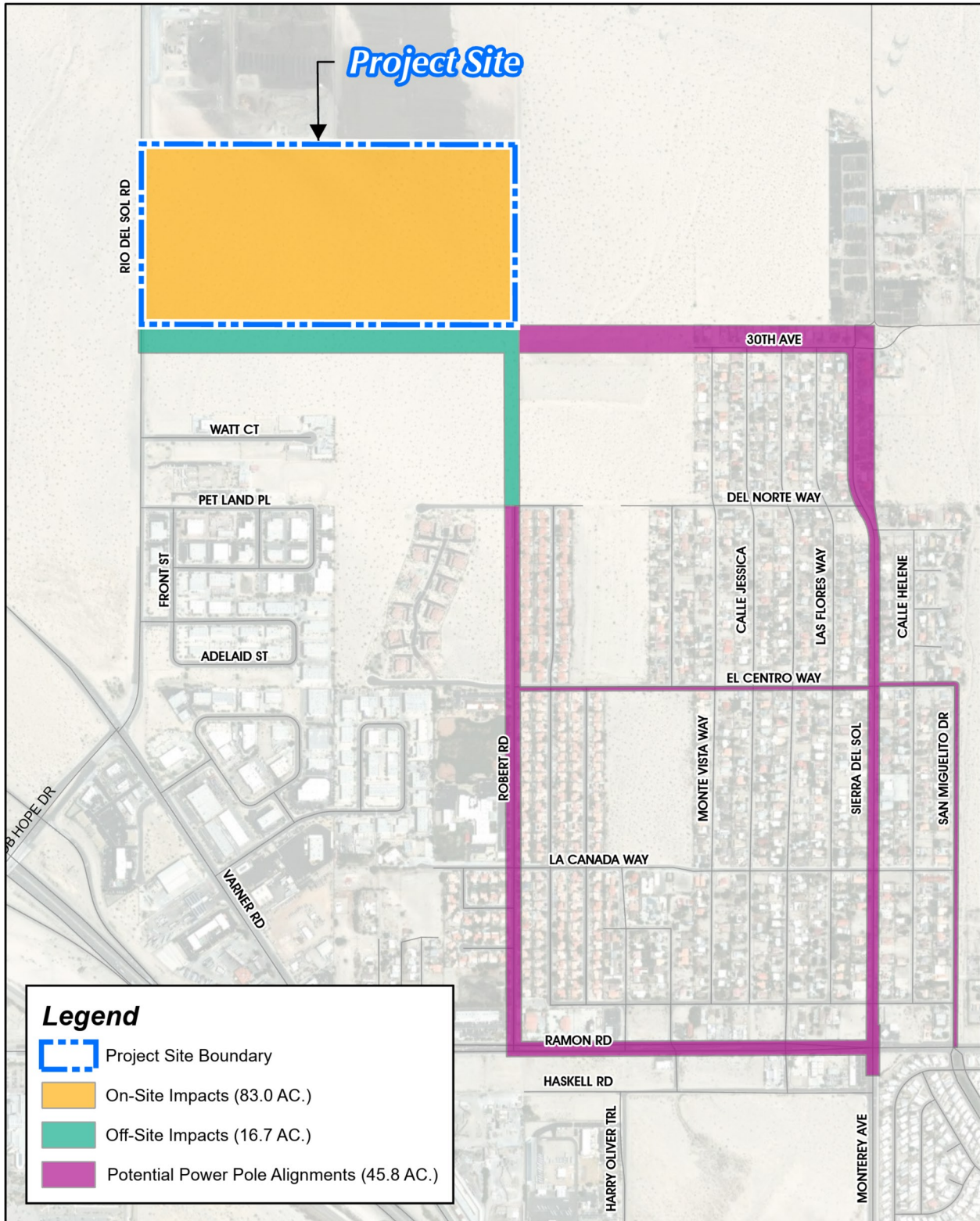
A. IID Substation and Overhead Line Details

As previously noted, a new substation is necessary because the IID does not have capacity in the local area to serve the Project's proposed warehouse building and other parts of the Thousand Palms community with electricity. However, based on discussions with IID staff, it was determined that the necessary IID substation likely would be constructed at an off-site location. If constructed at an off-site location, the IID substation would not be a Project-related component, and the IID already is undertaking a separate review of the off-site substation location pursuant to the requirements of CEQA. However, in order to account for the potential that the IID substation ultimately may be constructed on site, this EIR includes an evaluation of potential physical impacts to the environment that would result should the substation be constructed on site. In the event the substation is constructed on site, the substation would consist of a new 50 MW joint substation in the southeastern corner of the Project Site that would be constructed and operated by the IID. The substation, should it ultimately be constructed on site, is designed in two 25 MW banks, for a total of 50 MW. At full build-out, the substation's primary equipment would include one 92kV circuit breakers, two 25 megavolt-ampere (MVA) transformers, and up to eight distribution circuits at full build-out. Equipment would reach a maximum height of 15 feet and would be surrounded by a security fence with secured access gates. The proposed substation area would comprise approximately 2.5 acres in the shape of a square. Reinforced concrete subsurface footings and concrete slabs would be installed along with a grounding grid. Equipment would be bolted or welded to slabs and footings to meet or exceed seismic requirements. All equipment would be grounded to a substation perimeter looped grounding grid.

In the event that the substation ultimately is constructed on site, a 92 kV above-ground power line would be needed off-site to connect the proposed substation to the local electric grid. The poles would be ± 70 feet in height and constructed of in-line wood pole and steel poles at changes of direction. Although the exact pole locations are not yet determined, the wood poles would be 2-feet in diameter at in-line locations. The steel poles would be 7-feet in diameter at changes of direction. During installation, a maximum 10 foot wide by 10 foot long by 15 foot deep maximum ground disturbance area would occur around each pole for installation, and it would take approximately four days to install each pole. Pole installation consists of auguring and removing soil, setting/installing the pole and backfilling. After the poles are installed, electric transmission lines would be anchored to and strung between the poles. The electric line installation process would take approximately 64 working days. Electric line installation consists of pole trucks and spools of new lines at each pole anchoring and spanning from new pole to new pole. After installation, periodic maintenance and repairs typically consist of visual inspections, cleaning of mechanisms and statistical readings.

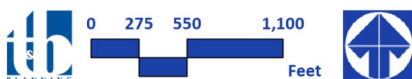
B. Project-Related Physical Disturbances

Figure 3-18, *Limits of Disturbance*, depicts the anticipated on- and off-site areas that could be physically disturbed as part of the Project's warehouse improvements and/or due to improvements associated with the potential on-site IID substation. For purposes of analysis throughout this EIR, it is assumed that



Source(s): ESRI, PBLA (2022), RCTLMA (2021)

Figure 3-18



Limits of Disturbance



implementation of the proposed Project would result in disturbance to the 83.0-acre Project site. In addition, proposed frontage improvements along Rio Del Sol Road and 30th Avenue would extend beyond the existing Project site boundaries by approximately 14 feet, resulting in off-site impacts to an additional approximately +/- 1.3 acres abutting the Project site's frontages with these roadways. The Project also would be required to construct improvements to Robert Road between 30th Avenue and Del Norte Way. Off-site impacts associated with the Project-related roadway and utility improvements would comprise up to approximately 16.7 acres.

Additionally, in the event that the IID substation is constructed on site, power poles would be installed between the proposed on-site IID substation and existing IID power facilities located near the intersection of Ramon Road and Monterey Avenue. The alignment of the proposed off-site power lines ultimately would be determined by IID in the event that the IID opts to construct the substation on site; however, for purposes of this EIR, it is assumed that the power poles could be constructed within one of several alignments. Conservatively, all of the potential alignments are analyzed for environmental effects in this EIR. Potential alignments would involve the existing/planned alignments for 30th Avenue (between Rio Del Sol Road and Sierra Del Sol), Robert Road (between Ramon Road and 30th Avenue), Sierra Del Sol (between 30th Avenue and just south of Ramon Road), El Centro Way (between Robert Road and San Miguel Drive), Ramon Road (between Robert Road and Sierra Del Sol), and/or along San Miguelito Drive (between El Centro Way and Ramon Road). Although the limits of disturbance depicted on Figure 3-18 shows full disturbance to approximately 45.8 acres along these road segments, the only areas that actually would be physically disturbed as part of the Project evaluated herein include areas where individual power poles and appurtenant facilities would be installed, resulting in impacts to a roughly maximum 10-foot by 10-foot area that would extend to a maximum depth of 15 feet at each pole location. Additionally, in the event the IID substation is constructed on site, only one route would be selected for the proposed power poles and power lines between the proposed on-site IID substation and existing IID facilities, meaning that the majority of the off-site power pole alignments shown on Figure 3-18 would not be disturbed as part of the Project.

C. Construction Activities Schedule and Equipment Fleet

For purposes of analysis, construction of Project is expected to commence in June 2024 and would last through May 2025. The construction schedule utilized in the analysis, shown in Table 3-2, *Anticipated Construction Duration*, represents a "worst-case" analysis scenario because should construction occur later than analyzed, emission factors for construction activity decrease as time passes and the analysis year increases due to emission regulations becoming more stringent³. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet. Table 3-3, *Anticipated Construction Equipment*, provides a summary of the construction equipment anticipated to be used during construction of the proposed Project inclusive of the warehouse, potential IID substation, and potential off-site power poles. (Urban Crossroads, 2023a, p. 33)

³ As shown in the CalEEMod User's Guide Version 2022.1, Section 4.3 "Off-Road Equipment" as the analysis year increases, emission factors for the same equipment pieces decrease due to the natural turnover of older equipment being replaced by newer less polluting equipment and new regulatory requirements.



Table 3-2 Anticipated Construction Duration

Construction Activity	Start Date	End Date	Working Days
Site Preparation	6/1/2024	8/23/2024	60
Grading	7/1/2024	11/1/2024	90
Substation Construction	8/1/2024	2/28/2025	152
Building Construction	10/1/2024	5/1/2025	153
Off-Site Utility and Infrastructure Improvements	1/1/2025	3/31/2025	64
Paving	4/1/2025	5/1/2025	23
Architectural Coating	11/1/2024	5/1/2025	130

(Urban Crossroads, 2023a, Table 3-3)

D. Construction-Related Vehicular Traffic

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul trucks commuting to and from the site. The number of trips are presented below in Table 3-4, *Construction Vehicle Trip Assumptions*. Worker trips are based on CalEEMod defaults. It should be noted that for vendor trips, specifically, CalEEMod only assigns vendor trips to the building construction phase. Vendor trips would likely occur during all phases of construction. As such, the CalEEMod defaults for vendor trips have been adjusted based on a ratio of the total vendor trips to the number of days of each subphase of activity.

3.6.2 WAREHOUSE OPERATIONAL CHARACTERISTICS

At the time this EIR was prepared, the future tenant(s) of the proposed warehouse buildings was unknown. For the purposes of this EIR, the Project is assumed to be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. The proposed warehouse building is designed such that business operations would be conducted within the enclosed building, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. As a practical matter, dock doors on warehouse buildings are not occupied by a truck or trailer at all times of the day. There are typically many more dock door positions on warehouse buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods carried by its trailer are stored inside the building. As a result, a number of dock door positions are frequently inactive throughout the day. Because the warehouse user(s) is not known and some users require chilled, cooled, or freezer space to accommodate the storage of items requiring temperature control (examples include food products, medicines and other pharmaceuticals, wax products, beauty supplies etc.), 20% of the proposed warehouse space (247,798 s.f.) is assumed to comprise temperature-controlled spaces (commonly called “cold storage”), while the remaining 80% of the warehouse space (991,194 s.f.) is anticipated to be occupied by non-refrigerated high-cube fulfillment center uses.

A. Lighting

The uses on the Project site would be illuminated at night for safety and security. Exterior lighting is required to comply with the Riverside County Ordinance No. 915, which requires that outdoor lighting should be fully



Table 3-3 Anticipated Construction Equipment

Construction Activity	Equipment ¹	Amount	Hours Per Day
Site Preparation	Rubber Tired Dozers	3	8
	Crawler Tractors	4	8
Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Scrapers	2	8
	Crawler Tractors	2	8
Substation Construction	Cranes	2	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
	Off-Highway Trucks	2	8
Building Construction	Cranes	1	8
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	8
	Welders	1	8
Off-Site Utility and Infrastructure Improvements	Excavators	1	8
	Off-Highway Trucks	1	8
	Other Construction Equipment	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8
	Air Compressors		

¹ In order to account for fugitive dust emissions, Crawler Tractors were used in lieu of Tractors/Loaders/Backhoes during the site preparation and grading phases of Project construction.
 (Urban Crossroads, 2023a, Table 3-4)

Table 3-4 Construction Vehicle Trip Assumptions

Construction Activity	Worker Trips Per Day	Vendor Trips Per Day	Hauling Trips Per Day
Site Preparation	18	40	0
Grading	20	60	140
Substation Construction	520	103	0
Building Construction	520	103	0
Off-Site Utility and Infrastructure Improvements	8	0	0
Paving	15	0	0
Architectural Coating	104	0	0

(Urban Crossroads, 2023a, Table 3-2)



shielded and directed so that no direct light falls outside of the parcel of origin. Any outdoor lighting that shines onto adjacent property or streets that produce a nuisance or disabling glare, or that is above the horizontal plane, would not be permitted. A photometric plan was prepared as part of the Project's application materials to demonstrate compliance with Ordinance No. 915 (refer to Sheet E1.20 of the Project's application materials).

B. Future Employment

Based on employment generation rates specified in Appendix E to the Riverside County General Plan, Light Industrial land uses generate approximately one employee per 1,030 s.f. of building area (Riverside County, 2021a, Appendix A, Table E-5). Accordingly, the Project's 1,238,992 s.f. of light industrial building area is reasonably expected to generate approximately 1,203 new, recurring jobs ($1,238,992 \text{ s.f.} \div 1,030 \text{ s.f./employee} = 1,202.9 \text{ employees}$). A nominal number of employees also would occur in association with the potential on-site IID substation for periodic on-site maintenance and operation.

C. Vehicle Trips

1. Project Trip Generation

As more fully discussed in Section 4 of the Project's Traffic Analysis ("TA"; EIR *Technical Appendix K1*) based on independent judgement of the Riverside County Transportation Department and the operational characteristics described above, the proposed Project is calculated to generate approximately 2,640 actual vehicle trip ends per day, with 149 vehicle trips during the a.m. peak hour and 193 vehicle trips during the p.m. peak hour, as summarized in Table 3-5, *Project Trip Generation Summary*. In addition, Passenger Car Equivalent (PCE) factors were applied to the trip generation rates for heavy trucks (large 4+ axles). PCEs allow the typical "real-world" mix of vehicle types to be represented as a single, standardized unit, such as the passenger car, to be used for the purposes of capacity and level of service analyses. Using PCEs, and as also summarized in Table 3-5, the proposed Project is anticipated to generate 3,488 PCE trip ends per day, with 188 PCE trips during the a.m. peak hour and 236 PCE trips during the p.m. peak hour. (Urban Crossroads, 2023a, Table 4-2)

2. Project Trip Distribution and Assignment

The Project trip distribution and assignment process represents the directional orientation of traffic to and from the Project site. The trip distribution pattern is heavily influenced by the geographical location of the site, the location of surrounding uses, and the proximity to the regional freeway system. The assignment of traffic from the Project area to the adjoining roadway system is based upon the Project trip generation, trip distribution, and the arterial highway and local street system improvements that would be in place by the time of initial occupancy of the Project. Based on the identified Project traffic generation and trip distribution patterns, the Project's traffic distribution and peak hour intersection turning movement volumes are shown on the following exhibits of the Project's TA (*Technical Appendix K1*). (Urban Crossroads, 2023a, pp. 34, 38)

- Exhibit 4-1 Project (Truck) Trip Distribution



Table 3-5 Project Trip Generation Summary

Land Use	Quantity Units ¹	AM Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	
Actual Vehicles:								
High-Cube Cold Storage	247.798 TSF							
Passenger Cars:		19	1	20	5	18	23	340
2-axle Trucks:		1	2	3	1	1	2	64
3-axle Trucks:		0	1	1	0	0	0	20
4+-axle Trucks:		1	3	4	2	2	4	102
Total Truck Trips (Actual Vehicles):		2	6	8	3	3	6	186
High-Cube Cold Storage Trips (Actual Vehicles) ²		21	7	28	8	21	29	526
High-Cube Fulfillment	991.194 TSF							
Passenger Cars:		79	23	102	40	103	143	1,736
2-4axle Trucks:		4	4	8	5	6	11	162
5+-axle Trucks:		5	6	11	5	5	10	216
Total Truck Trips (Actual Vehicles):		9	10	19	10	11	21	378
High-Cube Fulfillment Trips (Actual Vehicles) ²		88	33	121	50	114	164	2,114
Total Passenger Cars		98	24	122	45	121	166	2,076
Total Trucks (Actual Vehicles)		11	16	27	13	14	27	564
Total Project Trips (Actual Vehicles)²		109	40	149	58	135	193	2,640
Passenger Car Equivalent (PCE):								
High-Cube Cold Storage	247.798 TSF							
Passenger Cars:		19	1	20	5	18	23	340
2-axle Trucks:		1	3	4	2	2	4	98
3-axle Trucks:		0	1	1	1	1	2	42
4+-axle Trucks:		4	8	12	6	6	12	304
Total Truck Trips (PCE):		5	12	17	9	9	18	444
Total Trips (PCE) ²		24	13	37	14	27	41	784
High-Cube Fulfillment	991.194 TSF							
Passenger Cars:		79	23	102	40	103	143	1,736
2-4axle Trucks:		8	8	16	10	12	22	322
5+-axle Trucks:		16	17	33	14	16	30	646
Total Truck Trips (PCE):		24	25	49	24	28	52	968
Total Trips (PCE) ²		103	48	151	64	131	195	2,704
Total Passenger Cars		98	24	122	45	121	166	2,076
Total Trucks (PCE)		29	37	66	33	37	70	1,412
Total Project Trips (PCE)²		127	61	188	78	158	236	3,488

¹ TSF = thousand square feet

² Total Trips = Passenger Cars + Truck Trips.
(Urban Crossroads, 2023a, Table 4-2)



- Exhibit 4-2 Project (Passenger Car) Trip Distribution
- Exhibit 4-3 Project Only Traffic Volumes (Actual Vehicles)

D. Water Demand

The Coachella Valley Water District (CVWD) prepared a Water Supply Assessment (WSA) for the proposed Project, which is provided in EIR *Technical Appendix L*. As shown in Table 3-6, *Project Total Water Demand*, the Project's warehouse building and exterior landscaped areas would generate a demand for approximately 111.2 acre-feet/year (AFY) of water (or approximately 99,273 gallons per day (GPD)). (CVWD, 2023, Table 6-1)

Table 3-6 Project Total Water Demand

Land Use	Land Area (Acres)	Indoor Commercial and Industrial Demand (AFY)	Outdoor Irrigation Demand (AFY)	Total Water Demand (AFY)
Warehouse	27.98	56.1	0	56.1
Office	0.46	0.9	0	0.9
Irrigated Landscape ¹	17.43	0	54.2	54.2
Totals		57.0	54.2	111.2

1. Includes irrigated medians.
(CVWD, 2023, Table 6-3)

E. Wastewater Generation

According to wastewater generation estimates used in Riverside County EIR No. 521, light industrial uses within the County are anticipated to generate approximately 1,500 gpd of wastewater per acre. The wastewater demand rates identified by EIR No. 521 reflect the County's standard estimate for wastewater generation by use type within the County. Thus, and excluding the 2.51-acre potential IID substation that ultimately may be constructed in the southeast corner of the Project site (which would not involve the generation of wastewater) and excluding areas that would consist of proposed ROW dedications (approximately 5.8 acres), the Project is expected to result in the generation of approximately 112,050 gpd of wastewater requiring treatment (74.7 net-acres x 1,500 gpd/net-acre = 112,050 gpd). (Riverside County, 2015, Table 4.19-BJ)

3.6.3 IID SUBSTATION OPERATIONAL CHARACTERISTICS

In the event the IID substation is constructed on site, maintenance and inspection of the proposed substation are anticipated to be minimal as the substation and power lines would be controlled remotely. Routine maintenance and inspection activities would take place fewer than once per month by IID.



4.0 ENVIRONMENTAL ANALYSIS

4.0.1 SUMMARY OF EIR SCOPE

In accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15126-15126.4, this EIR Section 4.0, *Environmental Analysis*, provides analyses of potential direct, indirect, and cumulatively-considerable impacts that could occur from planning, constructing, and operating the proposed Project.

In compliance with the procedural requirements of CEQA, a Notice of Preparation (NOP) was prepared and distributed for public review on December 1, 2022, in accordance with State CEQA Guidelines Section 15082. An Initial Study was not prepared and the NOP indicated that the required EIR will evaluate all of the topics listed in Appendix G to the State CEQA Guidelines, as implemented by Riverside County and the County's standard Environmental Assessment (EA) Form. Public comment on the scope consisted of written comments received by the Riverside County in response to the NOP issued for this EIR. A publicly-noticed Scoping Session also was held as part of a Riverside County Planning Director's Hearing on December 12, 2022 at the Riverside County Administrative Building (4080 Lemon Street, Riverside, CA 92501); no comments were made on EIR's scope of potential environmental effects were provided as part of the Scoping Session. Pursuant to Appendix G to the State CEQA Guidelines and the County's standard EA form, this EIR evaluates 21 primary environmental subject areas, as listed below. Each Subsection evaluates several specific subject matters related to the general topic of the Subsection. The title of each Subsection is not limiting; therefore, refer to each Subsection for a full account of the subject matters addressed therein.

- | | | | |
|------|----------------------------------|------|-------------------------------|
| 4.1 | Aesthetics | 4.12 | Mineral Resources |
| 4.2 | Agriculture and Forest Resources | 4.13 | Noise |
| 4.3 | Air Quality | 4.14 | Paleontological Resources |
| 4.4 | Biological Resources | 4.15 | Population and Housing |
| 4.5 | Cultural Resources | 4.16 | Public Services |
| 4.6 | Energy | 4.17 | Recreation |
| 4.7 | Geology and Soils | 4.18 | Transportation |
| 4.8 | Greenhouse Gas Emissions | 4.19 | Tribal Cultural Resources |
| 4.9 | Hazards and Hazardous Materials | 4.20 | Utilities and Service Systems |
| 4.10 | Hydrology and Water Quality | 4.21 | Wildfire |
| 4.11 | Land Use and Planning | | |

4.0.2 SCOPE OF CUMULATIVE EFFECTS

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a proposed project. As noted in State CEQA Guidelines § 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "[A] cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (State CEQA Guidelines §15130(a)(1)). As defined in State CEQA Guidelines § 15355:



‘Cumulative Impacts’ refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.*
- (b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

State CEQA Guidelines § 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: 1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency (‘the list of projects approach’), or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact (‘the summary of projections approach’).

The summary of projections approach is used in this EIR, except for the evaluation of near-term vehicular traffic-related noise impacts, which relies instead on the list of projects approach. This methodology was determined to be appropriate by Riverside County because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, with exception of vehicular-related noise effects, which require a greater level of detailed study.

Under this approach, the cumulative analysis under most sections considers impacts to each issue area based on the presumed buildout of the Riverside County General Plan as well as the general plans of nearby jurisdictions that occur within the cumulative study area for each subject area. For most issue areas, this would encompass nearby areas within unincorporated Riverside County, nearby portions of Cathedral City, and nearby portions of the City of Rancho Mirage, although the cumulative study area may be smaller or larger depending on the issue area under evaluation. For example, for the issue area of aesthetics, the cumulative study area is defined by the Project’s viewshed (i.e., off-site areas with views of the Project site), which encompasses lands within the immediate Project vicinity (i.e., within approximately two miles of the Project site). For the issue of hydrology and water quality, by contrast, the cumulative study area is defined as the Colorado River Basin Region, which encompasses all of Imperial County and portions of San Bernadino, Riverside, and San Diego Counties. For the issue of biology, the cumulative study area corresponds to the boundaries of the Coachella Valley Multiple Habitat Species Conservation Plan (CVMHSCP), as the CVMHSCP provides for the conservation of a wide variety of special status plant and animal species and encompasses a broad region that generally represents biological conditions associated with the Project area; thus, the cumulative study area for biological resources includes all future land uses within the Coachella Valley region as called for by the general plans of the County and the various cities that are included in the CVMHSCP region. Refer to the individual Subsections within EIR Section 4.0 for a description of the specific cumulative study area used for each subject evaluated in this EIR.

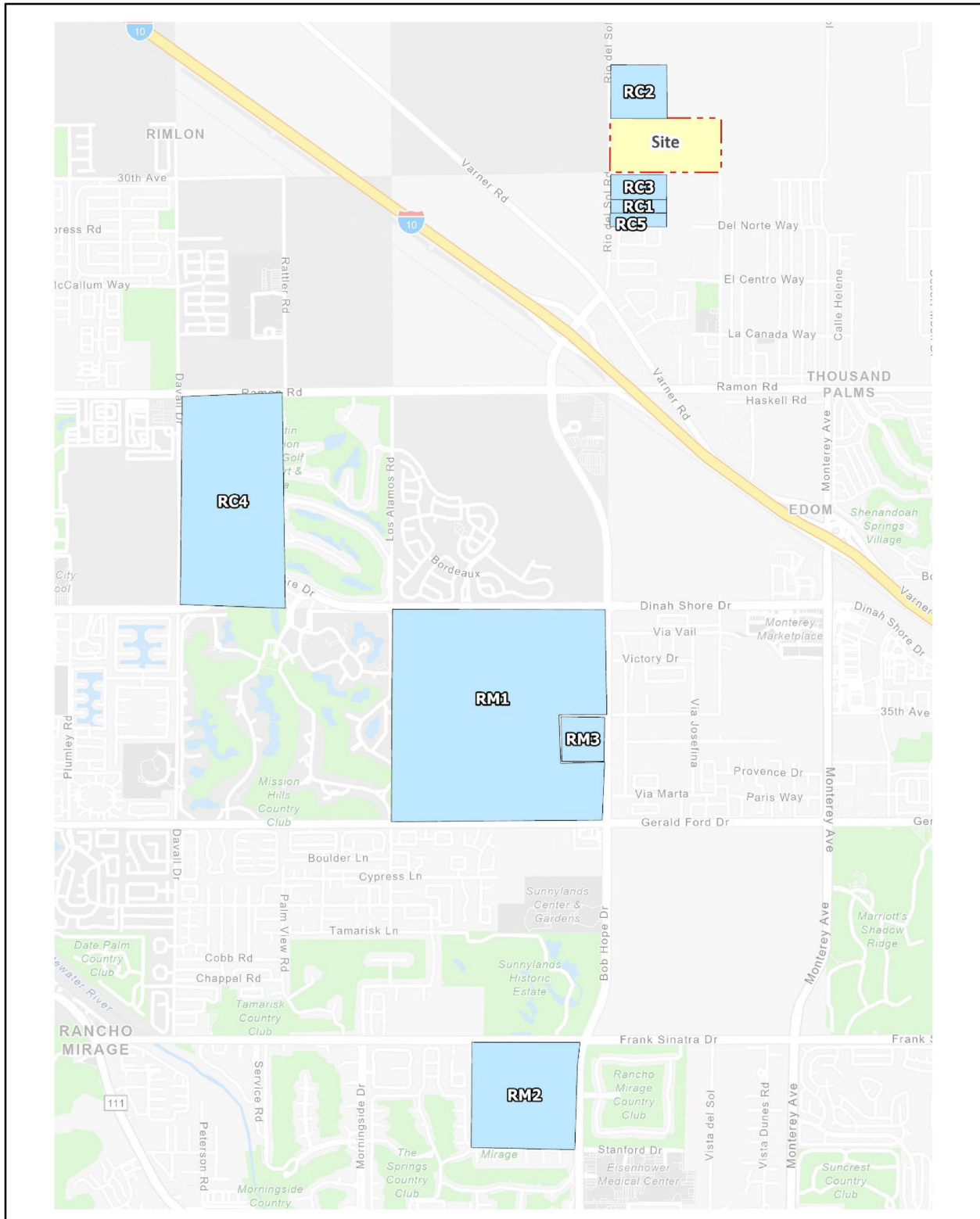


As noted, for most issue areas, nearby portions of unincorporated Riverside County and nearby portions of Cathedral City and the City of Rancho Mirage are used as the Project's cumulative study area. This area largely contains open space and undeveloped lands, with single family homes south and southeast of the Project site and to the west of I-10, and industrial and commercial developments to the south of the Project site and to the west of I-10. This study area exhibits similar characteristics in terms of climate, geology, and hydrology. This study area also encompasses the service areas of the Project site's primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area, or are simply too far away from the proposed Project site to produce environmental effects that could be cumulatively considerable.

The analysis of cumulatively-considerable traffic-related impacts to noise uses a combined approach, utilizing the list of projects approach for the near-term analysis of cumulatively-considerable impacts, and the summary of projections approach for the evaluation of long-term cumulatively-considerable impacts. With the combined approach, the cumulative impact analysis for the analysis of traffic-related impacts to noise overstates the Project's (and Project-related components') potential cumulatively-considerable impacts as compared to an analysis that would rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for cumulative traffic-related noise impacts.

For near-term conditions, the analysis of cumulatively-considerable vehicular-related noise impacts is based on existing traffic conditions plus ambient growth and the manual addition of traffic from past, present, and reasonably foreseeable projects, and includes approved and pending development projects in proximity to the Project site that would contribute traffic to the same transportation facilities as the Project and/or that have the potential to affect regional transportation facilities. This methodology recognizes development projects that have the potential to contribute measurable traffic to the same intersections, roadway segments, and/or State highway system facilities as the proposed Project and have the potential to be made fully operational in the foreseeable future. As depicted on Figure 4.0-1, *Cumulative Development Projects Location Map*, and as shown on Table 4.0-1, *Cumulative Projects List*, the near-term cumulative impact analysis of traffic-related noise impacts includes eight other past, present, and reasonably foreseeable projects within this study area in addition to the summary of projections (Urban Crossroads, 2023f, Table 4-2). The analysis of long-term cumulatively-considerable traffic noise impacts considers full buildout of nearby portions of unincorporated Riverside County, the City of Cathedral City, and the City of Rancho Mirage, based on the general plan land use plans for these jurisdictions.

For the issue of air quality, the cumulative study area comprises the Salton Sea Air Basin (SSAB), while the cumulative impact analysis relies on guidance from the South Coast Air Quality Management District (SCAQMD). The SCAQMD published a report giving direction on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (SCAQMD, 2003). In this report the AQMD states on page D-3:



Source(s): Urban Crossroads (07-20-2023)

Figure 4.0-1



Not

to

Scale



**Cumulative Development
Projects Location Map**



Table 4.0-1 Cumulative Projects List

No.	Project Name	Address/Location	Land Use	Quantity/Units
City of Rancho Mirage				
RM1	Section 31 Specific Plan	Bordered by Gerald Ford Drive, Monterey Avenue, Frank Sinatra Drive, and Bob Hope Drive RM3Rancho	Multifamily Housing Single Family Residential Hotel Commercial	832 DU 1,100DU 400 Rooms 175,000 SF
RM2	Desert Island Hotel and SPA	Southwest corner of Frank Sinatra Drive and Bob Hope Drive	Hotel	53 Rooms
RM3	Rancho Monterey SP	Northwest corner of Monterey Avenue and Dick Kelly Drive (35 th Ave.)	Multifamily Housing Commercial Retail Hotel	400 DU 150,000 SF 150 Rooms
Riverside County Unincorporated				
RC1	CUP 190058	East of Rio Del Sol between 30 th Avenue and Del Norte	Cannabis Facility	13,060 SF
RC2	CUP220004	Southeast corner of Rio Del Sol and Vista Chino	Industrial	54,413 SF
RC3	PPT220021	Southeast corner of Rio Del Sol & 30 th Avenue.	RV Storage	632 RVs
RC4	SP00391	East of Los Alamos, South of Del Webb Way, North of Bordeaux	Residential	1,2000 DU
RC5	PPT200001	East of Rio Del Sol, Between 30 th & Del Norte	Industrial	22,000 SF

(Urban Crossroads, 2023f, Table 4-3)

“...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is $HI > 1.0$ while the cumulative (facility-wide) is $HI > 3.0$. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”

The cumulative analysis provided in EIR Subsection 4.3 assumes that individual projects that do not generate emissions that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Salton Sea Air



Basin (SSAB) is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Reversely, individual project-related emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

Environmental impacts associated with buildout of the cumulative study area were evaluated in CEQA compliance documents prepared for the respective general plans of each of the above-named jurisdictions. The location where each of these CEQA compliance documents is available for review is provided below. All of the CEQA compliance documents listed below are herein incorporated by reference pursuant to State CEQA Guidelines § 15150.

- Riverside County General Plan Program EIR No. 521 (SCH No. 2009041065), available for review at the Riverside County Planning Department, located at 4080 Lemon Street, 12th Floor, Riverside, California 92501.
- City of Rancho Mirage General Plan Update EIR (SCH No. 2004081038), available for public review at the City of Rancho Mirage Planning Division, located at 69825 Highway 111 Rancho Mirage, CA 92270.
- Cathedral City Imagine 2040 General Plan Update Environmental Impact Report (SCH No. 2018081012), available for public review at the City of Cathedral City Planning Department, 68700 Avenida Lalo Gurerrero, Cathedral City, CA 92234.

4.0.3 IDENTIFICATION OF IMPACTS

Subsections 4.1 through 4.21 of this EIR evaluate the 21 environmental subjects warranting analysis pursuant to CEQA. The format of discussion is standardized as much as possible in each Subsection for ease of review. The environmental setting is discussed first, followed by a discussion of the Project's potential environmental impacts based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant.

The thresholds of significance used in this EIR are based on the thresholds presented in State CEQA Guidelines Appendix G and as applied by Riverside County to create the County's standard Environmental Assessment (EA) Form. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, Riverside County is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. While Riverside County has generally elected to use the thresholds presented in State CEQA Guidelines Appendix G, it should be noted that CEQA affords the County discretion to formulate standards of significance, and recognizes that the significance of a particular impact may vary with the setting (14 Cal. Code Regs., § 15064(b).) The standards of significance used in this EIR are based on the independent judgment of Riverside County, taking into consideration the current State CEQA Guidelines Appendix G, Riverside County's Municipal Code, and adopted County policies and ordinances; the judgment of the technical experts that



prepared this EIR's Technical Appendices; performance standards adopted, implemented, and monitored by regulatory agencies; significance standards recommended by regulatory agencies; and the standards in CEQA that trigger the preparation of an EIR. As required by State CEQA Guidelines § 15126.2(a), impacts are identified in this EIR as direct, indirect, cumulative, short-term, long-term, on-site, and/or off-site impacts of the proposed Project. A summarized "impact statement" is provided in each Subsection following the analysis.

The following terms are used to describe the level of significance related to the physical conditions within the area affected by the proposed Project:

- No Impact: An adverse change in the physical environment would not occur.
- Less-than-Significant Impact: An adverse change in the physical environment would occur but the change would not be substantial or potentially substantial and would not exceed the threshold(s) of significance presented in this EIR.
- Significant Impact: A substantial or potentially substantial adverse change in the physical environment would occur and would exceed the threshold(s) of significance presented in this EIR, requiring the consideration of mitigation measures.

Each Subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations, etc.) that the Project is required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. The following terms are used to describe the level of significance following the application of recommended mitigation measures:

- Less-than-Significant Impact with Mitigation: A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR; however, the impact can be avoided or reduced to a less-than-significant level through the application of feasible mitigation measure(s).
- Significant and Unavoidable Impact: A substantial or potentially substantial adverse change in the physical environment would occur that would exceed the threshold(s) of significance presented in this EIR. Feasible and enforceable mitigation measure(s) that have a proportional nexus to the Project's impact are either not available or would not be fully effective in avoiding or reducing the impact to below a level of significance.

For any impact identified as significant and unavoidable, Riverside County would be required to adopt a statement of overriding considerations pursuant to State CEQA Guidelines § 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations would list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.



4.1 AESTHETICS

This Subsection 4.1 describes the aesthetic qualities and visual resources present on the Project site and in the site's vicinity and evaluates the potential effects that the Project may have on these resources. Descriptions of existing visual characteristics, both on site and in the vicinity of the Project site, and the analysis of potential impacts to aesthetic resources are based, in part, on site photographs included as part of the Project's application materials, analysis of aerial photography (Google Earth, 2023), and Project application materials related to the proposed development that were submitted to Riverside County and described in Section 3.0, *Project Description*, of this EIR. This Subsection also is based in part on information and policies contained in the Riverside County General Plan (Riverside County, 2021a), Riverside County GIS database (RCIT, n.d.), Riverside County Ordinance No. 348 (Riverside County, 2021c), and Riverside County Ordinance No. 655 (Riverside County, 1988).

4.1.1 EXISTING CONDITIONS

A. Existing Aesthetic Conditions

The Project site encompasses approximately 83.0 acres of disturbed and undeveloped land located on the northeast corner of Rio Del Sol and 30th Avenue in the Thousand Palms community of unincorporated Riverside County. Under existing conditions, the Project site is unimproved and has never been subject to improvements or developments. The topography of the site is characterized by relatively flat land, with elevations on the site ranging from approximately 280 feet above mean sea level (amsl) near the southwest corner of the Project site to 326 feet amsl near the northeastern corner of the Project site. Overall topographic relief is approximately 46 feet. The Project site consists of disturbed soils, scattered small patches of vegetation, and scattered patches of debris. In the Project's potential off-site disturbance areas described in EIR Section 3.0, *Project Description*, off site infrastructure improvement areas are topographically flat or gently sloping and fall along existing public road alignments surrounded by single family homes, parks, and disturbed and undisturbed vacant land. While all potential transmission routes are studied as part of this EIR, only one route would be selected for the proposed power poles and power lines between the Project site and existing IID facilities and the majority of the off-site power pole alignments studied would not be disturbed as part of the Project.

To illustrate the existing visual conditions of the Project site, a photographic inventory was prepared. Figure 4.1-1, *Site Photograph Key Map*, depicts the locations of the six vantage photographs of the Project site along with nine vantage photos taken along the potential alignments for the IID power poles and overhead lines. These photographs, shown on Figure 4.1-2 through Figure 4.1-9, were taken on December 26, 2022, and provide a representative visual inventory of the visual characteristics of the Project site and potential off site infrastructure alignments as seen from surrounding public viewing areas.

- Site Photograph 1 (Figure 4.1-2): Site Photograph 1 was collected at the southwest corner of the Project site at the future intersection of Rio Del Sol Road and 30th Avenue looking northeast. As viewed from this location, the Project site appears as a relatively flat parcel of land that is covered with scattered vegetation. A real estate sign is visible in the left portion of the photo. The neighboring development

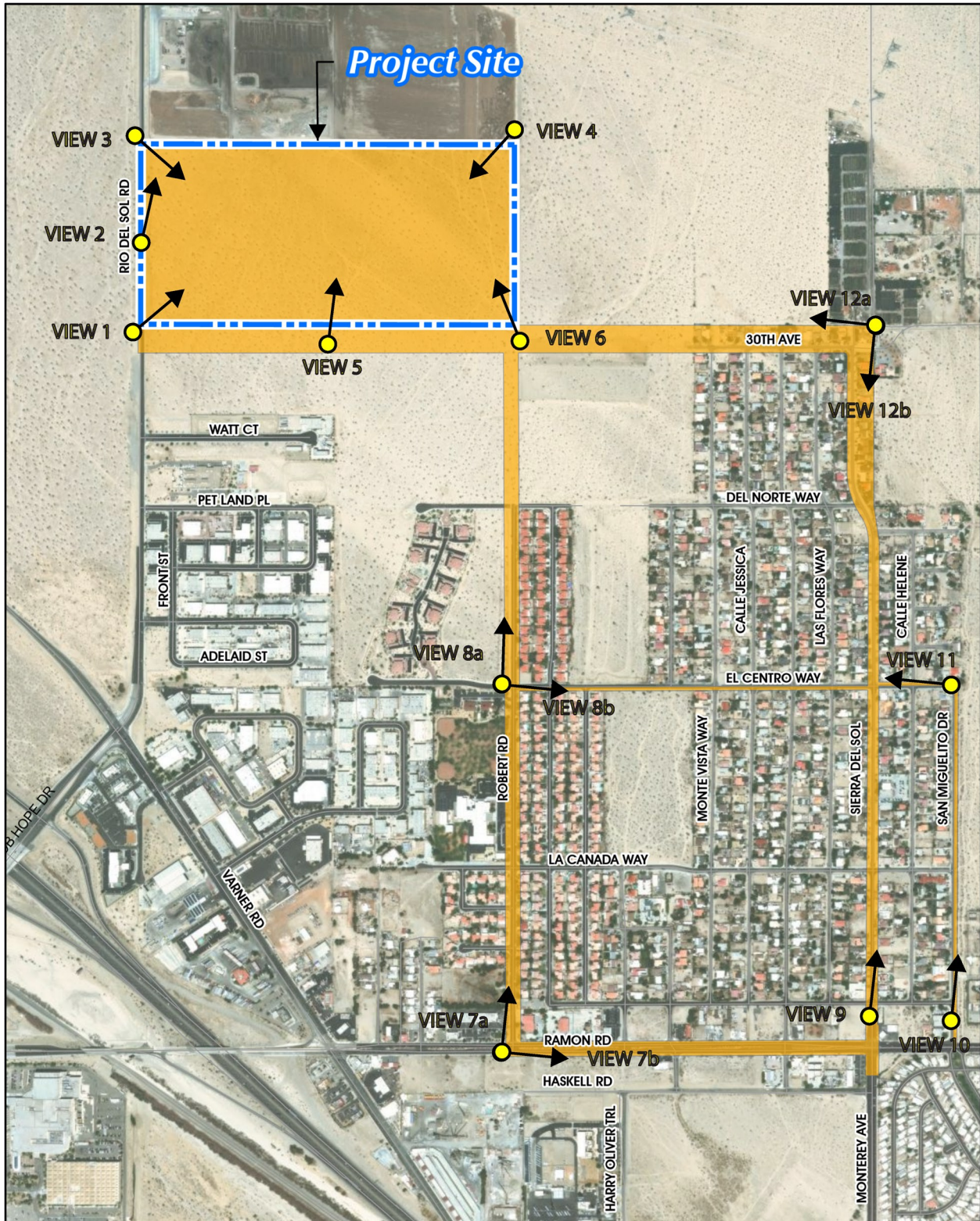


Figure 4.1-1



Not to Scale



Site Photograph Key Map



View 1: View from the southwestern corner of the Project Site along Rio Del Sol Rd looking northwest.



View 2: View from west of the Project Site along Rio Del Sol Rd looking north.

Key Map

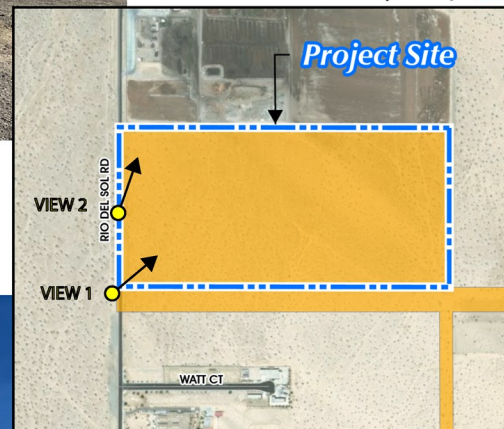


Figure 4.1-2



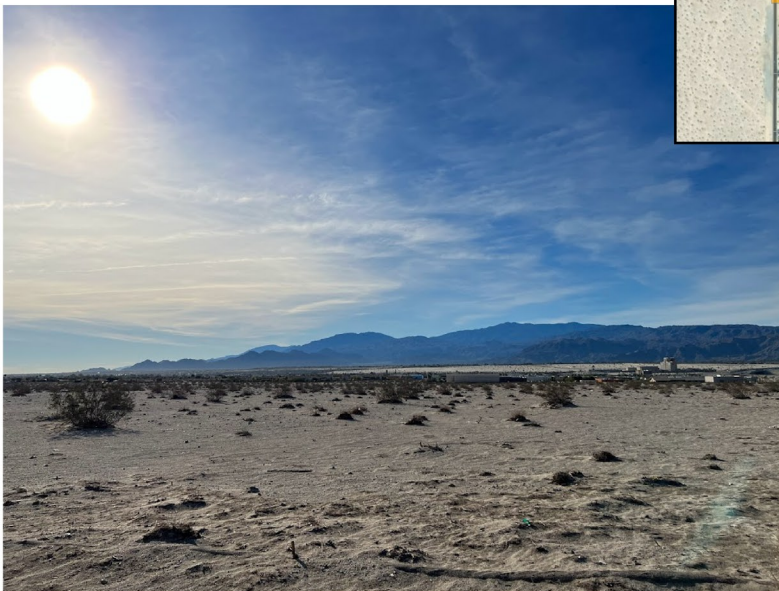
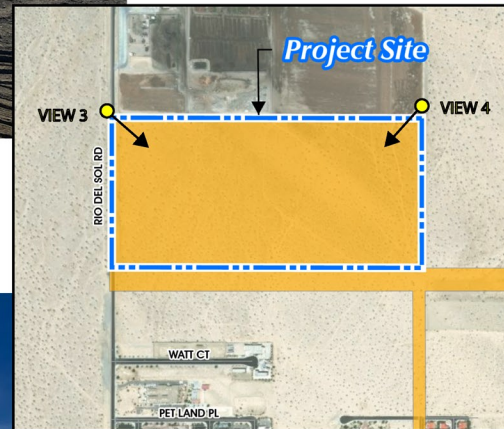
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Site Photos 1 and 2



View 3: View from the northwestern corner of the Project Site along Rio Del Sol Rd looking southeast.

Key Map



View 4: View from the northeastern corner of the Project Site looking southwest.

Figure 4.1-3



Not to Scale

Site Photos 3 and 4



View 5: View from south of the Project Site looking north.



View 6: View from the southeastern corner of the Project Site looking northwest.

Key Map 



Figure 4.1-4



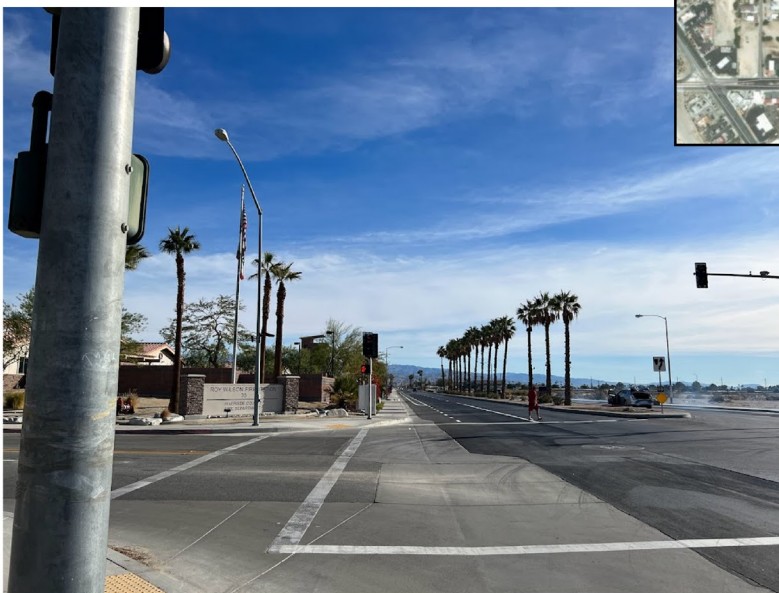
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Site Photos 5 and 6



View 7a: View from the intersection of Ramon Rd and Robert Rd looking north.

Key Map



View 7b: View from the intersection of Ramon Rd and Robert Rd looking east.

Figure 4.1-5



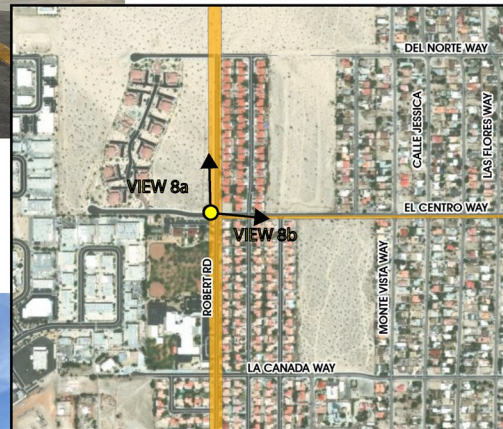
Not to Scale

Transmission Line Route Site Photo 7



View 8a: View from the intersection of Robert Rd and El Centro Way looking north.

Key Map



View 8b: View from the intersection of Robert Rd and El Centro Way looking east.

Figure 4.1-6



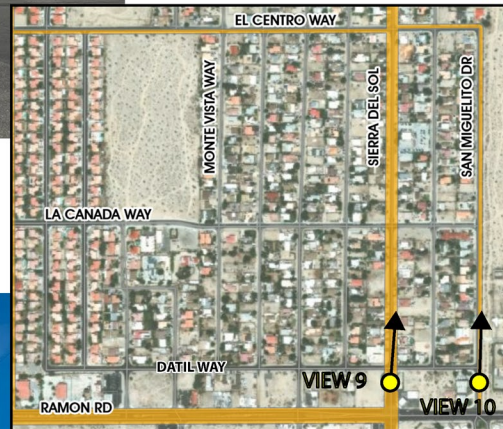
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Transmission Line Route Site Photo 8



View 9: View from the intersection of Datil Way and Sierra Del Sol looking north.

Key Map



View 10: View from San Miguelito Dr looking north.

Figure 4.1-7



Not to Scale

Transmission Line Route Site Photos 9 and 10



Key Map 



View 11: View from the intersection of San Miguelito Dr and El Centro Way looking west.

Figure 4.1-8



Not to Scale

Transmission Line Route Site Photo 11



View 12a: View from the intersection of 30th Ave and Sierra Del Sol looking west.

Key Map



View 12b: View from the intersection of 30th Ave and Sierra Del Sol looking south.

Figure 4.1-9



Not to Scale

Transmission Line Route Site Photo 12



to the north, an organic materials recycling facility, is visible in the distance in the left portion of the photo, while the Little San Bernadino Mountains are visible in the background of the photograph along the horizon.

- Site Photograph 2 (Figure 4.1-2): Site Photograph 2 was collected at the western boundary of the Project site along Rio Del Sol Road looking northeast. From this vantage, Rio Del Sol is visible on the left side of the photograph and telephone poles are visible running along the east side of Rio Del Sol. The Project site is shown in the right portion of the photo and appears to consist of relatively flat that is covered with scattered vegetation and debris. The neighboring development to the north, an organic materials recycling facility, is visible in the distance in the central portion of the photo. The Little San Bernadino Mountains are visible in the background of the photograph along the horizon.
- Site Photograph 3 (Figure 4.1-3): Site Photograph 3 was collected along Rio Del Sol Road at the northwestern corner of the Project site looking to the southeast. As shown, the Project site appears to consist of vacant and disturbed land with scattered vegetation and debris. Tire tracks are visible in the foreground of the photo at the boundary between the Project site and the existing development to the north. The Santa Rosa Mountain Range is visible in the right portion of the photo along the horizon, and the Little San Bernadino Mountains are visible on the left portion of the photo along the horizon.
- Site Photograph 4 (Figure 4.1-3): Site Photograph 4 was taken at the northeastern corner of the Project site along the planned alignment of Robert Road, looking south. From this vantage, the Project site appears to comprise relatively flat land that contains scattered vegetation. Existing developments within Cathedral City are visible in the distance, while the San Jacinto Mountains are visible along the horizon.
- Site Photograph 5 (Figure 4.1-4): Site Photograph 5 was taken at the southern Project boundary along the planned alignment of 30th Avenue, looking north. As shown, there is a minor slope in the foreground of the photo, and the majority of the Project site is scarcely visible from this location. The foreground shows that this portion of the Project site consists of desert land with scattered shrubs. The existing development to the north of the Project site, an organic materials recycling facility, and associated transmission poles are visible in the background of the photograph. Additionally, the Little San Bernadino mountains are visible along the horizon in the right portion of the photo.
- Site Photograph 6 (Figure 4.1-4): Site Photograph 6 was taken along at the southeastern corner of the Project site at the future intersection of 30th Avenue and Robert Road, looking northwest. As shown, the Project site appears to comprise disturbed desert land with scattered shrubs. Tire tracks dominate foreground of the photo, with scattered debris visible in the middle ground. Mountains associated with the Little San Bernadino Mountains are visible along the horizon.
- Site Photograph 7a and 7b (Figure 4.1-5): Site Photographs 7a and 7b were taken at the intersection of Ramon Road and Robert Road, with Site Photograph 7a showing views to the north along Robert Road and Site Photograph 7b looking east along Ramon Road.



As shown in Photograph 7a, this portion of the potential off-site IID power pole alignment consists of a fully developed area, with the driveway for a commercial strip mall visible in the foreground and a fire station visible in the right portion of the photo. As shown, this portion of Robert Road is fully improved, with extensive areas of ornamental landscaping. The Little San Bernadino Mountains are visible along the horizon.

As shown in Photograph 7b, the fully-improved intersection of Ramon Road and Robert Road dominates the foreground, with existing traffic signals, roadway signage, and crosswalks visible. In the left portion of the photo is a monument sign for the existing fire station. In the distance, Ramon Road from this location is visible as a two-lane roadway with a landscaped median. The Little San Bernadino Mountains are scarcely visible along the horizon.

- Site Photograph 8a and 8b (Figure 4.1-6): Site Photographs 8a and 8b were taken at the intersection of Robert Road and El Centro Way, with Photograph 8a looking north along Robert Road and Photograph 8b looking east along El Centro Way.

As shown in Photograph 8a, the intersection of Robert Road and El Centro Way is visible in the foreground as a stop-controlled intersection with crosswalks. In the middle ground is an undeveloped property that is covered with scattered shrubs. In the right portion of the photo, single-family residential dwelling units are visible along the east side of Robert Road, with additional single-family residential homes visible in the distance in the left portion of the photo. Several street lights are visible in the photo. The Little San Bernadino Mountains are visible along the horizon.

As shown in Photograph 8b, the intersection of Robert Road and El Centro Road is visible in the foreground as a stop-controlled intersection with crosswalks, beyond which are several single-family homes. Several street lights are visible in the photo. The Little San Bernadino Mountains are scarcely visible along the horizon.

- Site Photograph 9 (Figure 4.1-7): Site Photograph 9 was taken at the intersection of Datil Way and Sierra Del Sol looking north. As shown, the intersection of Datil Way and Sierra Del Sol is visible in the foreground, with a painted stop line visible along Datil Way. In the left portion a solid brick wall associated with an existing commercial structure (Bugout Pet Products) is visible, while residential uses are visible along the eastern side of Sierra Del Sol. An existing power line is visible along the left portion of the photo, while street lights are visible along Sierra Del Sol. Several large mature palm trees are visible, along with other ornamental vegetation. The Little San Bernadino Mountains are scarcely visible along the horizon.
- Site Photograph 10 (Figure 4.1-7): Site Photograph 10 was taken on San Miguelito Drive just south of Datil Way, looking north. As shown from this vantage point, San Miguelito Drive appears as a partially improved roadway with no sidewalks or curb/gutter. Several single-family homes are visible in the left portion of the photo, with the nearest homes appearing to be surrounded by block walls or chain-



link fencing. In the right portion of the photo are undeveloped lands with scattered vegetation and a drainage ditch, with an existing commercial business (Western Trails RV, Boat, & Trailer Storage) scarcely visible in the distance in the right portion of the photo, along with several single-family homes. The Little San Bernadino Mountains are scarcely visible along the horizon.

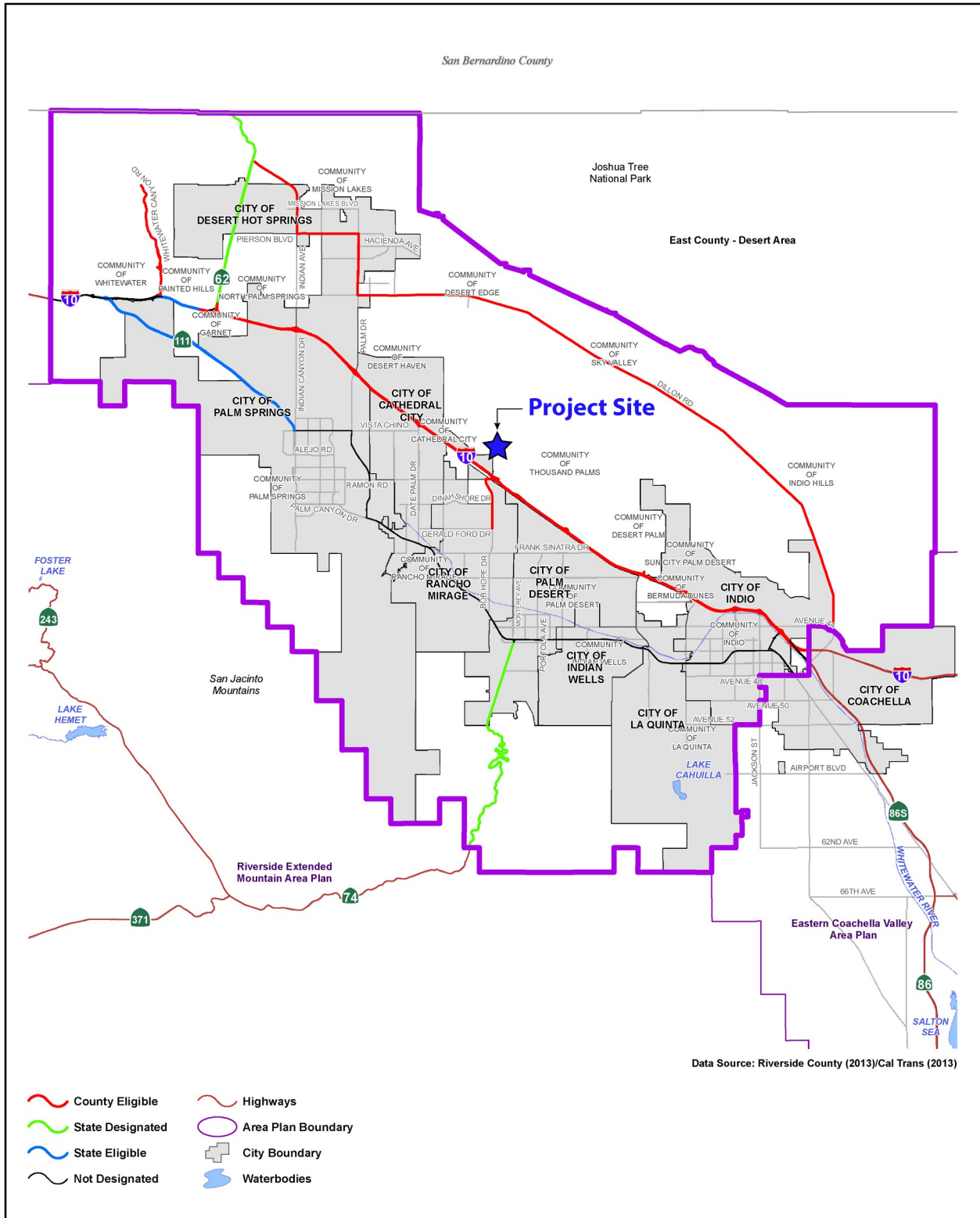
- Site Photograph 11 (Figure 4.1-8): Site Photograph 11 was taken at the intersection of San Miguelito Drive and El Centro Way looking west. As shown, the intersection is visible in the foreground. An existing single-family home and associated chain-link fencing are visible in the left portion of the photo, with several additional single-family homes visible further in the distance along the left and right portion of the roadway. Ornamental landscaping associated with the existing residential uses are visible throughout the photo. Existing telephone poles also are visible along the west side of San Miguelito Drive and in the right portion of the photo. The Little San Bernadino Mountains are scarcely visible along the horizon.
- Site Photograph 12a and 12b (Figure 4.1-9): Site Photographs 12a and 12 b were taken at the intersection of Sierra Del Sol and 30th Avenue, with Photograph 12a depicting views to the west along 30th Avenue and Photograph 12 depicting views to the south along Sierra Del Sol.

As shown in Photograph 12a, the foreground is visually dominated by the existing intersection, with 30th Avenue visible in the middle ground and in the distance. Two existing telephone poles are visible in the left portion of the photo. In the middle ground and in the distance are existing single-family homes located along the northern and southern sides of the roadway. The Little San Bernadino Mountains are visible along the horizon.

As shown in Photograph 12 b, Sierra Del Sol is clearly visible as a partially improved roadway that does not include sidewalks, curbs, or gutters. Ornamental landscaping associated with the existing single-family homes along this roadway segment dominate the majority of the views, with numerous mailboxes and vehicles visible in the distance. The majority of the single-family homes are not prominently visible from this location. The Santa Rosa Mountains are visible in the distance along the horizon.

B. Scenic Highways

According to Figure 9 of the Riverside County General Plan's Western Coachella Valley Area Plan (WCVAP), and as shown on Figure 4.1-10, *WCVAP Scenic Highways*, there are no State or County designated scenic highway in the Project site's vicinity. The closest State designated highway to the Project site is State Route 74 (SR-74), located approximately 7.7 miles southwest of the Project site. The closest County eligible scenic highway to the Project site is I-10, located approximately 0.7-mile southwest of the Project site. The closest State eligible scenic highway is a segment of State Route 111 (SR-111), located approximately 8.1 miles west of the Project site. (Riverside County, 2021b, Figure 9; Google Earth, 2023)



Source(s): County of Riverside (12-08-2015)

Figure 4.1-10



Not to Scale



WCVAP Scenic Highways

Lead Agency: County of Riverside

SCH No. 2022110600



4.1.2 APPLICABLE REGULATORY REQUIREMENTS

The following is a brief description of the state and local environmental laws and related regulations governing aesthetics.

A. State Regulations

1. *California Scenic Highways*

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program, established in 1963 through Senate Bill 1467, Streets and Highways Code, Sections 260 through 263 to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic corridors consist of land that is visible from, adjacent to, and outside the highway right-of-way, and is comprised primarily of scenic and natural features. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries. Existing law provides Caltrans with full possession and control of all State highways, while this legislation places the Scenic Highway Program under the stewardship of Caltrans. The legislation further declares the intent of the State to assign responsibility for the regulation of land use and development along scenic highways to the appropriate State and local governmental agencies. Scenic highways are classified as either Officially Designated or Eligible for designation and Caltrans maintains the lists of these highways (Caltrans, 2021).

2. *California Historic Parkways*

Within the State Scenic Highway System, there is also a system of California Historic Parkways, as defined in the Streets and Highways Code, Sections 280-284. California Historic Parkways are freeways that meet the following criteria:

- The original construction was completed prior to 1945;
- The department or Office of Historic Preservation in the Department of Parks and Recreation announces or recognizes features of historical significance, including notable landmarks, historical sites, or natural or human achievements that exist or that occurred during the original construction of the parkway or in the immediately adjacent land area through which the parkway currently passes;
- Any portion of the highway or corridor is bounded on one or both sides by federal, state, or local parkland, Native American lands or monuments, or other open space, greenbelt areas, natural habitat or wildlife preserves, or similar acreage used for or dedicated to historical or recreational uses; and
- Any portion of the highway is traversed, at the time of designation and by the department's best count or estimate using existing information, by not less than 40,000 vehicles per day on an annual daily average basis.

California Historic Parkways are signed with specific markers designating them as a California Historic Parkway (CA Legislative Info, n.d.).



B. Riverside County General Plan

The Riverside County General Plan does not have any specific sections related to aesthetics and visual resources. However, the Land Use Element of the Riverside County General Plan includes policies related to Land Use Compatibility, Community Design, and Scenic Corridors, which have applicability to the topic of aesthetics. The Land Use Element provides direction related to how future development is intended to build out, such as the intensity/density and character of new development. The Land Use Element also addresses the relationship between development, community enhancement, and natural resource management.

The Multipurpose Open Space Element of the Riverside County General Plan also addresses open space and scenic resources in Riverside County. According to the Multipurpose Open Space Element, scenic resources include: "...areas that are visible to the general public and considered visually attractive" and "...natural landmarks and prominent or unusual features of the landscape." Hillsides and ridges that rise above urban or rural areas or highways can also be considered scenic backdrops. Additionally, the Multipurpose Open Space Element defines scenic vistas as "...points, accessible to the general public, that provide a view of the countryside." Riverside County General Plan Policy OS 21.1 intends to "[i]dentify and conserve the skylines, view corridors, and outstanding scenic vistas within Riverside County." (Riverside County, 2021a, pp. OS-52 to OS-53)

The Circulation Element, Land Use Element, and Multipurpose Open Space Element of the Riverside County General Plan also identify scenic corridors, which are roadways (including State and County eligible and designated scenic highways) that traverse scenic resources and identify policies that are intended to protect and maintain the scenic resources within these corridors. Scenic highways in the Project vicinity are depicted on Figure 4.1-10. As noted in the WCVAP, Policy WCVAP 19.1 seeks to "Protect the scenic highways in the Western Coachella Valley from change that would diminish the aesthetic value of adjacent properties in accordance with policies in the Scenic Corridors sections of the Land Use, Multipurpose Open Space, and Circulation Elements." (Riverside County, 2021b, p. 67; Riverside County, 2021a, p. OS-52)

C. Riverside County Ordinance No. 348, Land Use Ordinance

Riverside County's Land Use Ordinance No. 348 establishes allowable uses of land and sets standards for what and how land may be developed. The ordinance protects the people and property of Riverside County from development of unsuitable land uses and aims to ensure that built areas are developed safely and with minimal conflict with surrounding lands. Ordinance No. 348 also identifies requirements for landscaping associated with development proposals. The landscaping of development projects should enhance the visual character and aesthetic quality of a site and its surroundings. (Riverside County, 2021c)

D. Riverside County Ordinance No. 655, Regulating Light Pollution

Riverside County has an adopted ordinance regulating light pollution (Ordinance No. 655). Ordinance No. 655 is intended to restrict the permitted use of certain light fixtures emitting light into the night sky which could have a detrimental effect on astronomical observation and research. Ordinance No. 655 sets forth requirements for lamp source and shielding of light emissions for outdoor fixtures to reduce "skyglow" or light pollution



that affects day or nighttime views from the Mt. Palomar Observatory, which is located approximately 42.3 miles southwest of the Project site. As shown on WCVAP Figure 6, the Project site is located within Zone B of the Mt. Palomar Nighttime Lighting Policy Area. As such, the Project is subject to the outdoor lighting policies and requirements specified by Riverside County Ordinance No 655, which includes specific standards for lighting fixtures installed along public roadways and in other common areas and applies to all new development. Ordinance No. 655 encourages the use of low-pressure sodium lamps where possible, requires the shielding of all nonexempt outdoor lighting fixtures, specifies the hours of operation for non-exempt outdoor lighting fixtures, and regulates lighting fixtures used to illuminate an outdoor advertising display. (Riverside County, 1988)

E. Riverside County Ordinance No. 915, Regulating Outdoor Lighting

Riverside County adopted an ordinance regulating outdoor lighting (Ordinance No. 915) that provides minimum requirements for outdoor lighting in order to reduce light trespass. Ordinance No. 915 provides regulations on adequate lighting shielding, glare, and light trespass to ensure that all development in Riverside County installs lighting in a way that does not jeopardize the health, safety, or general welfare of Riverside County residents and does not degrade their quality of life. (Riverside County, 2012)

4.1.3 BASIS FOR DETERMINING SIGNIFICANCE

Section I of Appendix G to the California Environmental Quality Act (CEQA) Guidelines addresses typical adverse effects to aesthetics and includes the following threshold questions to evaluate a project's impacts to aesthetic resources (OPR, 2018a):

- Would the project have a substantial adverse effect on a scenic vista?
- Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?
- Would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality?
- Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Additionally, the following thresholds are derived from Riverside County's Environmental Assessment Checklist, as revised to reflect the December 2018 updates to the State CEQA Guidelines. As such, the following thresholds are used to evaluate the significance of the proposed Project's impacts on aesthetics. The proposed Project would result in a significant impact to aesthetics if the Project or any Project-related component would:



- a. *Have a substantial effect upon a scenic highway corridor within which it is located;*
- b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view;*
- c. *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality;*
- d. *Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655;*
- e. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area; or*
- f. *Expose residential property to unacceptable light levels.*

The significance thresholds set forth in Riverside County's Environmental Assessment Checklist, which are based on Appendix G to the CEQA Guidelines, were used to evaluate the significance of the proposed Project's impacts on aesthetics.

4.1.4 IMPACT ANALYSIS

Threshold a.: *Would the Project have a substantial effect upon a scenic highway corridor within which it is located?*

As previously indicated and depicted in Figure 4.1-10, there are no officially designated State or County scenic corridors within the Project's vicinity or viewshed. The closest State designated highway to the Project site is a segment of State Route 74 (SR-74), located approximately 7.7 miles southwest of the Project site. The closest County eligible scenic highway to the Project site is I-10, located approximately 0.7-mile southwest of the Project site. The closest State eligible scenic highway is State Route 111 (SR-111), located approximately 8.1 miles west of the Project site. The Project site is not visible from any portion of SR-74 or SR-111 due to distance and intervening development. Thus, the Project would not have a substantial adverse effect on portions of SR-74 or SR-111.

The proposed Project would be visible from nearby segments of I-10. Specifically, the Project would convert the Project site from vacant and undisturbed land to a light industrial warehouse development with an IID substation, with parking areas and landscaping. The Project's proposed warehouse building and IID substation, as well as portions of the associated IID off-site power poles, would be visible from nearby portions of I-10. Although introduction of the Project represents a change to distance views of the property from a segment of I-10, the Project site under existing conditions appears as an undisturbed and sparsely vegetated parcel in the foreground of an organic materials recycling facility and does not comprise a visual resource under existing



conditions. Moreover, the Project's design would be required to comply with its Plot Plan application materials, which establish characteristics of the site design, building elevations, and landscaping, among other components in accordance with the County's Code of Ordinance to ensure that the proposed development is not aesthetically offensive. Additionally, the Project's proposed warehouse building, walls, and landscaping would block views of the existing recycling facility to the north, which could be perceived as a net benefit to northerly facing views from off-site areas. Therefore, development of the Project site as proposed would not have a substantial adverse effect on any officially-designated scenic highways and would result in less-than-significant impacts to nearby eligible scenic highways, including I-10. (Riverside County, 2021b, Figure 9; Google Earth, 2023)

Threshold b: *Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?*

Threshold c: *In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

According to mapping information available from the United States Census Bureau (USCB), the Project site is not located within an urbanized area (USCB, 2010). Under existing conditions, the 83.0-acre site is vacant and undeveloped, while the Project's associated off-site infrastructure alignments (road and utility line/power pole location improvements) generally comprise public roadway rights-of-way and their immediately adjacent private property frontages that contain vacant land, residential lots, scattered public facilities uses (fire station and schools), as well as commercial uses along the northern edge of Ramon Road. There are no visually-prominent scenic resources within the Project's boundaries under existing conditions, such as trees, rock outcroppings, or unique or landmark features. Within the off-site infrastructure alignments are ornamental landscaping and vacant land absent of significant trees, rock outcroppings, or unique or landmark features. As such, no scenic resources would be directly affected by the Project.

Implementation of the proposed Project would result in the development of a light industrial warehouse building, an IID substation, and associated parking, water quality basins, walls, and landscaping on approximately 83.0 acres. The proposed warehouse building would have a maximum height of 49-54 feet above the proposed grade; however, the proposed building would not obstruct public views of regional scenic resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area. Additionally, as depicted on site photos Figure 4.1-2 through Figure 4.1-4, the Project site does not contribute to any prominent scenic vistas visible to the public under existing conditions because the site is relatively flat, has scatterings of vegetation and debris and is framed to the north by an existing recycling operation. Topographic features in the distance are at high elevations and are easily seen beyond the reaches of the Project site. Additionally, the Project's proposed Plot Plan No. 220022 (PPT 220022) includes visually attractive architectural, hardscape, and landscaping



characteristics. The design of the Project as shown in the Project's application materials include screen walls, landscaping, and a desert color palette for the building that would ensure that the proposed development is not visually offensive and would not substantially degrade the existing visual character or quality of the Project site or its surroundings and would not create an aesthetically offensive site open to public view. Accordingly, development on the Project site as proposed would result in less-than-significant impacts to scenic resources, scenic vistas, and visual character.

As part of the Project, an Imperial Irrigation District (IID) substation would be constructed in the southeastern portion of the Project site. The proposed substation would be surrounded by fencing and perimeter landscaping, with the landscaping consisting evergreen Afghan Pine trees and Shoestring Acacia trees for continual visual screening. Also, Pink Dawn Chitalpa trees are proposed to be planted along the Project site's frontage with 30th Street which would further screen the substation. Off site, road improvements and the paving of a section of Robert Road have no reasonable potential to impact a scenic resource.

Power poles would need to be constructed between the proposed on-site substation and existing IID power facilities. The alignment of the proposed off-site power lines has not yet been determined by IID; however, for the purposes of this EIR, it is assumed that the power poles could be constructed within the existing/planned alignments for 30th Avenue (between Rio Del Sol Road and Sierra Del Sol), Robert Road (between Ramon Road and 30th Avenue), Sierra Del Sol (between 30th Avenue and just south of Ramon Road), El Centro Way (between Robert Road and San Miguel Drive), Ramon Road (between Robert Road and Sierra Del Sol), and/or along San Miguelito Drive (between El Centro Way and Ramon Road), as depicted on EIR Figure 3-6. While the proposed off-site poles supporting the transmission lines are proposed to be approximately 70 feet tall and would represent a change to the visual character along the ultimate alignment, the poles are proposed to be approximately two to seven feet in diameter and would not obstruct any public scenic views due to their narrow physical characteristics. In addition, while ornamental landscaping and trees occur along portions of the proposed IID utility alignments, none of the existing ornamental vegetation in off-site areas would be substantially affected by the Project. Furthermore, and as previously depicted on the site photos shown on Figure 4.1-5 through Figure 4.1-9, the transmission line routes analyzed herein are proposed to be within heavily disturbed areas that do not contain or contribute to prominent scenic vistas. Views of topographic features in the distance have no reasonable potential to be obstructed by the installation of power poles and overhead utility lines. In conclusion, construction of the off-site Project-related power poles and transmission lines would result in less-than-significant impacts to scenic resources, scenic vistas, and visual character.

Threshold d: Would the Project interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

As shown on Figure 6 of the WCVAP, the Project site is located within "Zone B" of the Mt. Palomar Observatory Lighting Policy Area. All development projects within Zone B of the Mt. Palomar Nighttime Lighting Policy Area are required to adhere to the requirements of Riverside County Ordinance No. 655, which controls artificial lighting sources to protect the Observatory. Ordinance No. 655 states that low-pressure sodium lamps are the preferred illuminating source, and that outdoor lighting fixtures are required to be shielded. Pursuant to Section 7 of Ordinance No. 655, future building permits would be required to include specific information with regards to lighting, as follows: 1) the location of the site where outdoor light fixtures



would be installed; 2) plans indicating the location and type of fixtures of the premises; and 3) a description of the outdoor light fixtures, including, but not limited to, manufacturer's catalog cuts and drawings. The required plans and descriptions would enable the County to determine whether compliance with the requirements of the ordinance is met. No building permits would be issued by the County unless the building permit applications demonstrate consistency with the various provisions of Ordinance No. 655. As such, the Project has no potential to interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655, and impacts would be less than significant. (Riverside County, 1988; Riverside County, 2021b)

Threshold e: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Threshold f: Would the Project expose residential property to unacceptable light levels?

In addition to Riverside County Ordinance No. 655, which is addressed above under the analysis of Threshold d., future development on the Project site would be subject to Riverside County Ordinance Nos. 915 and 348. Ordinance No. 915 requires that all outdoor luminaires in shall be located, adequately shielded, and directed such that no direct light falls outside the parcel of origin, or onto the public right-of-way. Compliance with Ordinance No. 915 would be assured through future review of building permit applications by Riverside County and would ensure that the Project does not expose residential property to unacceptable light levels. Ordinance No. 348, the Riverside County Land Use Ordinance, provides land use planning and zoning regulations that implement the County's policy. Mandatory compliance with Ordinance Nos. 348 and 915 would ensure that all lighting and building design elements proposed by the Project are designed to prevent the creation of substantial light or glare that could affect day or nighttime views in the area. Impacts would be less than significant.

Furthermore, none of the Project's proposed building materials would consist of reflective materials, except for the proposed windows, which would not be mirrored and would have similar low-potential glare characteristics as do other glass windows on buildings in the surrounding area. The proposed Project does not include any components that would generate substantial amounts of glare from reflective surfaces; therefore, impacts associated with glare would be less than significant.

Based on the foregoing analysis, and because the Project would be required to comply with the lighting provisions of Riverside County Ordinance Nos. 348, 655, and 915, impacts due to Project lighting and glare and due to the exposure of residential property to unacceptable light levels would be less than significant.

4.1.5 CUMULATIVE IMPACT ANALYSIS

For purposes of analysis, the Project's cumulative study area includes all areas within the Project's viewshed, as the Project does not have the potential to result in cumulatively-considerable impacts to visual quality outside of areas in which the Project site is visible.



As discussed in the analysis of Threshold a., there are no officially-designated or eligible State or County scenic highway corridors within the Project's viewshed. As such, the Project would not have a substantial effect on a scenic highway corridor, and no cumulatively-considerable impacts would occur.

As discussed under the analysis of Thresholds b. and c., the Project would not damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features, and impacts would therefore be less-than-cumulatively considerable. Cumulative development including the proposed RV parking facility and small industrial building projects to the south of the Project site would not obstruct views of any scenic vistas or views open to public review, such as the Little San Bernardino Mountains. Mountain views would still be visible in the distance given their high elevation and prominent visual location in the distance. Thus, impacts would be less-than-cumulatively considerable. In addition, the design of the Project as shown in proposed PPT 220022 would ensure that the proposed development does not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Accordingly, cumulatively-considerable impacts would be less than significant.

As discussed under the analysis of Threshold d., the Project and other cumulative developments within the Project's viewshed would be required to comply with Riverside County Ordinance No. 655 requirements pertaining to Zone B. Compliance with Ordinance No. 655 would be assured through future County review of building permit applications. As such, cumulatively-considerable impacts due to a conflict with Ordinance No. 655 would be less than significant.

The proposed Project as well as other cumulative developments within the Project's viewshed would be subject to compliance with Riverside County Ordinance Nos. 655, 915, and 348, which would preclude potential impacts due to Project lighting. Although the Project and cumulative developments may incorporate building materials with the potential to create glare, only limited building materials such as glass are proposed for the Project's warehouse building, which would not have the potential to create significant glare impacts. Accordingly, impacts due to light and glare would be less than significant on a cumulatively-considerable basis.

4.1.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a.: Less-than-Significant Impact. The Project site is not located within the viewshed of any officially designated scenic highways. The Project would be developed in substantial conformance with its Plot Plan application materials, which would ensure that the Project is not visually offensive. Additionally, the Project would obstruct views of the existing recycling facility to the north, which could be perceived as a net benefit to existing views in surrounding areas. Therefore, development of the Project site as proposed would not have a substantial adverse effect on any officially-designated scenic highways and would result in less-than-significant impacts to nearby eligible scenic highways, including I-10.

Thresholds b. and c.: Less-than-Significant Impact. There are no visually-prominent scenic resources within the Project site boundaries or its off-site improvement areas. The proposed warehouse building would not obstruct public views of regional scenic resources, including the Little San Bernadino Mountains, San Jacinto Mountains, and Santa Rosa Mountains, as views of these mountain ranges are common in the local area and



the mountains rise to high elevations whereas the height of the proposed building is only ~~49~~⁵⁴ feet. Proposed off-site road and electric utility line infrastructure would have no reasonable potential to obstruct views of scenic resources. Accordingly, the proposed Project would result in less-than-significant impacts to scenic resources, scenic vistas, and visual character.

Threshold d.: Less-than-Significant Impact. Compliance with the provisions of County Ordinance No. 655 would be assured through future County review of building permits. Impacts due to a conflict with Ordinance No. 655 would be less than significant.

Thresholds e. and f.: Less-than-Significant Impact. Mandatory compliance with Riverside County Ordinance Nos. 348, 655, and 915 would ensure that Project-related lighting and glare would not adversely affect day or nighttime views in the area, and also would ensure the Project does not expose residential property to unacceptable light levels. Impacts would be less than significant.

4.1.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude aesthetic impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- The Project is required to comply with Riverside County Ordinance No. 655, which restricts the use of certain light fixtures emitting light into the night sky which could have a detrimental effect on astronomical observation and research. Ordinance No. 655 sets forth requirements for lamp source and shielding of light emissions for outdoor fixtures to reduce "skyglow" or light pollution that affects day or nighttime views from the Mount Palomar Observatory (located approximately 22.9 miles southeast of the Project site in northern San Diego County). Pursuant to the requirements of Ordinance No. 655, all lighting shall consist of low-pressure sodium lighting, or other lamp types that emit 4050 lumens or less. If light fixtures are proposed above 4050 lumens, then the lighting shall be fully shielded in conformance with the requirements of Ordinance No. 655.
- The Project is required to comply with Riverside County Ordinance No. 915, which provides minimum requirements for outdoor lighting to reduce light trespass. Ordinance No. 915 provides regulations on adequate lighting shielding, glare, and light trespass to ensure all development in Riverside County installs lighting in a way that does not jeopardize the health, safety, or general welfare of Riverside County residents or degrade their quality of life.
- The Project is required to comply with Article XI of Riverside County Ordinance No. 348 for the Manufacturing – Service Commercial (M-SC) Zone, which specifies that "[a]ll lighting fixtures, including spot lights, electrical reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare or direct illumination on streets or adjoining property."



Mitigation

Impacts would be less than significant; therefore, mitigation is not required.



4.2 AGRICULTURE AND FORESTRY RESOURCES

The information and analysis in this Subsection 4.2 are based in part on information obtained from the California Department of Conservation (CDC) Farmland Mapping & Monitoring Program (FMMP) (CDC, 2021), Riverside County GIS (RCIT, n.d.), and the Riverside County General Plan Amendment 960 Final EIR (Riverside County, 2015b). Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

4.2.1 EXISTING CONDITIONS

A. Forestry Resources

The Project site and the Project's off-site improvement areas are located in the Western Coachella Valley portion of unincorporated Riverside County, which is a predominantly desert and mountainous region containing a number of natural open space features. As shown in Figure 4.5.3 of the Riverside County General Plan Update Draft EIR No. 521, aside from scattered desert woodlands, there are no forestry resources in the Project site's immediate vicinity under existing conditions. The nearest forest land to the Project site occurs within the San Bernardino National Forest, located approximately 12.1 miles west of the Project site. (Riverside County, 2015a, Figure 4.5.2; Google Earth, 2022)

B. Agricultural Resources

1. *Regional Agricultural Setting*

According to information available from the Riverside County Agricultural Commissioner's Office, the top three categories of agricultural resources cultivated in Riverside County (by value) are nursery stock, milk, and alfalfa. In 2021 (the most recent year for which data is available), the total gross value of agricultural production in Riverside County was approximately \$1.41 billion, which represents a 0.9% decrease from 2020 when total values were \$1.42 billion. (Agricultural Commissioner, 2021)

The CDC reports that agricultural lands face continuing pressure from urbanization and rising production costs. The CDC's "2016-2018 California Farmland Conversion Report" summarizes land use conversion between 2016 and 2018 (the most recent years for which information has been reported by the CDC), and states that Riverside County as a whole experienced a net loss of 560 acres of Prime Farmland, 147 acres of Farmland of Statewide Importance, and 445 acres of Unique Farmland (total loss of 1,152 acres of Important Farmland types) between 2016 and 2018, representing an overall decline of 0.06% (CDC, n.d., Table A-25). Important Farmlands, as defined by the CDC and Riverside County, include Prime Farmland, Statewide Important Farmland, and Unique Farmland.

2. *Historic and Existing Site Conditions*

As previously shown on Figure 2-6, the 83.0-acre Project site under existing conditions consists of vacant and undeveloped desert land. Research conducted for the Project site by Nova Group determined that the Project site has never been subject to improvements or development, and there is no evidence that the Project site was ever used for agricultural production (Nova, 2021, p. 17). Similarly, the Project's off-site infrastructure



improvement areas are located in or adjacent to public roadway rights-of-way that are not used for agricultural production.

3. *Zoning*

Riverside County Ordinance No. 625 identifies the following zoning classifications as “land zoned for primarily agricultural purposes”: “Light Agriculture (A-1),” “Light Agriculture with Poultry (A-P),” “Heavy Agriculture (A-2),” “Agriculture-Dairy (A-D),” and “Citrus/Vineyard (C/V).” As described in EIR subsection 2.4.4, under existing conditions the western +/- half of the Project site is zoned for “Manufacturing – Service Commercial (M-SC)” land uses, while the eastern +/- half of the Project site is zoned for “Residential Agricultural (R-A).” Thus, under existing conditions, the Project site is not zoned for primarily agricultural purposes, as defined by Ordinance No. 625. (Riverside County, 1994; RCIT, n.d.) The Project’s off-site infrastructure improvement areas are located in or adjacent to public roadway rights-of-way.

4. *Agricultural Land Classifications*

The goal of the CDC’s FMMP is to provide consistent, timely, and accurate data to decision makers for use in planning for the present and future of California's agricultural land resources. To meet this goal, the FMMP's objective is to provide maps and statistical data to the public, academia, and local, State, and federal governments to assist them in making informed decisions for the best utilization of California's farmland. The FMMP was established in 1982 in response to what was by then a critical need for data on the nature, location, and extent of farmland, grazing land, and urban built-up areas in the State. California Government Code § 65570 mandates the FMMP to biennially report to the Legislature on the conversion of farmland and grazing land, and to provide maps and data to local governments and the public. The FMMP also was directed to prepare and maintain an automated map and database system to record and report changes in the use of agricultural lands. It was the intent of the Legislature and a broad coalition of building, business, government, and conservation interests that the FMMP be non-regulatory, and provide a consistent and impartial analysis of agricultural land use and change in California. With this in mind, the FMMP provides basic data from which observations and analyses can be made in the land use planning process. (CDC, 2004, p. 3)

Pursuant to the FMMP, all lands within California are classified into one of seven map categories. The minimum mapping unit is generally 10 acres, except as otherwise noted (CDC, 2004, p. 6). Provided below is a description of the various map categories established by the FMMP:

- **Prime Farmland (P):** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. (CDC, 2004, p. 6)
- **Farmland of Statewide Importance (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date. (CDC, 2004, p. 6)



- **Unique Farmland (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date. (CDC, 2004, p. 6)
- **Farmland of Local Importance (L):** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. (CDC, 2004, p. 6)
- **Grazing Land (G):** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres. (CDC, 2004, p. 6)
- **Urban and Built-Up Land (D):** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes. (CDC, 2004, p. 6)
- **Other Land (X):** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land. (CDC, 2004, p. 6)

The Project site and the Project's off-site infrastructure improvement areas are classified by the FMMP as "Other Land." "Farmland" is defined in Section II (a) of Appendix G of the California Environmental Quality Act (CEQA) Guidelines and by Riverside County to mean "Prime Farmland," "Farmland of Statewide Importance," or "Unique Farmland." Thus, the Project site does not contain any "Farmland" as mapped by the FMMP. The nearest "Farmland" to the Project site occurs on a property located approximately 0.46-mile to the east of the Project site, which is classified as "Unique Farmland." (CDC, 2021; Google Earth, 2022)

5. *Williamson Act Land Preserves and Agricultural Preserves*

Agricultural preserves are the result of Riverside County's participation in the California Land Conservation Act (CLCA) of 1965, also known as the Williamson Act, CA Gov. Code § 51200, et seq. This program allows owners of agricultural land to have their properties assessed for tax purposes on the basis of agricultural production rather than current market value. The main purpose of the Act is to encourage property owners to continue to farm their land, and to prevent the premature conversion of farmland to urban uses. According to Riverside County GIS, the Project site is not included in any agricultural preserves, and is not subject to a Williamson Act Contract. The nearest agricultural preserve and Williamson Act contracted land occurs



approximately 8.8 miles to the southeast of the Project site (Coachella Valley 53 Agricultural Preserve). (RCIT, n.d.)

4.2.2 APPLICABLE REGULATORY REQUIREMENTS

The following is a brief description of the state and local environmental laws and related regulations governing the protection of agricultural and forest resources.

A. State Regulations

1. California Land Conservation Act (CLCA)

The California Land Conservation Act (CLCA) of 1965, also known as the Williamson Act (CA Gov. Code § 51200, et seq.), enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Pursuant to California Government Code § 51230, counties and cities may establish Agricultural Preserves, which define boundaries of those areas within which the city or county will be willing to enter into contracts pursuant to the CLCA. Contracts pursuant to the CLCA are only allowed for areas within established Agricultural Preserves. Agricultural Preserves generally must be at least 100 acres in size; however, a city or county may allow for lesser acreage if a finding is made that the characteristics of the agricultural enterprises in the area are unique and that the establishment of preserves of less than 100 acres is consistent with the general plan of the county or city. Once established, land uses within an Agricultural Preserve must be agricultural in nature, or other such uses that are not incompatible with agricultural uses. For lands within Agricultural Preserves, individual land owners may enter into a Contract with a county or city, which would provide for the exclusion of uses other than agricultural, and other than those compatible with agricultural uses, for the duration of the Contract, even if the land is sold to a new owner. In return for entering into a Contract, the landowner is granted preferential taxes that are based upon agricultural and related land uses rather than fair market value. Contracts may be exited at the option of the landowner or local government by initiating the process of term nonrenewal. Under this process, the remaining contract term (nine years in the case of an original term of ten years) is allowed to lapse, with the contract null and void at the end of the term. During the nonrenewal process, the annual tax assessment continually increases each year until it is equivalent to current tax rates at the end of the nonrenewal period. Under a set of specifically defined circumstances, a Contract may be cancelled without completing the process of term nonrenewal. Contract cancellation, however, involves a comprehensive review and approval process, and the payment of a fee by the landowner equal to 12.5 percent of the full market value of the property in question. (CDC, 2019; CA Legislative Info, n.d.)

2. Farmland Mapping and Monitoring Program (FMMP)

The goal of the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) is to provide consistent, timely, and accurate data to decision makers for use in planning for the present and future of California's agricultural land resources. To meet this goal, FMMP's objective is to provide maps and statistical data to the public, academia, and local, state, and federal governments to assist them in



making informed decisions for the best utilization of California's farmland. The FMMP was established in 1982 in response to what was by then a critical need for data on the nature, location, and extent of farmland, grazing land, and urban built-up areas in the State. Government Code § 65570 mandates FMMP to biennially report to the Legislature on the conversion of farmland and grazing land, and to provide maps and data to local government and the public. The FMMP was also directed to prepare and maintain an automated map and database system to record and report changes in the use of agricultural lands. It was the intent of the Legislature and a broad coalition of building, business, government, and conservation interests that FMMP be non-regulatory, and provide a consistent and impartial analysis of agricultural land use and change in California. With this in mind, FMMP provides basic data from which observations and analyses can be made in the land use planning process. (CDC, 2004, p. 3)

As previously discussed, pursuant to the FMMP, all lands within California are classified into one of seven map categories. Refer to the discussion presented above in subsection 4.2.1.B.4 for a description of the FMMP mapping categories.

3. *California Forest Practice Act*

The California Department of Forestry and Fire Protection (CAL FIRE) enforces the laws that regulate logging on privately-owned lands in California. The Forest Practice Act was enacted in 1973 to ensure that logging is done in a manner that will preserve and protect fish, wildlife, forests and streams. The State Board of Forestry and Fire Protection enacts and enforces additional rules to protect these resources. (CAL FIRE, n.d.)

CAL FIRE ensures that private landowners abide by these laws when harvesting trees. Although there are specific exemptions in some cases, compliance with the Forest Practice Act and Board rules apply to all commercial harvesting operations for landowners of small parcels, to ranchers owning hundreds of acres, and large timber companies with thousands of acres. (CAL FIRE, n.d.)

The Timber Harvesting Plan (THP) is the environmental review documents submitted by landowners to CAL FIRE outlining what timber he or she wants to harvest, how it will be harvested, and the steps that will be taken to prevent damage to the environment. THPs are prepared by Registered Professional Foresters (RPFs) who are licensed to prepare these comprehensive, detailed plans. THPs can range from about 100 pages to more than 500 pages. (CAL FIRE, n.d.)

CAL FIRE does not have the authority to deny a THP that is in compliance with state and federal rules and laws, simply because the logging plan is unpopular with the public. The Department reviews and approves between 500 to 1,400 THPs each year. A THP that does not comply with all forestry and environmental regulations is returned to the RPF. It is only approved after the RPF and landowner agree to make the changes necessary to ensure compliance with all laws. CAL FIRE follows-up on approved THPs with site inspections and can shut down operations, cite or fine RPFs, Licensed Timber Operators (LTOs), and landowners if illegal operations are found. (CAL FIRE, n.d.)



B. Local Regulations

The following ordinances address farmland and agricultural preserves within unincorporated Riverside County.

- Riverside County Ordinance No. 509: This ordinance establishes uniform rules which apply to Agricultural Preserves. This ordinance determines which uses are agricultural or compatible uses within an Agricultural Preserve and prohibits all other uses within an Agricultural Preserve.
- Riverside County Ordinance No. 625: This “Right-to-Farm” Ordinance requires that development of residential uses adjacent to properties zoned primarily for agricultural purposes be regulated. Specifically, Ordinance No. 625 states that if any agricultural operation that has been in place for at least three years and is not considered a nuisance operation at the time the operation began, no change in surrounding land uses shall cause said operation to become a nuisance. A note is to be added to the Environmental Constraints Sheet for any tentative land division that states:

“...that no agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three (3) years if it was not a nuisance at the time it began.”

If any parcel within 300 feet of the site is zoned primarily for agricultural uses at the time of occupancy permit issuance, the Project shall comply with the “Right-to-Farm” Ordinance. County Ordinance No. 625 defines land zoned for “primarily agricultural purposes” as any land lying within any one of the following zone classifications established by the Riverside County Land Use Ordinance No. 348: A-1 (Light Agriculture); A-P (Light Agriculture with Poultry); A-2 (Heavy Agriculture); A-D (Agriculture-Dairy); or C/V (Citrus/Vineyard).

4.2.3 BASIS FOR DETERMINING SIGNIFICANCE

Section II of Appendix G to the CEQA Guidelines addresses typical adverse effects to forestry and agricultural resources, and includes the following threshold questions to evaluate a project’s impacts on forest and agricultural resources:

- Would the project convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?



- Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- Would the project result in the loss of forest land or conversion of forest land to non-forest use?
- Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Significance thresholds are set forth in Riverside County's Environmental Assessment Checklist, are derived from Section II of Appendix G to the CEQA Guidelines (listed above), and state that the proposed Project would have a significant impact on forestry or agricultural resources if construction and/or operation if the Project would:

- a. *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;*
- b. *Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve;*
- c. *Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm");*
- d. *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use;*
- e. *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g));*
- f. *Result in the loss of forest land or conversion of forest land to non-forest use; or*
- g. *Involve other changes in the existing environment which, due to their location or nature, could result in con-version of forest land to non-forest use.*

The significance thresholds set forth in Riverside County's Environmental Assessment Checklist were used to evaluate the significance of the proposed Project's impacts on forestry and agricultural resources.



4.2.4 IMPACT ANALYSIS

Threshold a.: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

As mapped by the CDC's FMMP, the entire Project site and the Project's associated off-site infrastructure alignments are mapped as containing "Other Land." "Other Land" is not considered to comprise "Farmland," and no agricultural uses have ever occurred on the Project site. The nearest "Farmland" to the Project site occurs on a property located approximately 0.46-mile to the east of the Project site, which is classified as "Unique Farmland." Accordingly, the Project has no potential to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and no impact would occur. (CDC, 2021; Google Earth, 2022)

Threshold b.: Would the Project conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?

As defined by Riverside County Ordinance No. 625, "lands primarily zoned for agricultural use" include properties that are zoned for "Light Agriculture (A-1)," "Light Agriculture with Poultry (A-P)," "Heavy Agriculture (A-2)," "Agriculture-Dairy (A-D)," or "Citrus/Vineyard (C/V)." (Riverside County, 1994). Under existing conditions, the Project site is zoned M-SC and R-A, which are not agricultural zoning classifications as defined by Ordinance No. 625. The Project's off-site infrastructure improvement areas are located in or adjacent to public roadway rights-of-way. There are no properties within two miles of the site that are zoned primarily for agricultural use, as defined by Ordinance No. 625. As such, the Project would not conflict with existing agricultural zoning, and no impact would occur.

Under existing conditions, the Project site and the Project's associated off-site infrastructure alignments are not used for agricultural production. The nearest lands that are used for agricultural production occurs approximately 0.4-mile to the east of the Project site, and there are no components of the proposed Project that could adversely affect on-going agricultural operations on this or any other properties in the Project vicinity. As such, no impact would occur.

According to Riverside County GIS, there are no agricultural preserves or Williamson Act contracted land within the Project vicinity. The nearest lands that are included within an agricultural preserve and/or are subject to a Williamson Act Contract occur approximately 8.8 miles to the southeast of the Project site (Coachella Valley 53 Agricultural Preserve) (RCIT, n.d.). Due to the distance between the Project site and the Coachella Valley 53 Agricultural Preserve, the Project has no potential to result in conflicts with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve. No impact would occur.



Threshold c.: Would the Project cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 Right-to-Farm)?

As defined by Riverside County Ordinance No. 625, “lands primarily zoned for agricultural use” include properties that are zoned for “Light Agriculture (A-1),” “Light Agriculture with Poultry (A-P),” “Heavy Agriculture (A-2),” “Agriculture-Dairy (A-D),” or “Citrus/Vineyard (C/V).” (Riverside County, 1994). There are no properties within 300 feet of the Project site or the Project’s off-site infrastructure alignments that are zoned primarily for agricultural use, as defined by Ordinance No. 625. Furthermore, should any agricultural uses become established within 300 feet of the Project site and that have been under operation for at least three (3) years prior to Project implementation, then Riverside County Ordinance No. 625 would apply. Ordinance No. 625 protects agricultural operations from nuisance complaints and encourages the development, improvement, and long-term viability of agricultural land. The Project would be conditioned to require compliance with Ordinance No. 625, if applicable, which would ensure that Project-related construction and operational activities would not indirectly cause or contribute to the conversion of off-site farmland to non-agricultural use. Based on the mandatory compliance with Ordinance No. 625, no impact would occur.

Threshold d.: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

There are no components of the Project that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. Although agricultural uses occur in the Project vicinity (refer to the discussion of Threshold c.), there are no components of the proposed Project that could indirectly affect these existing agricultural uses. Additionally, as indicated under the analysis of Threshold c., in the event that any agricultural uses become established for a minimum of three years and within 300 feet of the Project site, the Project would be subject to the provisions of Riverside County Ordinance No. 625, which protects agricultural operations from nuisance complaints and encourages the development, improvement, and long-term viability of agricultural land. Compliance with Ordinance No. 625 would ensure that future development on site does not result in indirect impacts to existing agricultural uses in the surrounding area. Thus, the Project would not result in any other changes to the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, and no impacts would occur.

Threshold e.: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?

Threshold f.: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?



***Threshold g.:* Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?**

The Project site, the Project's off-site infrastructure alignments, and surrounding areas are not zoned for forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g)) (RCIT, n.d.). As such, the Project has no potential to conflict with such zoning, and no impact would occur.

As shown in Figure 4.5.2 of the Riverside County General Plan Update Draft EIR No. 521, which was prepared in conjunction with the County's 2015 General Plan Update, aside from scattered desert woodlands there are no forestry resources in the Project's vicinity under existing conditions. The nearest forest land to the Project site occurs within the San Bernardino National Forest, located approximately 12.1 miles west of the Project site. (Riverside County, 2015a, Figure 4.5.2; Google Earth, 2022). Based on a review of aerial imagery, there are no forest-related uses within the vicinity of the Project site, aside from the production of date trees (which are not forestry resources) (Google Earth, 2021). As such, the Project has no potential to result in the loss of forest land or conversion of forest land to non-forest use, and no impact would occur.

Furthermore, the Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use. No impact would occur.

4.2.5 CUMULATIVE IMPACT ANALYSIS

The cumulative study area for the evaluation of potential impacts to agriculture and forestry resources includes the Coachella Valley portion Riverside County. Lands within the Coachella Valley generally exhibit similar climate, geologic, and soil characteristics. Additionally, agricultural lands throughout the Coachella Valley are subject to future development that would preclude agricultural uses, based on the various land use designations applied to lands throughout Coachella Valley by the County's General Plan and the general plans of other local jurisdictions.

As discussed under Threshold a., the Project site and the Project's associated infrastructure alignments do not contain any Farmland as defined by State CEQA Guidelines Appendix G Section II(a). Accordingly, because the Project has no potential to result in impacts to Farmland, the Project would not result in any cumulatively-considerable impacts to Farmland.

Under existing conditions, the Project site is zoned for M-SC and R-A land uses, neither of which comprise agricultural zoning classifications. In addition, the Project site does not contain any agricultural uses under existing conditions, the Project site is not located within or near a Riverside County Agricultural Preserve, and the Project site and surrounding areas are not subject to a Williamson Act contract. There are no components of the proposed Project that could indirectly affect any Agricultural Preserves or Williamson Act-contracted lands within the Project vicinity. Therefore, the Project would not result in any cumulatively-considerable impacts due to a conflict with existing agricultural zoning, existing agricultural use, due to a conflict with land subject to a Williamson Act contract, or due to a conflict with a Riverside County Agricultural Preserve.



There are no properties within the Project vicinity that are zoned primarily for agricultural use, as defined by Ordinance No. 625. Furthermore, should any agricultural uses become established within 300 feet of the Project site and that have been under operation for at least three (3) years prior to Project implementation, then Riverside County Ordinance No. 625 would apply. The Project would be conditioned to require compliance with Ordinance No. 625, if applicable, which would ensure that Project-related construction and operational activities would not indirectly cause or contribute to the conversion of off-site farmland to non-agricultural use. As other cumulative developments within the immediate vicinity of the Project site also would be subject to compliance with Ordinance No. 625, if required, the Project would not result in any cumulatively-considerable impacts due to the conversion of off-site farmland to non-agricultural use.

There are no components of the Project that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. Accordingly, cumulatively-considerable impacts would not occur.

The Project site, and the Project's associated infrastructure alignments, and surrounding areas are not zoned for forest land (as defined in PRC § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g)). As such, the Project has no potential to conflict with such zoning, and no cumulatively-considerable impacts would occur. In addition, the Project has no potential to result in the loss of forest land or conversion of forest land to non-forest use, and no cumulatively-considerable impacts due to the loss or conversion of forest land would occur. Furthermore, there are no components of the proposed Project that could result in the conversion of forest land to non-forest use, as there are no lands used for forest land uses; thus, no cumulatively-considerable impacts would occur.

4.2.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a.: No Impact. As mapped by the CDC's FMMP, areas that would be physically disturbed by the Project are mapped as containing "Other Land." "Other Land" is not considered to comprise "Farmland," and no agricultural uses have ever occurred on the Project site. Accordingly, the Project has no potential to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and no impact would occur.

Threshold b.: No Impact. Areas that would be physically disturbed by the Project are not zoned for agricultural uses under existing conditions. Therefore, the Project would not conflict with existing agricultural zoning and no impact would occur. There are no components of the proposed Project that could result in indirect impacts to off-site agricultural uses such that agricultural use of off-site properties would be adversely affected. Accordingly, Project would not result in any impacts to existing agricultural uses. Additionally, the Project's physical disturbance areas are not subject to a Williamson Act contract and is not located within any County Agricultural Preserves, and there are no components of the proposed Project that have the potential to adversely affect agricultural operations at the nearest agricultural preserve/Williamson Act-contracted lands. As such, the Project would not result in any impacts to agricultural preserves or Williamson Act-contracted lands, and would not result in any impacts due to a conflict with agricultural zoning. No impact would occur.



Threshold c.: No Impact. There are no properties within 300 feet of the Project site that are zoned primarily for agricultural use, as defined by Ordinance No. 625. Furthermore, should any agricultural uses become established within 300 feet of the Project site and that have been under operation for at least three (3) years prior to Project implementation, then Riverside County Ordinance No. 625 would apply. The Project would be conditioned to require compliance with Ordinance No. 625, if applicable, which would ensure that Project-related construction and operational activities would not indirectly cause or contribute to the conversion of off-site farmland to non-agricultural use. No impact would occur.

Threshold d.: No Impact. Assuming mandatory compliance with Riverside County Ordinance No. 625, there are no components of the Project that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. No impact would occur.

Thresholds e., f., and g.: No Impact. There are no forest lands in the Project site's vicinity, and no lands in the Project vicinity are zoned for timberland, timberland production, or forest uses. The Project would not result in the conversion of forest land to non-forest use. No impact would occur.

4.2.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude agriculture impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- In the event that new agricultural uses become established on agriculturally-zoned lands (as defined by Riverside County Ordinance No. 625) prior to Project occupancy, the provisions of Ordinance No. 625 shall apply. Ordinance No. 625 requires that when lands are developed adjacent to properties zoned primarily for agricultural purposes (that support agricultural operations that have been in place for at least three years and not considered a nuisance operation at the time the operation began), future land buyers must be notified of any agricultural operations that are on-going in the area, and mandate that such agricultural uses shall not be the subject of nuisance complaints.

Mitigation

No adverse impacts would occur; therefore, mitigation is not required.



4.3 AIR QUALITY

This Subsection 4.3 is based on two technical reports prepared by Urban Crossroads, Inc. (herein, “Urban Crossroads”). The first report addresses the Project’s potential to result in regional and localized air quality impacts, and is entitled “Majestic Thousand Palms (GPA220004, CZ2200013, PPT220022, CEQ220033) Air Quality Impact Analysis” (herein, “AQIA”), dated January 30, 2024, and included as *Technical Appendix B1* to this EIR (Urban Crossroads, 2024a). The second report addresses the Project’s potential to result in health risk impacts to sensitive receptors and workers due to diesel particulate matter (DPM) from Project-related heavy-duty diesel trucks, and is entitled “Majestic Thousand Palms (GPA220004, CZ2200013, PPT220022, CEQ220033) Mobile Source Health Risk Assessment” (herein, “HRA”), dated January 30, 2024, and included as *Technical Appendix B2* to this EIR (Urban Crossroads, 2024b). Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

4.3.1 EXISTING CONDITIONS

A. Salton Sea Air Basin

The Project site is located within Salton Sea Air Basin (SSAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The SSAB is aligned in a northwest-southwest orientation stretching from Banning Pass to the Mexican border. The regional climate, as well as the temperature, wind, humidity, precipitation, and amount of sunshine significantly influence the air quality in the Basin. (Urban Crossroads, 2024a, p. 13)

B. Climate and Meteorology

The climate of the Coachella Valley is a continental, desert-type climate, with hot summers, mild winters, and very little annual rainfall. Precipitation is less than six inches annually and occurs mostly in the winter months from active frontal systems and in the late summer months from thunderstorms. Almost all of the annual rainfall comes from the fringes of mid-latitude storms from late November to early April with summers often being completely dry. Temperatures exceed 100 degrees Fahrenheit (°F), on average, for four months each year, with daily highs near 110°F during July and August. Summer nights are cooler with minimum temperatures in the mid-70s. During the winter season, daytime highs are quite mild, but the dry air is conducive to nocturnal radiational cooling, with early morning lows around 40°F. (Urban Crossroads, 2024a, p. 13)

Portions of the SSAB experience surface inversions almost every day of the year. Inversions in the SSAB are attributed to strong surface heating, but are usually broken, allowing pollutants to disperse more easily. Weak surface inversions are caused by cooling of air in contact with the cold surface of the earth at night. In the valleys and low-lying areas, this condition is intensified by the addition of cold air flowing downslope from the hills and pooling on the valley floor. In addition, inversions in the SSAB caused by the presence of the Pacific high-pressure cell can cause the air mass aloft to sink. As the air descends, compressional heating



warms the air to a temperature higher than the air below. This subsidence inversion can act as a nearly impenetrable lid to the vertical mixing of pollutants. These inversions can persist for one or more days, causing air stagnation and the buildup of pollutants. Subsidence inversions are common from November through June and are relatively absent from July through October. (Urban Crossroads, 2024a, p. 13)

C. Wind Patterns and Blowsand

The Coachella Valley and adjacent areas are exposed to frequent gusty winds. The flat terrain of the valley and strong temperature differentials, created by intense solar heating, produce moderate winds and deep thermal convection. Wind speeds exceeding 31 miles per hour (mph) occur most frequently in April and May. On an annual basis, strong winds (greater than 31 mph) are observed 0.6 percent of the time and speeds of less than 6.8 mph account for more than one-half of the observed winds. Prevailing winds are from the northwest through southwest, with secondary flows from the southeast. The strongest and most persistent winds typically occur immediately to the east of Banning Pass, which is noted as a wind power generation resource area. Aside from this locale, the wind conditions in the remainder of the Coachella Valley are geographically distinct. Stronger winds tend to occur closer to the foothills. Less frequently, widespread gusty winds occur over all areas of the Valley. (Urban Crossroads, 2024a, p. 13)

Within the Project area, there is a natural sand migration process, called “blowsand,” that has direct and indirect effects on air quality. Blowsand produces particulate matter (PM₁₀) in two ways: (1) by direct particle erosion and fragmentation as natural PM₁₀, and (2) by secondary effects, as sand deposits on road surfaces. Also, where water has already receded around the Salton Sea, the surface areas contain a salty mix of sediments that can change from a hardened salt crust to a fluffy soft layer of dust depending upon the season. Exposed sediments could elevate PM₁₀ levels throughout the region. Almost 120,000 acres of Salton Sea lakebed could be exposed as inflows to the Sea decrease in future years. Local communities may be affected by 60,000 potentially dust-blowing acres, which will cause PM₁₀ levels to rise. (Urban Crossroads, 2024a, p. 14)

D. Criteria Pollutants

Criteria pollutants are pollutants that are regulated through the development of human health based and/or environmentally-based criteria for setting permissible levels. Criteria pollutants, their typical sources, and health effects are identified below.

1. Carbon Monoxide (CO)

CO is a colorless, odorless gas produced by the incomplete combustion of carbon-containing fuels, such as gasoline or wood. CO emissions come from any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment, and residential heating. CO concentrations tend to be the highest during the winter morning, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike ozone (O₃), motor vehicles operating at slow speeds are the primary source of CO in the SSAB. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. (Urban Crossroads, 2024a, Table 2-1)



CO Health Effects: Individuals with a deficient blood supply to the heart are the most susceptible to the adverse effects of CO exposure. The effects observed include earlier onset of chest pain with exercise, and electrocardiograph changes indicative of decreased oxygen (O₂) supply to the heart. Inhaled CO has no direct toxic effect on the lungs but exerts its effect on tissues by interfering with O₂ transport and competing with O₂ to combine with hemoglobin present in the blood to form carboxyhemoglobin (COHb). Hence, conditions with an increased demand for O₂ supply can be adversely affected by exposure to CO. Individuals most at risk include fetuses, patients with diseases involving heart and blood vessels, and patients with chronic hypoxemia (O₂ deficiency) as seen at high altitudes. (Urban Crossroads, 2024a, Table 2-1)

2. Sulfur Oxides (SO_x)

Sulfur dioxide (SO₂) is a colorless, extremely irritating gas or liquid. It enters the atmosphere as a pollutant mainly as a result of burning high sulfur-content fuel oils and coal and from chemical processes occurring at chemical plants and refineries. When SO₂ oxidizes in the atmosphere, it forms SO₄. Collectively, these pollutants are referred to as sulfur oxides (SO_x). Sources of SO_x include coal or oil burning power plants and industries, refineries, and diesel engines. (Urban Crossroads, 2024a, Table 2-1)

SO_x Health Effects: A few minutes of exposure to low levels of SO₂ can result in airway constriction in some asthmatics, all of whom are sensitive to its effects. In asthmatics, increase in resistance to air flow, as well as reduction in breathing capacity leading to severe breathing difficulties, are observed after acute exposure to SO₂. In contrast, healthy individuals do not exhibit similar acute responses even after exposure to higher concentrations of SO₂. Animal studies suggest that despite SO₂ being a respiratory irritant, it does not cause substantial lung injury at ambient concentrations. However, very high levels of exposure can cause lung edema (fluid accumulation), lung tissue damage, and sloughing off of cells lining the respiratory tract. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient SO₂ levels. In these studies, efforts to separate the effects of SO₂ from those of fine particles have not been successful. It is not clear whether the two pollutants act synergistically, or one pollutant alone is the predominant factor. (Urban Crossroads, 2024a, Table 2-1)

3. Nitrogen Oxide (NO_x)

Nitrogen Oxides (NO_x) consist of nitric oxide (NO), nitrogen dioxide (NO₂), and nitrous oxide (N₂O) and are formed when nitrogen (N₂) combines with O₂. Their lifespan in the atmosphere ranges from one to seven days for NO and NO₂, to 170 years for N₂O. NO_x is typically created during combustion processes and are major contributors to smog formation and acid deposition. NO_x results from any source that burns fuel such as automobiles, trucks, heavy construction equipment, farming equipment and residential heating. NO₂ is a criteria air pollutant and may result in numerous adverse health effects. It absorbs blue light, resulting in a brownish-red cast to the atmosphere and reduced visibility. Of the seven types of NO_x compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic may be exposed to higher concentrations of NO₂ than those indicated by a regional monitoring station. (Urban Crossroads, 2024a, Table 2-1)



NO_x Health Effects: Population-based studies suggest that an increase in acute respiratory illness, including infections and respiratory symptoms in children (not infants), is associated with long-term exposure to NO₂ at levels found in homes with gas stoves, which are higher than ambient levels found in Southern California. Increase in resistance to air flow and airway contraction is observed after short-term exposure to NO₂ in healthy subjects. Larger decreases in lung functions are observed in individuals with asthma or chronic obstructive pulmonary disease (e.g., chronic bronchitis, emphysema) than in healthy individuals, indicating a greater susceptibility of these sub-groups. In animals, exposure to levels of NO₂ considerably higher than ambient concentrations result in increased susceptibility to infections, possibly due to the observed changes in cells involved in maintaining immune functions. The severity of lung tissue damage associated with high levels of Ozone (O₃) exposure increases when animals are exposed to a combination of O₃ and NO₂. (Urban Crossroads, 2024a, Table 2-1)

4. Ozone (O₃)

Ozone (O₃) is a highly reactive and unstable gas that is formed when reactive organic gases (ROG) and NO_x, both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. ROG sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil), solvents, petroleum processing, and storage and pesticides. O₃ concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of this pollutant. (Urban Crossroads, 2024a, Table 2-1)

O₃ Health Effects: Individuals exercising outdoors, children, and people with preexisting lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible subgroups for O₃ effects. Short-term exposure (lasting for a few hours) to O₃ at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes. Elevated O₃ levels are associated with increased school absences. In recent years, a correlation between elevated ambient O₃ levels and increases in daily hospital admission rates, as well as mortality, has also been reported. An increased risk for asthma has been found in children who participate in multiple outdoor sports and live in communities with high O₃ levels. O₃ exposure under exercising conditions is known to increase the severity of the responses described above. Animal studies suggest that exposure to a combination of pollutants that includes O₃ may be more toxic than exposure to O₃ alone. Although lung volume and resistance changes observed after a single exposure diminish with repeated exposures, biochemical and cellular changes appear to persist, which can lead to subsequent lung structural changes. (Urban Crossroads, 2024a, Table 2-1)

5. Particulate Matter

Particulate matter (PM) includes inhalable particles with diameters that are generally 10 micrometers and smaller, which are referred to as PM₁₀, and fine inhalable particles with diameters that are generally 2.5 micrometers and smaller, which are referred to as PM_{2.5}. (Urban Crossroads, 2024a, Table 2-1)

PM₁₀ is a major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. Sources of PM₁₀ include road dust, windblown dust, and construction. PM₁₀ also is formed from other



pollutants (acid rain, NO_x, SO_x, and organics), and from the incomplete combustion of any fuel. Particulate matter pollution is a major cause of reduced visibility (haze) which is caused by the scattering of light and consequently the significant reduction of air clarity. The size of the particles (10 microns or smaller, about 0.0004 inches or less) allows them to easily enter the lungs where they may be deposited, resulting in adverse health effects. Additionally, PM₁₀ is a criteria air pollutant. (Urban Crossroads, 2024a, Table 2-1)

PM_{2.5} is a similar air pollutant to PM₁₀ consisting of tiny solid or liquid particles that are 2.5 microns or smaller (often referred to as fine particles). PM_{2.5} comes from fuel combustion in motor vehicles, equipment, and industrial sources, and residential and agricultural burning. PM_{2.5} also is formed from reaction of other pollutants (acid rain, NO_x, SO_x, and organics). These particles are formed in the atmosphere from primary gaseous emissions that include SO₄ formed from SO₂ release from power plants and industrial facilities and nitrates that are formed from NO_x release from power plants, automobiles, and other types of combustion sources. The chemical composition of fine particles highly depends on location, time of year, and weather conditions. PM_{2.5} is a criteria air pollutant. (Urban Crossroads, 2024a, Table 2-1)

PM Health Effects: A consistent correlation between elevated ambient fine particulate matter (PM₁₀ and PM_{2.5}) levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed in different parts of the United States and various areas around the world. In recent years, some studies have reported an association between long-term exposure to air pollution dominated by fine particles and increased mortality, reduction in lifespan, and an increased mortality from lung cancer. Daily fluctuations in PM_{2.5} concentration levels have also been related to hospital admissions for acute respiratory conditions in children, to school and kindergarten absences, to a decrease in respiratory lung volumes in normal children, and to increased medication use in children and adults with asthma. Recent studies show lung function growth in children is reduced with long-term exposure to particulate matter. The elderly, people with preexisting respiratory or cardiovascular disease, and children appear to be more susceptible to the effects of high levels of PM₁₀ and PM_{2.5}. (Urban Crossroads, 2024a, Table 2-1)

6. Volatile Organic Compounds (VOCs)

Volatile Organic Compounds (VOCs) are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O₃ to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include CO, carbon dioxide (CO₂), carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O₃, which is a criteria pollutant. The terms VOC and ROG (as discussed below) are used interchangeably. (Urban Crossroads, 2024a, Table 2-1)

Organic chemicals are widely used as ingredients in household products. Paints, varnishes, and wax all contain organic solvents, as do many cleaning, disinfecting, cosmetic, degreasing, and hobby products. Fuels are made up of organic chemicals. All of these products can release organic compounds while in use, and, to some degree, when they are stored. (Urban Crossroads, 2024a, Table 2-1)



VOCs Health Effects: Breathing VOCs can irritate the eyes, nose, and throat, can cause difficulty breathing and nausea, and can damage the central nervous system as well as other organs. Some VOCs can cause cancer. Not all VOCs have all these health effects, though many have several. (Urban Crossroads, 2024a, Table 2-1)

7. Reactive Organic Gases (ROGs)

Similar to VOCs, Reactive Organic Gases (ROGs) are also precursors in forming O₃ and consist of compounds containing methane (CH₄), ethane (C₂H₆), propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_x react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O₃, which is a criteria pollutant. The terms ROG and VOC (see above discussion) are used interchangeably. Sources of ROGs are similar to VOCs, and are described above. (Urban Crossroads, 2024a, Table 2-1)

ROGs Health Effects: Health effects from ROGs are similar to VOCs, and are described above. (Urban Crossroads, 2023a, Table 2-1)

8. Lead (Pb)

Lead (Pb) is a heavy metal that is highly persistent in the environment and is considered a criteria pollutant. In the past, the primary source of Pb in the air was emissions from vehicles burning leaded gasoline. The major sources of Pb emissions include ore and metals processing, particularly Pb smelters; resource recovery; the deterioration of Pb-based paints; and leaded gasoline use and piston-engine aircraft operating on leaded aviation gasoline. Other stationary sources include waste incinerators, utilities, and lead-acid battery manufacturers. (Urban Crossroads, 2024a, Table 2-1)

Pb Health Effects: Fetuses, infants, and children are more sensitive than others to the adverse effects of Pb exposure. Exposure to low levels of Pb can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotients. In adults, increased Pb levels are associated with increased blood pressure. Pb poisoning can cause anemia, lethargy, seizures, and death; although it appears that there are no direct effects of Pb on the respiratory system. Pb can be stored in the bone from early age environmental exposure, and elevated blood Pb levels can occur due to breakdown of bone tissue during pregnancy, hyperthyroidism (increased secretion of hormones from the thyroid gland) and osteoporosis (breakdown of bony tissue). Fetuses and breast-fed babies can be exposed to higher levels of Pb because of previous environmental Pb exposure of their mothers. (Urban Crossroads, 2024a, Table 2-1)

9. Odor

Odor means the perception experienced by a person when one or more chemical substances in the air come into contact with the human olfactory nerves. Odors can come from many sources including animals, human activities, industry, nature, and vehicles. (Urban Crossroads, 2024a, Table 2-1)



Odor Health Effects: Offensive odors can potentially affect human health in several ways. First, odorant compounds can irritate the eye, nose, and throat, which can reduce respiratory volume. Second, studies have shown that the VOCs that cause odors can stimulate sensory nerves to cause neurochemical changes that might influence health, for instance, by compromising the immune system. Finally, unpleasant odors can trigger memories or attitudes linked to unpleasant odors, causing cognitive and emotional effects such as stress. (Urban Crossroads, 2024a, Table 2-1)

E. Existing Air Quality

Existing air quality is measured at established SCAQMD air quality monitoring stations. Monitored air quality is evaluated in the context of ambient air quality standards. These standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) currently in effect are shown in Table 4.3-1, *Ambient Air Quality Standards*. (Urban Crossroads, 2024a, p. 21)

The determination of whether a region's air quality is healthful or unhealthful is determined by comparing contaminant levels in ambient air samples to the State and federal standards. The most recent State and federal standards were updated by CARB on May 4, 2016, and are presented in Table 4.3-1. The air quality in a region is considered to be in attainment by the State if the measured ambient air pollutant levels for O₃, CO (except 8-hour Lake Tahoe), SO₂ (1 and 24 hour), NO₂, PM₁₀, and PM_{2.5} are not to be exceeded. All others are not to be equaled or exceeded. It should be noted that the three-year period is presented for informational purposes and is not the basis for how the State assigns attainment status. Attainment status for a pollutant means that the SCAQMD meets the standards set by the EPA or the California EPA (CalEPA). Conversely, nonattainment means that an area has monitored air quality that does not meet the NAAQS or CAAQS standards. In order to improve air quality in nonattainment areas, a State Implementation Plan (SIP) is drafted by CARB. The SIP outlines the measures that the state will take to improve air quality. Once nonattainment areas meet the standards and additional redesignation requirements, the EPA will designate the area as a maintenance area. (Urban Crossroads, 2024a, p. 21)

F. Regional Air Quality

Air pollution contributes to a wide variety of adverse health effects. The EPA has established NAAQS for six of the most common air pollutants: CO, Pb, O₃, particulate matter (PM₁₀ and PM_{2.5}), NO₂, and SO₂ which are known as criteria pollutants. The SCAQMD monitors levels of various criteria pollutants at 37 permanent monitoring stations and 5 single-pollutant source Pb air monitoring sites throughout the air district. On December 28, 2021, CARB posted the proposed 2021 amendments to the state and national area designations. Table 4.3-2, *Attainment Status of Criteria Pollutants in the SSAB*, shows the attainment designations for the SSAB. Appendix 2.1 of the Project's AQIA (*Technical Appendix B1*) EIR provides geographic representation of the State and federal attainment status for applicable criteria pollutants within the SSAB. (Urban Crossroads, 2024a, p. 24)



Table 4.3-1 Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM10) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM2.5) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—	—	
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			



Table 4.3-1 Ambient Air Quality Standards (Cont'd)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM₁₀, PM_{2.5}, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM₁₀, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 $\mu\text{g}/\text{m}^3$ is equal to or less than one. For PM_{2.5}, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM_{2.5} primary standard was lowered from 15 $\mu\text{g}/\text{m}^3$ to 12.0 $\mu\text{g}/\text{m}^3$. The existing national 24-hour PM_{2.5} standards (primary and secondary) were retained at 35 $\mu\text{g}/\text{m}^3$, as was the annual secondary standard of 15 $\mu\text{g}/\text{m}^3$. The existing 24-hour PM₁₀ standards (primary and secondary) of 150 $\mu\text{g}/\text{m}^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990
(Urban Crossroads, 2024a, Table 2-2)

California Air Resources Board (5/4/16)



Table 4.3-2 Attainment Status of Criteria Pollutants in the SSAB

Criteria Pollutant	State Designation	Federal Designation
O ₃ – 1-hour standard	Nonattainment	-
O ₃ – 8-hour standard	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Nonattainment
PM _{2.5}	Attainment	Unclassifiable/Attainment
CO	Attainment	Unclassifiable/Attainment
NO ₂	Attainment	Unclassifiable/Attainment
SO ₂	Attainment	Unclassifiable/Attainment
Pb	Attainment	Unclassifiable/Attainment

Note: See Appendix 2.1 of Technical Appendix B1 to this EIR for a detailed map of State/National Area Designations within the SSAB.

“-“ = The national 1-hour O₃ standard was revoked effective June 15, 2005.

(Urban Crossroads, 2024a, Table 2-3)

G. Local Air Quality

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas (SRA)) throughout the district in order to provide Southern California residents about the air quality conditions. The Project site is located within the Coachella Valley monitoring area (SRA 30). The Coachella Valley 1 monitoring station is located approximately 8.0 miles west of the Project site and reports air quality statistics for O₃, CO, NO₂, PM₁₀, and PM_{2.5}. (Urban Crossroads, 2024a, p. 24)

The most recent three years of published data available from SCAQMD is shown on Table 4.3-3, *Project Area Air Quality Monitoring Summary 2019-2021*, and identifies the number of days ambient air quality standards were exceeded for the study area, which is considered to be representative of the local air quality at the Project site. Data for O₃, CO, NO₂, PM₁₀, and PM_{2.5} for 2019 through 2021 was obtained from the SCAQMD Air Quality Data Tables. Data for SO₂ is omitted because attainment is regularly met in the SSAB and few monitoring stations measure SO₂ concentrations. (Urban Crossroads, 2024a, p. 24)

H. Sensitive Receptors

Some people are especially sensitive to air pollution and are given special consideration when evaluating localized air quality impacts from projects. These groups of people include children, the elderly, and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places where these persons gather are defined as “sensitive receptors.” These structures typically include uses such as residences, hotels, and hospitals where an individual can remain for 24 hours. Receptors in the Project study area are described below and shown on Figure 4.3-1, *Receptor Locations*. All distances are measured from the Project site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site. It should be noted that for clarity purposes, the receptors presented in Figure 4.3-1 do not represent all modeled receptors. A total of 97 receptors were modeled, extending up to three miles from the Project site. (Urban Crossroads, 2024a, pp. 46-47)



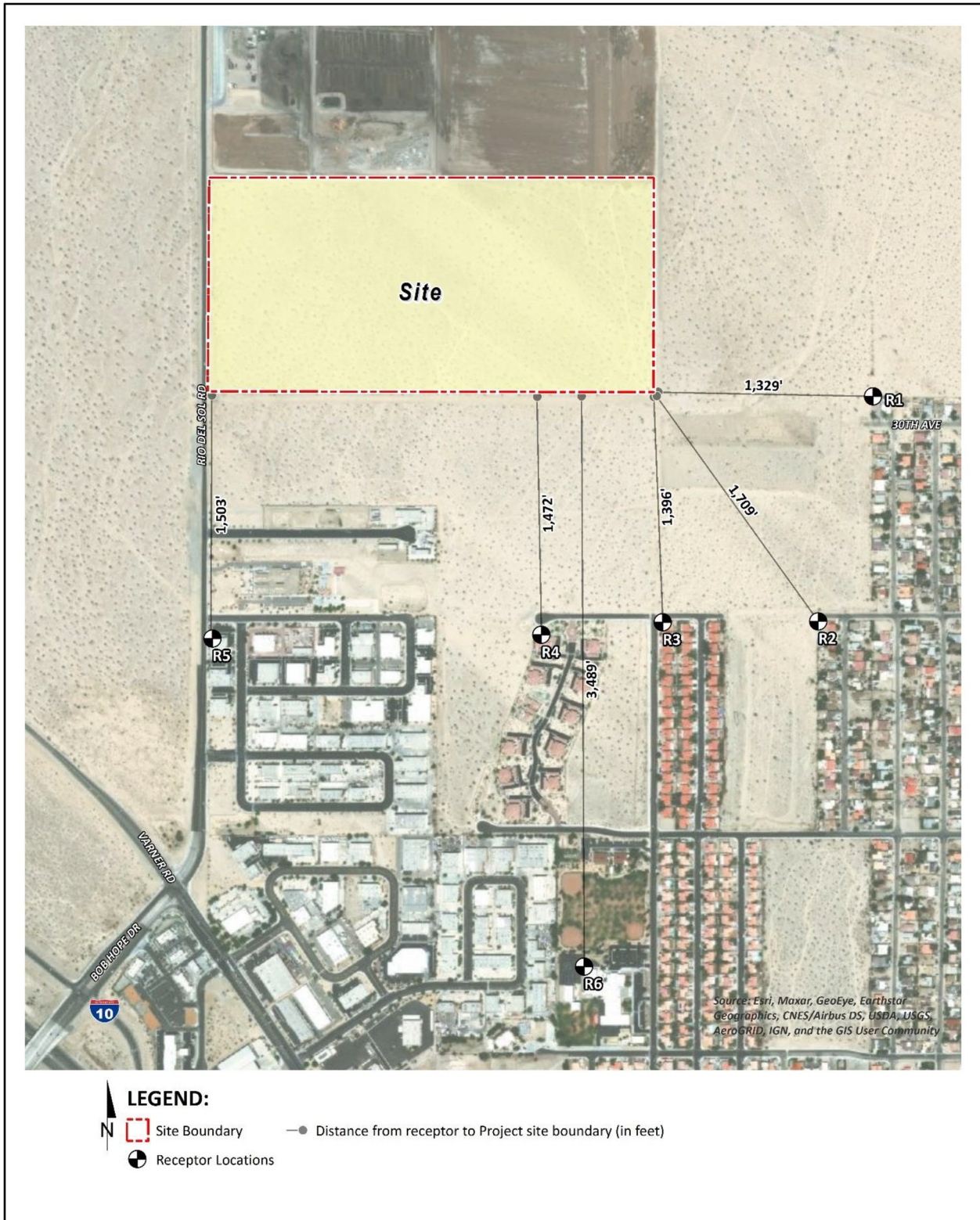
Table 4.3-3 Project Area Air Quality Monitoring Summary 2019-2021

Pollutant	Standard	Year		
		2019	2020	2021
O ₃				
Maximum Federal 1-Hour Concentration (ppm)		0.100	0.119	0.110
Maximum Federal 8-Hour Concentration (ppm)		0.084	0.094	0.092
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	5	9	10
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	34	49	38
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.3	0.8	0.8
Maximum Federal 8-Hour Concentration	> 20 ppm	0.7	0.5	0.4
NO ₂				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.041	0.047	0.036
Annual Average		0.007	0.007	0.007
PM ₁₀				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 150 µg/m ³	75	48	100
Annual Federal Arithmetic Mean (µg/m ³)		29.5	20.4	21.4
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m ³	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m ³	5	0	9
PM _{2.5}				
Maximum Federal 24-Hour Concentration (µg/m ³)	> 35 µg/m ³	15.50	23.90	13.50
Annual Federal Arithmetic Mean (µg/m ³)	> 12 µg/m ³	6.05	6.42	6.2
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m ³	0	0	0

µg/m³ = Microgram per Cubic Meter

Source: Data for O₃, CO, NO₂, PM₁₀, and PM_{2.5} was obtained from SCAQMD Air Quality Data Tables.

(Urban Crossroads, 2024a, Table 2-4)



Source(s): Urban Crossroads (09-01-2023)

Figure 4.3-1



Not to Scale



Receptor Locations



- R1: Location R1 represents the existing residence at 72758 30th Avenue, approximately 1,329 feet southeast of the Project site. R1 is placed in the private outdoor living area (backyard) facing the Project site.
- R2: Location R2 represents the existing residence at 30525 Roseview Lane, approximately 1,709 feet southeast of the Project site. R2 is placed in the private outdoor living area (backyard) facing the Project site.
- R3: Location R3 represents the existing residence at 30524 Robert Road, approximately 1,396 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R3 is placed at the building façade.
- R4: Location R4 represents the Legacy Apartments at 72940 El Centro Way, approximately 1,472 feet south of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, R4 is placed at the building façade.
- R5: Location R5 represents the potential worker receptor at the RSD – Refrigeration Supplies Distributor facility located at 30571 Front Street, approximately 1,503 feet south of the Project site.
- R6: Location R6 represents Della S. Lindley Elementary School, located at 31495 Robert Road, approximately 3,489 feet south of the Project site.

4.3.2 APPLICABLE REGULATORY REQUIREMENTS

The following is a brief description of the federal, State, and local environmental laws and related regulations governing air quality emissions.

A. Federal Regulations

1. Federal Clean Air Act

The Clean Air Act (CAA; 42 U.S.C. § 7401 et seq.) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. Among other things, this law authorizes Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of hazardous air pollutants, which include ozone (O₃), carbon monoxide (CO), nitrogen dioxide (NO_x), sulfur dioxide (SO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). (EPA, 2023a)

One of the goals of the CAA was to set and achieve NAAQS in every state by 1975 in order to address the public health and welfare risks posed by certain widespread air pollutants. The setting of these pollutant standards was coupled with directing the states to develop state implementation plans (SIPs), applicable to appropriate industrial sources in the state, in order to achieve these standards. The CAA was amended in 1977 and 1990 primarily to set new goals (dates) for achieving attainment of NAAQS since many areas of the country had failed to meet the deadlines. (EPA, 2023a)

The sections of the federal CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions). Title I provisions address the urban air



pollution problems of O₃ (smog), CO, and PM₁₀. Specifically, it clarifies how areas are designated and re-designated "attainment." It also allows EPA to define the boundaries of "nonattainment" areas: geographical areas whose air quality does not meet Federal air quality standards designed to protect public health. (EPA, 2022a) Mobile source emissions are regulated in accordance with the CAA Title II provisions. These standards are intended to reduce tailpipe emissions of hydrocarbons, CO, and NO_x on a phased-in basis that began in model year 1994. Automobile manufacturers also are required to reduce vehicle emissions resulting from the evaporation of gasoline during refueling. These provisions further require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. (EPA, 2022b)

Section 112 of the Clean Air Act addresses emissions of hazardous air pollutants. Prior to 1990, CAA established a risk-based program under which only a few standards were developed. The 1990 Clean Air Act Amendments revised Section 112 to first require issuance of technology-based standards for major sources and certain area sources. "Major sources" are defined as a stationary source or group of stationary sources that emit or have the potential to emit 10 tons per year or more of a hazardous air pollutant or 25 tons per year or more of a combination of hazardous air pollutants. An "area source" is any stationary source that is not a major source. (EPA, 2023a)

For major sources, Section 112 requires that EPA establish emission standards that require the maximum degree of reduction in emissions of hazardous air pollutants. These emission standards are commonly referred to as "maximum achievable control technology" or "MACT" standards. Eight years after the technology-based MACT standards are issued for a source category, EPA is required to review those standards to determine whether any residual risk exists for that source category and, if necessary, revise the standards to address such risk. (EPA, 2023a)

2. *National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Program*

National Emission Standards for Hazardous Air Pollutants (NESHAP) are stationary source standards for hazardous air pollutants. Hazardous air pollutants (HAPs) are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The EPA develops national enforcement initiatives that focus on significant environmental risks and noncompliance patterns. For Fiscal Years 2014 to 2016, the Cutting Hazardous Air Pollutants National Initiatives Strategy focuses on categories of sources that emit HAPs. (EPA, 2023b)

Sources subject to NESHAPs are required to perform an initial performance test to demonstrate compliance. To demonstrate continuous compliance, sources are generally required to monitor control device operating parameters which are established during the initial performance test. Sources may also be required to install and operate continuous emission monitors to demonstrate compliance. Consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy, NESHAP sources that meet the Clean Air Act definition of "major source" generally receive a full compliance evaluation by the state or regional office at least once every two years. (EPA, 2023b)



B. State Regulations

1. California Clean Air Act (CCAA)

The California Clean Air Act (CCAA) establishes numerous requirements for district plans to attain state ambient air quality standards for criteria air contaminants. The CCAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the State's ambient air quality standards, the California Ambient Air Quality Standards (CAAQS), by the earliest practical date. The California Air Resources Board (CARB) established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, established standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. Generally, the CAAQS are more stringent than the NAAQS. For districts with serious air pollution, its attainment plan should include the following: no net increase in emissions from new and modified stationary sources; and best available retrofit technology for existing sources. (SCAQMD, n.d.)

2. Air Toxic Hot Spots Act

The Air Toxic "Hot Spots" Information and Assessment Act of 1987, commonly known as AB 2588, (Health & Safety Code §§ 44300, et seq.) requires facilities emitting specified quantities of pollutants to conduct risk assessments describing the health impacts to neighboring communities created by their emissions of numerous specified hazardous compounds. If the district determines the health impact to be significant, neighbors must be notified. In addition, state law requires the facility to develop and implement a plan to reduce the health impacts to below significance, generally within five years. Additional control requirements for hazardous emissions from specific industries are established by the state and enforced by districts. (SCAQMD, n.d.)

3. Air Quality Management Planning

The California Air Resources Board (CARB) and local air districts throughout the State are responsible for developing clean air plans to demonstrate how and when California will attain air quality standards established under both the CAA and CCAA. For the areas within California that have not attained air quality standards, CARB works with local air districts to develop and implement State and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. Air quality planning activities undertaken by CARB also include the development of policies, guidance, and regulations related to State and federal ambient air quality standards; coordination with local agencies on transportation plans and strategies; and providing assistance to local districts and transportation agencies. (CARB, 2012)

4. Title 24 Energy Efficiency Standards and California Green Building Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels



would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The 2022 version of Title 24 was adopted by the CEC and became effective on January 1, 2023. The 2022 Building Energy Efficiency Standards focuses on four key areas in newly constructed homes and businesses: (1) encouraging electric heat pump technology for space and water heating, which consumes less energy and produces fewer emissions than gas-powered units; (2) establishing electric-ready requirements for single-family homes to position owners to use cleaner electric heating, cooking and electric vehicle (EV) charging options whenever they choose to adopt those technologies; (3) expanding solar photovoltaic (PV) system and battery storage standards to make clean energy available onsite and complement the State's progress toward a 100 percent clean electricity grid; and strengthening ventilation standards to improve indoor air quality. The 2019 Building Energy Efficiency Standards already were seven (7) percent more efficient than the previous (2016) Building Energy Efficiency Standards for residential construction and 30 percent more efficient than the previous Standards for non-residential construction. The 2016 Building Energy Efficiency Standards also already were 28 percent more efficient for residential construction and five (5) percent more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced. (CEC, n.d.)

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code.

As previously stated, the Title 24 Building Energy Efficient Standards and CALGreen Code are updated on a regular basis, with the most recent approved updates consisting of the 2022 Building Energy Efficiency Standards and 2022 CALGreen Code, which became effective on January 1, 2023. Non-residential mandatory measures included in the 2022 CALGreen Code include:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).



- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106. 5.3.3 (5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.
- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (5.106.8).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
 - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
 - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1).
 - 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor- mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
 - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
 - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a



maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).

- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).
- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (5.303.1.1 and 5.303.1.2).
- Outdoor water uses in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

5. California Air Resources Board Rules

The CARB enforces rules related to air pollutant emissions in the State of California. Rules with applicability to the Project include, but are not limited to, those listed below.

- CARB Rule 2480 (13 CCR 2480): Airborne Toxics Control Measure to Limit School Bus Idling and Idling at Schools, which limits nonessential idling for commercial trucks and school buses within 100 feet of a school.
- CARB Rule 2485 (13 CCR 2485): Airborne Toxic Control Measure to Limit Diesel-Fuel Commercial Vehicle Idling, which limits nonessential idling to five minutes or less for commercial trucks.
- CARB Rule 2449 (13 CCR 2449): In-Use Off-Road Diesel Idling Restricts, which limits nonessential idling to five minutes or less for diesel-powered off-road equipment.

6. South Coast Air Quality Management District Rules

The South Coast Air Quality Management District (SCAQMD) enforces rules related to air pollutant emissions in the SSAB. Rules with applicability to the Project include, but are not limited to, those listed below.

- SCAQMD Rule 201: Permit to Construct
- SCAQMD Rule 402: Nuisance Odors
- SCAQMD Rule 403: Fugitive Dust
- SCAQMD Rule 431.2: Low Sulfur Fuel
- SCAQMD Rule 1113: Table of Standards
- SCAQMD Rule 1186: PM₁₀ Emissions from Paved and Unpaved Roads, and Livestock Operations



7. *Truck & Bus Regulation*

Under the Truck and Bus Regulation, adopted by CARB in 2008, all diesel truck fleets operating in California are required to adhere to an aggressive schedule for upgrading and replacing heavy-duty truck engines. Older, more polluting trucks are required to be replaced first, while trucks that already have relatively clean engines are not required to be replaced until later. Pursuant to the Truck and Bus Regulation, all pre-1994 heavy trucks (trucks with a gross vehicle weight rating greater than 26,000 pounds) were removed from service on California roads by 2015. Between 2015 and 2020, pre-2000 heavy trucks were equipped with PM filters and upgraded or replaced with an engine that meets 2010 emissions standards. The upgrades/replacements occurred on a rolling basis based on model year. By 2023, all heavy trucks operating on California roads must have engines that meet 2010 emissions standards. Lighter trucks (those with a gross vehicle weight rating of 14,001 to 26,000 pounds) adhered to a similar schedule and were all replaced by 2020. (CARB, n.d.)

8. *Advanced Clean Truck Regulation*

In June 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be required to be zero-emission. Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales. CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day. Commercial availability of electric-powered long-haul trucks is very limited. However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future. (CARB, 2021)

9. *Senate Bill 535 – Disadvantaged Communities*

Senate Bill 535 (“SB 535”; De León, Chapter 830, 2012) recognizes the potential vulnerability of low-income and disadvantaged communities to poor air quality. Disadvantaged communities in California are specifically targeted for investment of proceeds from the State’s cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California’s most burdened communities while at the same time reducing pollution that causes climate change. Authorized by the California Global Warming Solutions Act of 2006 (AB 32), the State’s cap-and-trade program is one of several strategies that California uses to reduce greenhouse gas emissions that cause climate change. The funds must be used for programs that further reduce emissions of greenhouse gases. SB 535 requires that 25 percent of the proceeds from the Greenhouse Gas Reduction Fund go to projects that provide a benefit to disadvantaged communities. The California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as



analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). (OEHHA, 2022b)

10. *Senate Bill 1000 – Environmental Justice in Local Land Use Planning*

In an effort to address the inequitable distribution of pollution and associated health effects in low-income communities and communities of color, the Legislature passed and Governor Brown signed Senate Bill 1000 (SB 1000) in 2016, requiring local governments to identify environmental justice communities (called “disadvantaged communities”) in their jurisdictions and address environmental justice in their general plans. This new law has several purposes, including to facilitate transparency and public engagement in local governments’ planning and decision-making processes, reduce harmful pollutants and the associated health risks in environmental justice communities, and promote equitable access to health-inducing benefits, such as healthy food options, housing, public facilities, and recreation. SB 1000 requires environmental justice elements to identify objectives and policies to reduce unique or compounded health risks in disadvantaged communities. Generally, environmental justice elements will include policies to reduce the community’s exposure to pollution through air quality improvement. SB 1000 affirms the need to integrate environmental justice principles into the planning process to prioritize improvements and programs that address the needs of disadvantaged communities. (OAG, n.d.)

11. *Assembly Bill 617*

Assembly Bill 617 (AB 617) was enacted into law in 2017 and relates to criteria air pollutants and toxic air contaminants from sources other than vehicles. In response to AB 617, the California Air Resources Board (CARB) established the Community Air Protection Program (CAPP or Program). The Program’s focus is to reduce exposure in communities most impacted by air pollution. Communities around the State are working together to develop and implement new strategies to measure air pollution and reduce health impacts. This first-of-its-kind statewide effort includes community air monitoring and community emissions reduction programs. In addition, the Legislature appropriated funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies in these communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. This new effort provides an opportunity to continue to enhance air quality planning efforts and better integrate community, regional, and State level programs to provide clean air. (CARB, n.d.)

12. *Senate Bill 1137 (SB 1137)*

SB 1137 is intended to protect the public health of California’s communities by creating a minimum health and safety distance of 3,200-feet between sensitive receptors, such as a residence, school, childcare facility, playground, hospital, or nursing home and an oil and gas production well. Specifically, the bill prohibits the California Geological Energy Management Division (CalGEM) from approving the drilling, re-drilling, or significant alteration of any oil and gas well within this “health protection zone.” SB 1137 also requires oil and gas facility operators in these protection zones to implement strict pollution controls, and to develop response plans to protect the health of Californians currently living within 3,200 feet of an existing oil well.



SB 1137 also requires operators of wells/facilities to provide an individual indemnity bond sufficient to pay the full cost of properly plugging and abandoning the well and decommissioning the facility in order to prevent operators from failing to properly decommission. **Invalid source specified.**

C. Local Regulations

1. Riverside County General Plan Air Quality Element

The County General Plan Air Quality Element identifies goals, policies and programs that are meant to balance the County's actions regarding land use, circulation, and other issues with their potential effects on air quality. The Air Quality Element addresses ambient air quality standards set forth by the USEPA and CARB. The Air Quality Element contains policies designed to establish a regional basis for improving air quality. The following relevant and applicable policies from the County's Air Quality Element have been identified for the Project:

AQ 1.1: Promote and participate with regional and local agencies, both public and private, to protect and improve air quality.

AQ 1.4: Coordinate with the SCAQMD and MDAQMD to ensure that all elements of air quality plans regarding reduction of air pollutant emissions are being enforced.

AQ 2.1: The County land use planning efforts shall assure that sensitive receptors are separated and protected from polluting point sources to the greatest extent possible.

AQ 2.2: Require site plan designs to protect people and land uses sensitive to air pollution through the use of barriers and/or distance from emissions sources when possible.

AQ 2.3: Encourage the use of pollution control measures such as landscaping, vegetation and other materials, which trap particulate matter or control pollution.

AQ 3.1: Allow the market place, as much as possible, to determine the most economical approach to relieve congestion and cut emissions.

AQ 3.3: Encourage large employers and commercial/industrial complexes to create Transportation Management Associations.

AQ 4.1: Require the use of all feasible building materials/methods which reduce emissions.

AQ 4.2: Require the use of all feasible efficient heating equipment and other appliances, such as water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces and boiler units.

AQ 4.6: Require stationary air pollution sources to comply with applicable air district rules and control measures.

AQ 4.7: To the greatest extent possible, require every project to mitigate any of its anticipated emissions which exceed allowable emissions as established by the SCAQMD, MDAQMD, SCAB, the Environmental Protection Agency and the California Air Resources Board.

AQ 4.9: Require compliance with SCAQMD Rules 403 and 403.1, and support appropriate future measures to reduce fugitive dust emanating from construction sites.



2. ***Riverside County Board of Supervisors Good Neighbor Policy for Logistics and Warehouse/Distribution Uses***

The County of Riverside Board of Supervisors *Good Neighbor Policy for Logistics and Warehouse/Distribution Uses* (“Good Neighbor Policy”) provides a framework through which large-scale logistics and warehouse projects, such as that proposed by the Project, can be designed and operated in a way that lessens their impact on surrounding communities and the environment. It is meant to apply Best Management Practices to help minimize potential impacts to sensitive receptors and is intended to be used in conjunction with the County’s Land Use Ordinance, which provides development requirements for said projects. This policy provides a series of development and operational criteria applicable to logistics and warehouse projects that include any building larger than 250,000 square feet in size with 20 or more loading docks that are implemented to supplement project-level mitigation measures in order to further reduce impacts related to logistics and warehousing development and operations. The Good Neighbor Policy requirements relate to site-specific development and construction activities, such as those proposed for the Project. (Riverside County, 2019b)

4.3.3 BASIS FOR DETERMINING SIGNIFICANCE

A. **Thresholds of Significance**

Section III of Appendix G to the State CEQA Guidelines addresses typical adverse effects to air quality, and includes the following threshold questions to evaluate the Project’s impacts due to air quality emissions (OPR, 2018a):

- Would the Project conflict with or obstruct implementation of the applicable air quality plan?
- Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- Would the Project expose sensitive receptors to substantial pollutant concentrations?
- Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Significance thresholds are set forth in Riverside County’s Environmental Assessment Checklist, are derived from Section II of Appendix G to the State CEQA Guidelines (listed above), and state that the proposed Project would have a significant impact due to air quality emissions if construction and/or operation of the Project would:

- a. *Conflict with or obstruct implementation of the applicable air quality plan;*
- b. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;*



- c. *Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations; or*
- d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

The significance thresholds set forth in Riverside County's Environmental Assessment Checklist were used to evaluate the significance of the proposed Project's impacts due to air quality emissions. Riverside County also has chosen to apply SCAQMD significance thresholds, as presented in SCAQMD's CEQA Air Quality Significance Thresholds (April 2019), to evaluate the Project's air quality impacts against the above thresholds.

Accordingly, Threshold a., which addresses Section III.a of Appendix G to the State CEQA Guidelines, evaluates whether the proposed Project would conflict with SCAQMD's 2022 Air Quality Management Plan (AQMP), which addresses State and federal requirements under the CAA. A conflict with the AQMP standards and requirements would inhibit the SCAQMD's ability to achieve State and federal standards for air quality.

Threshold b. addresses Section III.b of Appendix G to the CEQA Guidelines, and emissions generated by a development project would be significant under Threshold b. if emissions are projected to exceed the Regional Thresholds established by the SCAQMD for criteria pollutants.

Threshold c. addresses Section III.c of Appendix G to the State CEQA Guidelines. Under this threshold, impacts would be potentially significant if emissions are projected to exceed the Localized Significance Thresholds (LSTs) established by the State of California and the SCAQMD for criteria pollutants, if the Project would cause or contribute to CO "Hot Spots," or if the Project were to result in cancer or health hazard impacts that exceed the SCAQMD thresholds of significance.

Threshold d. evaluates Section III.d of Appendix G of the State CEQA Guidelines. SCAQMD Rule 402 ("Nuisance") and California Health & Safety Code, Division 26, Part 4, Chapter 3, Section 41700 prohibit the emission of any material which causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of the public, including odors. The potential to violate Rule 402 or § 41700 is used herein as a basis to consider a project's odors or other emissions to be significant and require feasible mitigation measures.

B. SCAQMD Regional Thresholds

The SCAQMD has developed regional significance thresholds for other regulated pollutants, as summarized in Table 4.3-4, *Maximum Daily Regional Emission Thresholds*. The SCAQMD's *CEQA Air Quality Significance Thresholds* (March 2023) indicate that any projects in the SSAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact. (Urban Crossroads, 2024a, p. 31)



Table 4.3-4 Maximum Daily Regional Emission Thresholds

Pollutant	Regional Construction Threshold	Regional Operational Thresholds
NO _x	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
PM _{2.5}	55 lbs/day	55 lbs/day
SO _x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Pb	3 lbs/day	3 lbs/day

lbs/day = pounds per day
(Urban Crossroads, 2024a, Table 3-1)

C. SCAQMD Localized Significance Thresholds

In order to calculate estimated localized pollutant concentrations resulting from Project construction and long-term operational activities, the SCAQMD-approved American Meteorological Society/EPA Regulatory Model (AERMOD) dispersion model was utilized, as discussed in further detail in Subsection 3.6 of the Project's AQIA (*Technical Appendix B1*). The purpose of performing a localized significance is to assess the potential for the Project to create site-adjacent health impacts. The results of the dispersion modeling were then compared to the SCAQMD's LSTs, which are presented below in Table 4.3-5, *SCAQMD Localized Significance Thresholds*. (Urban Crossroads, 2024a, p. 45)

Table 4.3-5 SCAQMD Localized Significance Thresholds

Pollutant	Localized Significance Thresholds	
	Site Preparation/Grading	Long-Term Operation
CO (1 Hour)	20 ppm	20 ppm
CO (8 Hour)	9 ppm	9 ppm
NO ₂ (1 Hour)	0.18 ppm	0.18 ppm
PM ₁₀ (24 Hours)	10.4 µg/m ³	2.5 µg/m ³
PM _{2.5} (24 Hours)	10.4 µg/m ³	2.5 µg/m ³

(Urban Crossroads, 2024a, Tables 3-10 through 3-12)

2. Localized Thresholds for CO Emissions

Based on the SCAQMD's CEQA Air Quality Handbook (1993), a project's localized CO emissions impacts would be significant if they exceed the following California standards for localized CO concentrations (Urban Crossroads, 2024a, p. 50):

- 1-hour CO standard of 20.0 parts per million (ppm)
- 8-hour CO standard of 9.0 ppm

D. Toxic Air Contaminant Thresholds

The SCAQMD regulates levels of air toxics through a permitting process that covers both construction and operation. The SCAQMD has adopted Rule 1401 for both new and modified sources that use materials



classified as air toxics. The SCAQMD CEQA Guidelines for permit processing consider the following types of projects significant:

- Any project involving the emission of a carcinogenic or toxic air contaminant identified in SCAQMD Rule 1401 that exceeds the maximum individual cancer risk of 10 in one million if the project is constructed with best available control strategy for toxics (T-BACT) using the procedures in SCAQMD Rule 1401.
- Any project that could accidentally release an acutely hazardous material or routinely release a toxic air contaminant posing an acute health hazard above an acute or chronic hazard index of 1.0.

E. Methodology

1. California Emissions Estimator Model (CalEEMod)

Land uses such as the warehouse use of the proposed Project affect air quality through construction-source and operational-source emissions. In May 2023, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2022.1.1.18. The purpose of this model is to calculate construction-source and operational-source criteria pollutant (VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}) and greenhouse gas (GHG) emissions from direct and indirect sources, and to quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used for this Project to determine construction and operational air quality emissions. Output from the model runs for both construction and operational activity are provided in Appendices 3.1 through 3.2 of the Project's AQIA (*Technical Appendix B1*). (Urban Crossroads, 2024a, p. 32)

2. Emissions Factors Model (EMFAC)

Vehicle DPM emissions were calculated using emission factors for particulate matter less than 10µm in diameter (PM₁₀) generated with the 2021 version of the Emission FACtor model (EMFAC) developed by the CARB. EMFAC 2021 is a mathematical model that CARB developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources. The most recent version of this model, EMFAC 2021, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day. (Urban Crossroads, 2024b, p. 14)

3. Construction Emissions

Construction activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Construction related emissions are expected from the following construction activities: site preparation; grading/blasting; substation construction; building construction; off-site utility and infrastructure improvements; paving; and architectural coating. (Urban Crossroads, 2024a, p. 32)



☐ **Construction Activities**

Site Preparation and Grading Activities

Dust is typically a major concern during grading activities. Because such emissions are not amenable to collection and discharge through a controlled source, they are called “fugitive emissions.” Fugitive dust emissions rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). CalEEMod was utilized to calculate fugitive dust emissions resulting from this phase of activity. It is anticipated that the Project would require approximately 120,687 cubic yards of soil import. Site preparation and grading activities are modeled as sequential phases. (Urban Crossroads, 2024a, p. 32)

Building Construction, Paving, and Architectural Coating Activities

Building construction and paving emissions are primarily associated with exhaust emissions from on-site equipment and vehicular trips to the site by construction workers and vendor trips. Architectural coating emissions include worker trips as well, but the primary pollutant emission of concern during this phase is ROG/VOC. To present a reasonable worst-case scenario, the building construction, paving, and architectural coating activities are modeled as overlapping phases. (Urban Crossroads, 2024a, pp. 32-33)

Substation Construction Activities

Construction of the electrical substation located in the southeast corner of the Project site is expected to begin prior to the building construction phase in August 2024, and would utilize the same construction equipment as would be used for the building construction phase of Project construction plus an additional crane and two off-highway trucks. With the commencement of building construction activities in October 2024, one crane and two off-highway trucks would continue to be used for substation construction, while the remaining equipment would be used for building construction of the proposed Project. (Urban Crossroads, 2024a, p. 33)

Off-Site Utility and Infrastructure Improvements

To support the Project, there would be grading, trenching, and paving for off-site improvements associated with roadway construction and utility installation. To connect the proposed IID Substation to the local electric grid, 92 kV above-ground power line would be needed off site, supported by new poles installed along an IID-selected alignment. During installation, it is assumed that an approximately 10 feet wide by 10 feet long by 15 feet deep maximum ground disturbance area would occur around each pole for installation, and it would take approximately four days to install each pole. Pole installation consists of auguring and removing soil, setting/installing the pole and backfilling. After the poles are installed, electric transmission lines would be anchored to and strung between the poles. The electric line installation process would take approximately 90 working days. Electric line installation consists of pole trucks and spools of new lines at each pole anchoring and spanning from new pole to new pole. The off-site utility improvements would be placed within a few feet of existing homes depending on the selected alignment. (Urban Crossroads, 2024a, p. 33)

It is expected that the off-site construction activities would take place at any one location for up to four days at most. Construction emissions from this off-site work would, therefore, be relatively short term, not



concentrated in one area, and would be reduced at any given location as construction work moves linearly along the along the alignments and farther from sensitive uses. Emissions from off-site infrastructure improvements were modeled in CalEEMod assuming a total of 1.64 miles of linear construction activity. (Urban Crossroads, 2024a, p. 32)

Construction Duration, Equipment, and Vehicle Trips

Refer to EIR Subsection 3.6.1, *Construction Characteristics*. EIR Table 3-2 describes the anticipated duration of Project-related construction activities. EIR Table 3-3 describes the anticipated construction equipment. EIR Table 3-4 describes the expected number of on-road worker, vendor, and hauling trips anticipated to construct the Project.

4. Operational Emissions

Operational activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Operational emissions are expected from the following primary sources: Area Source Emissions, Energy Source Emissions, Mobile Source Emissions, On-Site Cargo Handling Equipment Emissions, and Transportation Refrigeration Units (TRU) Emissions. (Urban Crossroads, 2024a, p. 37)

☐ Area Source Emissions

Architectural Coating

Over time, the Proposed project's warehouse building would require maintenance and would therefore produce emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings. The emissions associated with architectural coatings were calculated using CalEEMod. (Urban Crossroads, 2024a, p. 37)

Consumer Products

Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants. The emissions associated with use of consumer products were calculated based on defaults provided within CalEEMod. (Urban Crossroads, 2024a, pp. 37-38)

Landscape Maintenance Equipment

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. It should be noted that as October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines (SOREs]) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod. (Urban Crossroads, 2024a, p. 38)



☐ **Energy Source Emissions**

Combustion Emissions Associated with Electricity

Criteria pollutant emissions are emitted through the generation of electricity. However, because electrical generating facilities for the Project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the SSAB, criteria pollutant emissions from offsite generation of electricity are excluded from the evaluation of significance. Based on information provided by the Project Applicant, the site also is not expected to utilize natural gas for the building envelope, and therefore would not generate any emissions from direct energy consumption. Electricity usage associated with the Project was calculated based on data provided by the Project Applicant and includes 20% of the building user's electric power from renewable sources. (Urban Crossroads, 2024a, p. 38)

☐ **Mobile Source Emissions**

The Project-related operational air quality emissions derive primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. Trip characteristics available from the Project's Traffic Analysis ("TA"; *Technical Appendix K1*) were utilized in the analysis. (Urban Crossroads, 2024a, p. 38)

Approach for Analysis of the Project

In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Based on the Project's VMT Analysis (*Technical Appendix K2*), a passenger vehicle trip length of 15.6 was utilized. This analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1¹ & LDT2²), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types. In order to account for emissions generated by passenger cars, the fleet mix shown in Table 4.3-6, *Passenger Car Fleet Mix*, was utilized. (Urban Crossroads, 2024a, pp. 38-39)

Table 4.3-6 Passenger Car Fleet Mix

Land Use	% Vehicle Type				
	LDA	LDT1	LDT2	MDV	MCY
High-Cube Fulfillment Center	50.75%	4.55%	25.13%	17.58%	1.99%
High-Cube Cold Storage					

Note: The Project-specific passenger car fleet mix used in this analysis is based on a proportional split utilizing the default CalEEMod percentages assigned to LDA, LDT1, LDT2, and MDV vehicle types.
(Urban Crossroads, 2024a, Table 3-7)

To determine emissions from trucks for the proposed warehouse, the analysis utilized a truck trip length of 92.8 miles based on the Project's VMT Analysis (*Technical Appendix K2*) and an assumption of 100% primary

¹ Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

² Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.



trips. This trip length assumption is higher than the CalEEMod defaults for trucks. In order to be consistent with the Project's TA (*Technical Appendix K1*), trucks are broken down by truck type. The truck fleet mix is estimated by rationing the trip rates for each truck type based on information provided by the SCAQMD recommended truck mix, by axle type. Heavy trucks are broken down by truck type (or axle type) and are categorized as either Light-Heavy-Duty Trucks (LHDT1³ & LHDT2⁴)/2-axle, Medium-Heavy-Duty Trucks (MHDT)/3-axle, and Heavy-Heavy-Duty Trucks (HHDT)/4+-axle. To account for emissions generated by trucks, the fleet mix in Table 4.3-7, *Truck Fleet Mix*, was utilized. (Urban Crossroads, 2024a, p. 39)

Table 4.3-7 Truck Fleet Mix

Land Use	% Vehicle Type			
	LHDT1	LHDT2	MHDT	HHDT
High-Cube Fulfillment Center	14.20%	4.32%	10.73%	70.74%
High-Cube Cold Storage				

Note: Project-specific truck fleet mix is based on the number of trips generated by each truck type (LHDT1, LHDT2, MHDT, and HHDT) relative to the total number of truck trips.

(Urban Crossroads, 2024a, Table 3-8)

Fugitive Dust Related to Vehicular Travel

Vehicles traveling on paved roads would be a source of fugitive emissions due to the generation of road dust inclusive of brake and tire wear particulates. The emissions estimate for travel on paved roads were calculated using CalEEMod. (Urban Crossroads, 2024a, p. 39)

On-Site Cargo Handling Equipment Source Emissions

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this Project, on-site modeled operational equipment includes up to four (4) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating 4 hours a day for 365 days a year. (Urban Crossroads, 2024a, p. 40)

TRU Emissions

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. For modeling purposes, 186 two-way truck trips during have been estimated to include TRUs (e.g., all truck trips that would be associated with the high-cube cold storage use, as summarized in the Project-specific TA (*Technical Appendix K1*)). TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMISSIONS FACTOR Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific

³ Vehicles under the LHDT1 category have a GVWR of 8,501 to 10,000 lbs.

⁴ Vehicles under the LHDT2 category have a GVWR of 10,001 to 14,000 lbs.



assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operations. (Urban Crossroads, 2024a, p. 40)

5. Modeling Inputs for Mobile Source Health Risk Assessment

The Project's HRA (*Technical Appendix B2*) was prepared based on SCAQMD guidelines to produce conservative estimates of risk posed by Project-related DPM emissions.

Operational Emissions

Vehicle DPM emissions were calculated using emission factors for particulate matter less than 10 μ m in diameter (PM₁₀) generated with the 2021 version of the Emission FACTor model (EMFAC) developed by the CARB. The most recent version of this model, EMFAC 2021, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day. (Urban Crossroads, 2024b, p. 14)

Several distinct emission processes are included in EMFAC 2021. Emission factors calculated using EMFAC 2021 are expressed in units of grams per vehicle miles traveled (g/VMT) or grams per idle-hour (g/idle-hr), depending on the emission process. The emission processes and corresponding emission factor units associated with diesel particulate exhaust for this Project are presented below. (Urban Crossroads, 2024b, p. 14)

For this Project, annual average PM₁₀ emission factors were generated by running EMFAC 2021 in EMFAC Mode for vehicles in the Riverside County jurisdiction. The EMFAC Mode generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of temperature, relative humidity, and vehicle speed. The model was run for speeds traveled in the vicinity of the Project. The vehicle travel speeds for each segment modeled are summarized below. (Urban Crossroads, 2024b, p. 14)

- Idling – on-site loading/unloading and truck gate
- 5 miles per hour – on-site vehicle movement including driving and maneuvering
- 25 miles per hour – off-site vehicle movement including driving and maneuvering.

It is expected that minimal idling would occur at nearby intersections during truck travel on study area roadways (e.g., at an intersection during a red light, or yielding to make a turn). Notwithstanding, the analysis conservatively utilizes a reduced off-site average speed of 25 miles per hour (below the posted speed limit) for travel on study area roadways, use of a lower average speed for off-site travel results in a higher emission factor and therefore any negligible idling that would occur during truck travel along the study area is accounted for. (Urban Crossroads, 2024b, p. 14)



Calculated emission factors are shown in Table 4.3-8, *2025 Weighted Average DPM Emissions Factors*. As a conservative measure, a 2025 EMFAC 2021 run was conducted and a static 2025 emissions factor data set was used for the entire duration of analysis herein (e.g., 30 years). Use of 2025 emission factors would overstate potential impacts since this approach assumes that emission factors remain “static” and do not change over time due to fleet turnover or cleaner technology with lower emissions that would be incorporated into vehicles after 2025. Additionally, based on EMFAC 2021, Light-Heavy-Duty Trucks are comprised of 47.8% diesel, Medium-Heavy-Duty Trucks are comprised of 80.4% diesel, and Heavy-Heavy-Duty Trucks are comprised of 98.1% diesel. Trucks fueled by diesel are accounted for by these percentages accordingly in the emissions factor generation. Appendix 2.2 includes additional details on the emissions estimates from EMFAC. (Urban Crossroads, 2024b, pp. 14-15)

Table 4.3-8 2025 Weighted Average DPM Emissions Factors

Speed	Weighted Average
0 (idling)	0.07731 (g/idle-hr)
5	0.01800 (g/s)
25	0.00804 (g/s)

(Urban Crossroads, 2024b, Table 2-3)

The vehicle DPM exhaust emissions were calculated for running exhaust emissions. The running exhaust emissions were calculated by applying the running exhaust PM₁₀ emission factor (g/VMT) from EMFAC over the total distance traveled. The following equation was used to estimate off-site emissions for each of the different vehicle classes comprising the mobile sources: (Urban Crossroads, 2024b, p. 15)

$$\text{Emissions}_{\text{SpeedA}} \text{ (g/s)} = \text{EF}_{\text{RunExhaust}} \text{ (g/VMT)} * \text{Distance (VMT/trip)} * \text{Number of Trips (trips/day)} \div \text{seconds per day}$$

Where:

Emissions_{SpeedA} (g/s): Vehicle emissions at a given speed A;

EF_{RunExhaust} (g/VMT): EMFAC running exhaust PM₁₀ emission factor at speed A;

Distance (VMT/trip): Total distance traveled per trip.

Similar to off-site traffic, on-site vehicle running emissions were calculated by applying the running exhaust PM₁₀ emission factor (g/VMT) from EMFAC and the total vehicle trip number over the length of the driving path using the same formula presented above for on-site emissions. In addition, on-site vehicle idling exhaust emissions were calculated by applying the idle exhaust PM₁₀ emission factor (g/idle-hr) from EMFAC and the total truck trip over the total assumed idle time (15 minutes). The following equation was used to estimate the on-site vehicle idling emissions for each of the different vehicle classes: (Urban Crossroads, 2024b, p. 15)

$$\text{Emissions}_{\text{idle}} \text{ (g/s)} = \text{EF}_{\text{idle}} \text{ (g/hr)} * \text{Number of Trips (trips/day)} * \text{Idling Time (min/trip)} * 60 \text{ minutes per hour} \div \text{seconds per day}$$



Where:

Emissions_{idle} (g/s): Vehicle emissions during idling;

EF_{idle} (g/s): EMFAC idle exhaust PM₁₀ emission factor.

Each roadway was modeled as a line source made up of multiple adjacent volume sources. Each volume source is included in Appendix 2.3 to the Project's HRA (*Technical Appendix B2*). The DPM emission rate for each volume source was calculated by multiplying the emission factor (based on the average travel speed along the roadway) by the number of trips and the distance traveled along each roadway segment and dividing the result by the number of volume sources along that roadway, as illustrated in Table 4.3-9, *DPM Emissions From Project Trucks (2025 Analysis Year)*. The modeled emission sources are illustrated on Figure 4.3-2, *Modeled On-Site Emission Sources*, for on-site sources and Figure 4.3-3, *Modeled Off-Site Emission Sources*, for off-site sources. The modeling domain is limited to the Project's primary truck route and includes off-site sources in the study area for more than $\frac{3}{4}$ mile. This modeling domain is more inclusive and conservative than using only a $\frac{1}{4}$ mile modeling domain which is the distance supported by several reputable studies which conclude that the greatest potential risks occur within a $\frac{1}{4}$ mile of the primary source of emissions. In the case of the Project, the primary source of emissions is the on-site idling and on-site travel. (Urban Crossroads, 2024b, pp. 15-16)

On-site truck idling was estimated to occur as trucks enter and travel through the Project site. Although the Project's diesel-fueled truck and equipment operators will be required by State law to comply with CARB's idling limit of 5 minutes, staff at SCAQMD recommends that the on-site idling emissions be calculated assuming 15 minutes of truck idling, which would account for on-site idling which occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc. As such, this analysis calculates truck idling at 15 minutes, consistent with SCAQMD's recommendation. (Urban Crossroads, 2024b, p. 16)

As summarized in the Project's TA (*Technical Appendix K1*), the Project is expected to generate a total of approximately 2,640 actual vehicular trip-ends per day (1,320 vehicles inbound + 1,320 vehicles outbound) which includes 2,076 passenger vehicle trips (1,038 passenger vehicles inbound + 1,038 passenger vehicles outbound) and 564 two-way truck trips (282 trucks inbound per day + 282 trucks outbound) per day. (Urban Crossroads, 2024b, p. 16)

☐ **TRU Emissions**

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. For modeling purposes, 186 two-way truck trips during have been estimated to include TRUs (e.g., all truck trips that would be associated with up to 247,798-sf of high-cube cold storage use, as summarized in the Project's TA (*Technical Appendix K1*)). TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMISSIONS FACTOR Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while



Table 4.3-9 DPM Emissions From Project Trucks (2025 Analysis Year)

Truck Emission Rates							
Source	Trucks Per Day	VTM ^a (miles/day)	Truck Emission Rate ^b (grams/mile)	Truck Emission Rate ^b (grams/idle-hour)	Daily Truck Emissions ^c (grams/day)	Daily TRU Emissions ^d (grams/day)	Modeled Emission Rate (g/second)
On-Site Idling - North	141			0.0773	2.73	9.75	1.444E-04
On-Site Idling - South	141			0.0773	2.73	9.75	1.444E-04
On-Site Travel	564	586.31	0.0180		10.55	16.22	3.099E-04
On-Site Travel - DW4	141	6.54	0.0180		0.12	0.18	3.455E-06
Off-Site Travel - Rio del Sol 25% Inbound/Outbound	141	23.18	0.0080		0.19	0.13	3.641E-06
Off-Site Travel - Rio del Sol 75% Inbound/Outbound	423	26.65	0.0080		0.21	0.15	4.186E-06
Off-Site Travel - 30th 25% Inbound/Outbound	141	61.05	0.0080		0.49	0.34	9.589E-06
Off-Site Travel - Rio del Sol N 100% Inbound/Outbound	564	234.00	0.0080		1.88	1.30	3.675E-05
Off-Site Travel - Rio del Sol S 100% Inbound/Outbound	564	88.28	0.0080		0.71	0.49	1.387E-05
Off-Site Travel - Varner N 5% Inbound/Outbound	28	6.40	0.0080		0.05	0.04	1.005E-06
Off-Site Travel - Varner 8% Inbound/Outbound	45	24.08	0.0080		0.19	0.13	3.782E-06
Off-Site Travel - Varner S 5% Inbound/Outbound	28	9.50	0.0080		0.08	0.05	1.492E-06
Off-Site Travel - Ramon 2% Inbound/Outbound	11	4.51	0.0080		0.04	0.02	7.079E-07
Off-Site Travel - Ramon E 1% Inbound/Outbound	6	1.39	0.0080		0.01	0.01	2.190E-07
Off-Site Travel - Ramon W 1% Inbound/Outbound	6	1.66	0.0080		0.01	0.01	2.601E-07
Off-Site Travel - Ramon 8% Inbound/Outbound	45	33.28	0.0080		0.27	0.18	5.228E-06
Off-Site Travel - Bob Hope 87% Inbound/Outbound	491	74.97	0.0080		0.60	0.41	1.178E-05
Off-Site Travel - Bob Hope 53% Inbound/Outbound	299	40.90	0.0080		0.33	0.23	6.424E-06
Off-Site Travel - Bob Hope 21% Inbound/Outbound	118	27.02	0.0080		0.22	0.15	4.245E-06
Off-Site Travel - Bob Hope 12% Inbound/Outbound	68	24.21	0.0080		0.19	0.13	3.802E-06

^a Vehicle miles traveled are for modeled truck route only.

^b Emission rates determined using EMFAC 2021. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

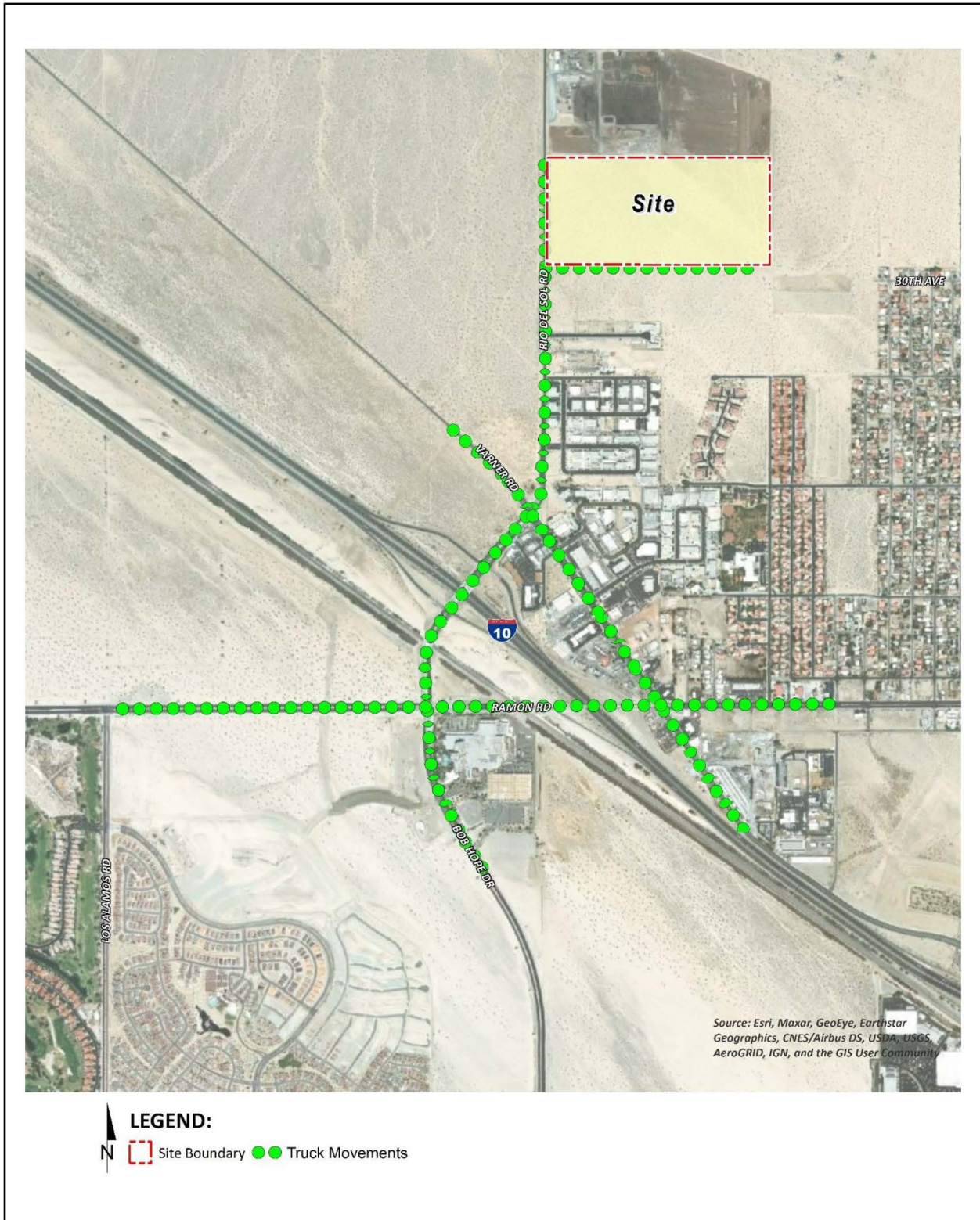
^c This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes.

^d This column includes the total TRU emissions during truck travel and idling. During truck idling it is assumed that each TRU operates for 30 minutes.

(Urban Crossroads, 2024b, Table 2-4)



Figure 4.3-2



Source(s): Urban Crossroads (09-01-2023)

Figure 4.3-3



Not to Scale



Modeled Off-Site Emission Sources



all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with project level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operations. Emissions from TRUs are assumed to occur during idling, on-site and off-site activities. It was assumed that TRUs would operate for 30 minutes while parked at the loading docks. In order to account for on- and off-site travel, the TRU gram per second emission rate was divided by 5 and 25, respectively, in order to account for travel speeds of 5 and 25 miles per hour. TRU emissions were modeled in AERMOD as line sources. (Urban Crossroads, 2024b, pp. 16-17)

☐ **Emergency Fire Pump**

The proposed Project includes the installation of an emergency fire pump, as shown on Figure 4.3-2. The fire pump would be diesel fueled and the analysis assumes that the fire pump would be rated at 300 brake horsepower (bhp). The analysis assumed that each generator could potentially operate for up to 1 hour per day, one day per week, for a total of 50 hours per year for maintenance and testing purposes. Consistent with SCAQMD guidance, the emergency fire pump was modeled as a point source. Because detailed engine specifications are not known at this time, release parameters (including exhaust height, diameter, temperature, and flow rate) were obtained from the California Air Pollution Control Officers Association Facility Prioritization Guidelines. In order to account for potential building downwash effects which have the potential to affect point sources in AERMOD, building downwash was modeled using the Building Profile Input Program (BPIP). (Urban Crossroads, 2024b, p. 17)

☐ **IID Substation**

Maintenance and inspection of the proposed substation are anticipated to be minimal as the substation and power lines would be controlled remotely. Maintenance and inspection activities would take place fewer than once a month. The low amount of operational emissions and intermittent nature of these activities would not result in emissions that would exceed the emissions reported for the proposed warehouse building.

4.3.4 IMPACT ANALYSIS

Threshold a.: *Would the Project conflict with or obstruct implementation of the applicable air quality plan?*

The Project site is located within the SSAB, which experiences relatively poor air quality. The SCAQMD has jurisdiction over an approximately 10,743 square-mile area consisting of the four-county Basin and the Los Angeles County and Riverside County portions of what use to be referred to as the Southeast Desert Air Basin. In these areas, the SCAQMD is principally responsible for air pollution control, and works directly with the Southern California Association of Governments (SCAG), County transportation commissions, local governments, as well as State and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet State and federal ambient air quality standards. These State and federal air quality standards



are currently exceeded in most parts of the SSAB. In response, the SCAQMD has adopted a series of AQMPs to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. (Urban Crossroads, 2024a, p. 53)

The 2022 AQMP was adopted by SCAQMD's Governing Board on December 2, 2022. The 2022 AQMP continues to evaluate current integrated strategies and control measures to meet the CAAQS, as well as explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, State, and local levels. Similar to the 2016 AQMP, the 2022 AQMP incorporates scientific and technological information and planning assumptions, including the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS"; also known as "Connect SoCal"), a planning document that supports the integration of land use and transportation to help the region meet the federal CAA requirements. The Project's consistency with the AQMP will be determined using the 2022 AQMP as discussed below. (Urban Crossroads, 2024a, p. 53)

Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the 1993 CEQA Handbook. These indicators are discussed below: (Urban Crossroads, 2024a, p. 54)

- **Consistency Criterion No. 1:** *Potential to result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

The violations that Consistency Criterion No. 1 refer to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded.

Construction Impacts – Consistency Criterion No. 1

Consistency Criterion No. 1 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized or regional significance thresholds were exceeded. As indicated under the analysis of Thresholds b. and c., the Project's localized construction-source emissions would not exceed applicable LST thresholds; however, prior to mitigation the Project's construction-related regional emissions would exceed the SCAQMD Regional Threshold for NO_x. Accordingly, prior to mitigation, Project construction-source NO_x emissions exceedances would incrementally contribute to an increase in the frequency or severity of existing air quality violations and potentially to new violations or delays in the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (Urban Crossroads, 2024a, p. 54)

Operational Impacts – Consistency Criterion No. 1

As indicated under the discussion and analysis of Thresholds b. and c., the Project's localized operational-source emissions would not exceed applicable LSTs. However, Project operational-source emissions would exceed applicable regional thresholds for emissions of VOC and NO_x. Accordingly, Project operational-source VOC and NO_x emissions exceedances would incrementally contribute to an increase in the frequency or severity of existing air quality violations and potentially to new violations or delays in the timely attainment



of air quality standards or the interim emissions reductions specified in the AQMP. (Urban Crossroads, 2024a, p. 54)

Conclusion – Consistency Criterion No.1

On the basis of the preceding discussion, the Project is determined to be inconsistent with the first criterion.

- ***Consistency Criterion No. 2: Potential to exceed the assumptions in the AQMP based on the years of Project build-out phase.***

The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in County of Riverside General Plan is considered to be consistent with the AQMP. (Urban Crossroads, 2024a, pp. 54-55)

Construction Impacts – Consistency Criterion No. 2

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the Project site's land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities. As such, when considering that no construction-related emissions thresholds would be exceeded (as discussed under the analysis of Thresholds b. and c.), the Project's construction-related emissions would be consistent with the AQMP according to this criterion. (Urban Crossroads, 2024a, p. 54)

Operational Impacts – Consistency Criterion No. 2

The Project site is located within an unincorporated portion of the County of Riverside and the County's General Plan designates the western +/- half of the Project site for "Manufacturing-Service Commercial (M-SC)" and designates the eastern +/- half of the Project site for "Residential Agriculture (R-A)" uses. Implementation of the Project would result in the redesignation of the eastern +/- half of the Project site to M-SC, with no changes proposed to the land use designation affecting the western +/- half of the Project site. (Urban Crossroads, 2024a, p. 55)

Although the Project is not consistent with the current General Plan land use designations at this time, approval of the Project's proposed GPA 220004 would ensure the Project's land uses are fully consistent with the General Plan land use designations for the property. However, because the Project would result in operational VOC and NO_x emissions that would exceed the SCAQMD Regional Thresholds, and because the Project's proposed land uses are not consistent with the land use modeling inputs used in the 2022 SCAQMD AQMP, the Project would be inconsistent with this criterion. (Urban Crossroads, 2024a, p. 55)

Conclusion – Consistency Criterion No. 2

On the basis of the preceding discussion, the Project is determined to be inconsistent with the second criterion.



AQMP Consistency Conclusion

Prior to mitigation, the Project would be inconsistent with AQMP Criterion No. 1 during construction activities and would be inconsistent with AQMP Criterion No's. 1 and 2 under long-term operational conditions, resulting in a determination that impacts due to inconsistency with the AQMP would be potentially significant. Air quality mitigation measures are identified below in subsection 4.3.7, which would act to generally reduce the Project's impacts. Additionally, incorporation of contemporary energy-efficient technologies and operational programs and compliance with SCAQMD emissions reductions and control requirements also would reduce Project air pollutant emissions. Notwithstanding, based on the analysis presented above, the Project is considered to be inconsistent with applicable AQMP Consistency Criteria, which is concluded to be a significant impact of the proposed Project. (Urban Crossroads, 2024a, p. 55)

Threshold b.: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Construction Emissions

Construction activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Construction-related emissions associated with the Project are expected from the following construction activities: site preparation; grading; substation construction; building construction; off-site utility and infrastructure improvements; paving; and architectural coating. Refer to Subsection 3.4 of the Project's AQIA (*Technical Appendix B1*) for a description of the modeling inputs used to calculate the Project's estimated construction-related air pollutant emissions. (Urban Crossroads, 2024a, p. 32)

CalEEMod calculates maximum daily emissions for summer and winter periods. The estimated maximum daily construction emissions for both summer and winter periods without mitigation are summarized in Table 4.3-10, *Overall Construction Emissions Summary – Without Mitigation*. Detailed construction model outputs are presented in Appendix 3.1 of the Project's AQIA (*Technical Appendix B1*). Under the analyzed scenarios, emissions resulting from the Project construction would exceed the SCAQMD Regional Threshold established by the SCAQMD for NO_x. As previously indicated in Table 4.3-2, the SSAB is designated as nonattainment for O₃, and NO_x is a precursor to ozone formation. Thus, the Project's emissions of NO_x during construction activities would cumulatively contribute to a net increase of a criteria pollutant (O₃) for which the SSAB is considered nonattainment. Accordingly, prior to mitigation, the Project's construction-related emissions would represent a significant impact for which mitigation would be required. (Urban Crossroads, 2024a, p. 34)

Operational Emissions

Operational activities associated with the Project would result in emissions of VOCs, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Operational emissions are expected from the following primary sources: area source emissions, energy source emissions, mobile source emissions, on-site cargo handling equipment emissions, and Transportation Refrigeration Unit (TRU) emissions. Refer to subsection 4.3.3 for a description of modeling inputs and assumptions used to calculate the Project's operational emissions. (Urban Crossroads, 2024a, p. 37)



Table 4.3-10 Overall Constructions Emissions Summary – Without Mitigation

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2024	14.60	124.00	153.00	0.29	25.10	11.30
2025	64.80	27.80	108.00	0.07	12.90	3.67
Winter						
2024	66.30	91.40	144.00	0.25	28.50	9.29
2025	62.40	42.00	108.00	0.13	20.70	5.73
Maximum Daily Emissions	66.30	124.00	153.00	0.29	28.50	11.30
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

(Urban Crossroads, 2024a, Table 3-4)

As previously stated, CalEEMod utilizes summer and winter EMFAC2021 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. The estimated operational-source emissions are summarized on Table 4.3-11, *Summary of Peak Operational Emissions*. As shown, the Project would exceed the numerical thresholds of significance established by the SCAQMD for emissions of VOCs and NO_x. As previously indicated in Table 4.3-2, the SSAB is designated as nonattainment for O₃, and VOCs and NO_x are precursors to ozone formation. Thus, prior to mitigation, the Project's emissions of VOCs and NO_x would cumulatively contribute to a net increase of a criteria pollutant (O₃) for which the SSAB is considered nonattainment. Accordingly, the Project's long term operational emissions would represent a significant impact for which mitigation would be required. (Urban Crossroads, 2024a, p. 40)

Table 4.3-11 Summary of Peak Operational Emissions

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Mobile Source	11.40	145.00	154.00	1.66	71.60	21.00
Area Source	38.80	0.45	53.90	< 0.005	0.10	0.07
TRU Source	7.76	8.87	0.87	0.00	0.34	0.32
Stationary Source	0.98	2.75	2.51	< 0.005	0.14	0.14
On-Site Equipment	0.59	1.88	82.22	0.00	0.15	0.14
Total Maximum Daily Emissions	59.53	158.95	293.50	1.66	72.33	21.67
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	YES	YES	NO	NO	NO	NO
Winter						
Mobile Source	9.86	156.00	109.00	1.63	71.60	21.00
Area Source	29.90	0.00	0.00	0.00	0.00	0.00
TRU Source	7.76	8.87	0.87	0.00	0.34	0.32
Stationary Source	0.98	2.75	2.51	< 0.005	0.14	0.14
On-Site Equipment	0.59	1.88	82.22	0.00	0.15	0.14
Total Maximum Daily Emissions	49.09	169.50	194.60	1.63	72.23	21.60
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

(Urban Crossroads, 2024a, Table 3-9)



Threshold c: Would the Project expose sensitive receptors to substantial pollutant concentrations?

During construction and operational activities, the Project has the potential to expose nearby sensitive receptors to substantial pollutant concentrations. The following provides an analysis based on the applicable LSTs established by the State of California and SCAQMD, an analysis of the Project's potential to result in or contribute to CO "hot spots," and an analysis of the Project's potential to result in cancer risks and non-cancer health hazards.

A. Localized Significance Thresholds (LSTs) Analysis

In order to account for meteorological conditions at the Project site, meteorological data from the SCAQMD's Redlands monitoring station was utilized, as this is the nearest station to the Project site for which meteorological data is available. Additionally, a receptor height of 2 meters and regulatory default options were utilized consistent with SCAQMD's LST guidance. (Urban Crossroads, 2024a, p. 45)

Sensitive receptors considered as part of the analysis previously were depicted on Figure 4.3-1 and were described previously in subsection 4.3.1.H. Consistent with the LST Methodology, the nearest land use where an individual could remain for 24 hours to the Project site has been used to determine construction and operational air quality impacts for emissions of PM₁₀ and PM_{2.5}, since PM₁₀ and PM_{2.5} thresholds are based on a 24-hour averaging time. Per the LST Methodology, commercial and industrial facilities are not included in the definition of sensitive receptor because employees and patrons do not typically remain onsite for a full 24 hours but are typically onsite for 8 hours or less. However, LST Methodology explicitly states that "LSTs based on shorter averaging periods, such as the NO₂ and CO LSTs, could also be applied to receptors such as industrial or commercial facilities since it is reasonable to assume that a worker at these sites could be present for periods of one to eight hours." Therefore, any adjacent land use where an individual could remain for 1 or 8-hours, that is located at a closer distance to the Project site than the receptor used for PM₁₀ and PM_{2.5} analysis, must be considered to determine construction and operational LST air impacts for emissions of NO₂ and CO since these pollutants have an averaging time of 1 and 8-hours. (Urban Crossroads, 2024a, p. 46)

Localized Significance Thresholds (LSTs) – Construction

Based on SCAQMD's LST Methodology, emissions for concern during construction activities are on-site NO_x, CO, PM_{2.5}, and PM₁₀. The LST Methodology clearly states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." As such, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. (Urban Crossroads, 2024a, p. 45)

As shown in Table 4.3-12, *Localized Significance Summary – Peak Construction*, emissions during the peak construction activity would not exceed the SCAQMD's localized significance thresholds at the maximally exposed receptor location. All other modeled locations in the study area would experience a lesser concentration and consequently a lesser impact. As such, the Project's localized impacts during construction activity would be less than significant. Outputs from the model runs for construction LSTs are provided in Appendix 3.4 of the Project's GHGA (*Technical Appendix G*). (Urban Crossroads, 2024a, p. 49)



Table 4.3-12 Localized Significance Summary – Peak Construction

Peak Construction	CO		NO ₂	PM ₁₀	PM _{2.5}
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	0.02	0.00	1.04E-02	0.27	0.13
Background Concentration ^A	1.3	0.7	0.047		
Total Concentration	1.32	0.70	0.06	0.27	0.13
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	NO	NO	NO	NO	NO

^A Highest concentration from the last three years of available data. Per SCAQMD LST guidance, PM₁₀ and PM_{2.5} background concentrations are not considered

Notes: PM₁₀ and PM_{2.5} concentrations are expressed in µg/m³. All others are expressed in ppm.

(Urban Crossroads, 2024a, Table 3-10)

Localized Significance Thresholds (LSTs) – Long-Term Operations

The LST analysis generally includes on-site sources (area, energy, mobile, and on-site cargo handling equipment). However, it should be noted that CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. As such, to establish a maximum potential impact scenario for analytic purposes, the modeled emissions include all on-site Project related stationary (area) sources and on-site Project-related mobile emissions. In order to account for on-site mobile emissions, a trip length of one mile was utilized for both trucks and passenger cars. (Urban Crossroads, 2024a, p. 50)

In order to account for any potential impacts to on-site receptors as a result of operational activity, a scenario conservatively assuming 2025 emissions was analyzed. As shown in Table 4.3-13, *Localized Significance Summary – Peak Operations*, Project-related emissions would not exceed SCAQMD’s localized significance thresholds at the maximally exposed on-site receptors as a result of operational activities. Accordingly, long-term operation of the Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant. (Urban Crossroads, 2024a, p. 50)

Table 4.3-13 Localized Significance Summary – Peak Operations

Peak Construction	CO		NO ₂	PM ₁₀	PM _{2.5}
	Averaging Time				
	1-Hour	8-Hour	1-Hour	24-Hours	24-Hours
Peak Day Localized Emissions	1.85E-02	1.23E-02	1.62E-03	0.09	0.04
Background Concentration ^A	1.3	0.7	0.047		
Total Concentration	1.32	0.71	0.05	0.09	0.04
SCAQMD Localized Significance Threshold	20	9	0.18	2.5	2.5
Threshold Exceeded?	NO	NO	NO	NO	NO

^A Highest concentration from the last three years of available data. Per SCAQMD LST guidance, PM₁₀ and PM_{2.5} background concentrations are not considered.

Notes: PM₁₀ and PM_{2.5} concentrations are expressed in µg/m³. All others are expressed in ppm.

(Urban Crossroads, 2024a, Table 3-12)

B. Carbon Monoxide “Hot Spots”

An adverse CO concentration, known as a “hot spot”, would occur if an exceedance of the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. At the time the 1993 Handbook, the SSAB was designated nonattainment under the CAAQS and NAAQS for CO. It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SSAB is now designated as attainment, as previously noted in Table 4.3-2. Also, CO concentrations in the Project vicinity have steadily declined, as indicated by historical emissions data presented previously in Table 4.3-4. To establish a more accurate record of baseline CO concentrations affecting the SSAB, a CO “hot spot” analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon time periods. This “hot spot” analysis did not predict any violation of CO standards, as shown on Table 4.3-14, *CO Model Results*. (Urban Crossroads, 2024a, pp. 50-51)

Table 4.3-14 CO Model Results

Intersection Location	CO Concentrations (ppm)		
	Morning 1-hour	Afternoon 1-hour	8-hour
Wilshire Boulevard/Veteran Avenue	4.6	3.5	3.7
Sunset Boulevard/Highland Avenue	4	4.5	3.5
La Cienega Boulevard/Century Boulevard	3.7	3.1	5.2
Long Beach Boulevard/Imperial Highway	3	3.1	8.4

Note: Federal 1-hour standard is 35 ppm and the deferral 8-hour standard is 9.0 ppm.
(Urban Crossroads, 2024a, Table 3-11)

It should be noted that SCAQMD has not conducted specific CO hotspots analysis for the SSAB as they have for the SCAB. However, since background concentrations are similarly low in both air basins, the SSAB is located within the jurisdiction of SCAQMD, and background traffic volumes in the SSAB are lower than those in the SCAB and therefore a lesser impact would be expected, it is appropriate to apply the SCAQMD criteria developed based on the SCAB when analyzing CO hotspots within the SSAB. As identified within SCAQMD's 2003 AQMP and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan), peak carbon monoxide concentrations in the basin were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. As evidence of this, for example, 8.4 ppm CO concentration measured at the Long Beach Blvd. and Imperial Hwy. intersection (highest CO generating intersection within the “hot spot” analysis), only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the remaining 7.7 ppm were due to the ambient air measurements at the time the 2003 AQMP was prepared. In contrast, an adverse CO concentration, known as a “hot spot”, would occur if an exceedance of the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9 ppm were to occur. (Urban Crossroads, 2024a, p. 51)



The ambient 1-hr and 8-hr CO concentration within the Project study area is estimated to be 0.8 ppm and 0.4 ppm, respectively (data from Coachella Valley 1 station for 2021). Therefore, even if the traffic volumes for the proposed Project were ten times the traffic volumes generated at the Long Beach Blvd. and Imperial Hwy. intersection, due to the on-going improvements in ambient air quality and vehicular emissions controls, the Project would not be capable of resulting in a CO “hot spot” at any study area intersections. As noted above, only 0.7 ppm were attributable to the traffic volumes and congestion at one of the busiest intersections in the SCAB. Therefore if these traffic volumes were multiplied by ten times, it could be expected that the CO attributable to traffic would increase tenfold as well, resulting in 7 ppm – even if this were added to either the 1-hour or 8-hour CO concentrations within the Project study area, this would result in 7.8 ppm and 7.4 ppm for the 1-hr and 8-hr timeframes, respectively, neither of which would exceed the applicable 1-hr standard of 20 ppm or the 8-hr standard of 9 ppm. (Urban Crossroads, 2024a, pp. 51-52)

Similar considerations are also employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) concludes that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection by more than 44,000 vehicles per hour—or 24,000 vehicles per hour (vph) where vertical and/or horizontal air does not mix—in order to generate a significant CO impact. (Urban Crossroads, 2024a, p. 52)

Traffic volumes generating the CO concentrations for the “hot spot” analysis are shown in Table 3-14 of the Project’s AQIA (*Technical Appendix B2*). The busiest intersection evaluated for AM traffic volumes was Wilshire Blvd. and Veteran Ave., with approximately 8,062 vehicles per hour (vph). The busiest intersection for PM traffic volumes was La Cienega Blvd and Century Blvd., with approximately 8,674 vph. (Urban Crossroads, 2024a, p. 52)

As summarized in Table 4.3-15, *Peak Hour Traffic Volumes*, the intersection of Bob Hope Drive and Ramon Road would have the highest AM and PM traffic volumes of 4,290 vph and 4,268 vph, respectively. Total traffic volumes at the intersections considered are less than the traffic volumes identified in the 2003 AQMP. As such, the Project would not produce the volume of traffic required to generate a CO “hot spot” either in the context of the 2003 Los Angeles hot spot study or based on representative BAAQMD CO threshold considerations. Therefore, CO “hot spots” are not an environmental impact of concern for the Project. Localized air quality impacts due to CO “hot spots” would therefore be less than significant. (Urban Crossroads, 2024a, pp. 52-53)

Table 4.3-15 Peak Hour Traffic Volumes

Intersection Location	Peak Traffic Volumes (vph)				
	Northbound (AM/PM)	Southbound (AM/PM)	Eastbound (AM/PM)	Westbound (AM/PM)	Total (AM/PM)
Bob Hope Dr. & Ramon Rd.	690/1,429	1,682/1,197	1,303/1,168	615/474	4,290/4,268
Bob Hope Dr. & I-10 EB Ramps	534/961	1,029/911	1,088/660	0/0	2,651/2,532
Bob Hope Dr. & I-10 WB Ramps	818/1,105	600/694	0/0	947/719	2,365/2,518
Varner Rd. & Ramon Rd.	632/436	315/665	799/445	607/558	2,353/2,104

(Urban Crossroads, 2024a, Table 3-15)



C. Project-Related DPM Source Cancer and Non-Cancer Risks

A Project-specific Health Risk Assessment (HRA) was prepared for the Project and is included as EIR *Technical Appendix B2*. Refer to Section 2 of the Project's HRA for a detailed discussion of the methodology, emissions estimation, exposure quantification, carcinogenic chemical risk, and non-carcinogenic exposure used as inputs to the analysis. Nearby sensitive receptors evaluated as part of the HRA are described above in subsection 4.3.1.H and previously were depicted in Figure 4.3-1. It should be noted that for clarity purposes, the receptors presented in Figure 4.3-1 do not represent all modeled receptors. A total of 97 receptors were modeled, extending up to three miles from the Project site.

1. Construction-Related Health Risk Impacts

The land use with the greatest potential exposure to Project construction-source DPM emissions is Location R4, which is located approximately 1,472 feet south of the Project site at the Legacy Apartments, located at 72940 El Centro Way. Since there are no private outdoor living areas (backyards) facing the Project site, R4 is placed at the building façade. At the Maximally Exposed Individual Receptor (MEIR), the maximum incremental cancer risk attributable to Project construction-source DPM emissions is estimated at 0.37 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01 , which would not exceed the applicable threshold of 1.0. (Urban Crossroads, 2024b, pp. 24-25)

Off-site improvements, including the installation of 92 kV above-ground power lines, would be required and may result in construction activities near existing residences. However, because such activity is only expected to occur on an intermittent basis and off-site construction activities would not take place at any one location for more than four days, no additional measurable health risk impacts would occur. Location R4 would experience the highest concentrations of DPM during Project construction due to meteorological conditions at the site. Because all other modeled receptors would experience lower concentrations of DPM during Project construction, all other receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity. All other receptors during construction activity would experience less risk than what is identified for this location. (Urban Crossroads, 2024b, p. 25)

2. Operational Health Risk Impacts

Residential Exposure Scenario

The residential land use with the greatest potential exposure to Project operational-source DPM emissions is Location R3, which is located approximately 1,396 feet to the south of the Project site at an existing residence, located at 30524 Robert Road. Since there are no private outdoor living areas facing the Project site, R3 is placed at the building façade nearest to the building site. At the MEIR, the maximum incremental cancer risk attributable to Project operational-source DPM emissions is calculated to be 0.94 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were calculated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. Because all other modeled receptors would experience lower concentrations of DPM during Project operation, all other receptors



in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project operational activity. All other receptors during operational activity would experience less risk than what is identified for this location. Thus, Project-related operational cancer and non-cancer health risk impacts at the MEIR would be less than significant. (Urban Crossroads, 2024b, p. 25)

Worker Exposure Scenario

The worker receptor land use with the greatest potential exposure to Project operational-source DPM emissions is location R5, which represents the potential worker receptor located approximately 1,503 feet south of the Project site. At the Maximally Exposed Individual Worker (MEIW), the maximum incremental cancer risk impact is 0.31 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were calculated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent workers, and impacts would be less than significant. (Urban Crossroads, 2024b, pp. 25-26)

School Child Exposure Scenario

The nearest school is Della S. Lindley Elementary School, which is represented by Location R6 and is located approximately 3,489 feet south of the Project site. At the Maximally Exposed Individual School Child (MEISC), the maximum incremental cancer risk impact attributable to the Project is calculated to be 0.07 in one million, which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Project were calculated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to nearby school children, and impacts would be less than significant. (Urban Crossroads, 2024b, p. 26)

3. Combined Construction and Operational Health Risk Impacts

The land use with the greatest potential exposure to Project construction-source and operational-source DPM emissions is Location R4. At the MEIR, the maximum incremental cancer risk attributable to Project construction-source and operational-source DPM emissions is calculated at 1.09 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were calculated to be <0.01 , which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to nearby residences, and impacts would be less than significant. (Urban Crossroads, 2024b, p. 26)

D. Community Health

Most local agencies, including the County of Riverside, lack the data to do their own assessment of potential health impacts from criteria air pollutant emissions, as would be required to establish customized, locally-specific thresholds of significance based on potential health impacts from an individual development project. The use of national or generic data to fill the gap of missing local data would not yield accurate results because



such data does not capture local air patterns, local background conditions, or local population characteristics, all of which play a role in how a population experiences air pollution. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in causing asthma), existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. Instead, readers are directed to the Project's AQIA (*Technical Appendix B1*), as summarized herein, which provides extensive information concerning the quantifiable and non-quantifiable health risks related to the Project's construction and long-term operation. (Urban Crossroads, 2024a, p. 56)

Notwithstanding, the preceding discussion does evaluate the proposed Project's localized impact to air quality for emissions of CO, NO_x, PM₁₀, and PM_{2.5} by comparing the proposed Project's on-site emissions to the SCAQMD's applicable LST thresholds. The LST analysis above determined that the Project would not result in emissions exceeding SCAQMD's LSTs. Therefore, the proposed Project would not be expected to exceed the most stringent applicable federal or State ambient air quality standards for emissions of CO, NO_x, PM₁₀, and PM_{2.5}. As the Project's emissions would comply with federal, State, and local air quality standards, the proposed Project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level, and such an analysis would not provide a reliable indicator of health effects even if modeled. (Urban Crossroads, 2024a, pp. 56-57)

Threshold d: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)

Land uses generally associated with odor complaints include agricultural uses (livestock and farming), wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed Project's long-term operational uses. (Urban Crossroads, 2024a, p. 57)

Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction; thus, odor emissions related to construction activity are considered less than significant. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with current solid waste regulations. The proposed Project also would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors and other emissions (such as those leading to odors) associated with construction and operations activities of the proposed Project would be less than significant and no mitigation is required. (Urban Crossroads, 2024a, p. 57)

Accordingly, Project odor-causing emissions impacts during construction and operational activities would be less than significant.



4.3.5 CUMULATIVE IMPACT ANALYSIS

With exception of the issue of odors, the cumulative study area for air quality includes the Coachella Valley portion of the County of Riverside and the SSAB. The SSAB is designated as a nonattainment area for State standards of O₃ and PM₁₀. The region is also designated as a nonattainment area for federal standards of O₃ and PM₁₀. Cumulative growth in population, vehicle use, and industrial activity could inhibit efforts to improve regional air quality and attain the ambient air quality standards. Thus, with exception of odors, the setting for this cumulative analysis consists of the SSAB and associated growth and development anticipated in the air basin. For the issue of odors, the cumulative study area includes the Project site and lands in close proximity to the Project site, as odors diminish rapidly with distance from the source.

As previously shown in Table 4.3-2, the CAAQS and NAAQS designate the SSAB as nonattainment for O₃ and PM₁₀. The AQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*. In this report the AQMD clearly states (Page D-3): (Urban Crossroads, 2024a, pp. 57-58)

“...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or Environmental Impact Report (EIR). The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for TAC emissions. The project specific (project increment) significance threshold is $HI > 1.0$ while the cumulative (facility-wide) is $HI > 3.0$. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”

Therefore, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD’s recommended daily thresholds for Project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which SSAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual Project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable. (Urban Crossroads, 2024a, p. 58)

A. AQMP Consistency (Threshold a.)

As discussed under the analysis of Threshold a., the Project’s construction-source emissions would exceed applicable regional significance threshold for emissions of NO_x, , and long-term operation of the proposed Project would exceed applicable regional thresholds for emissions of VOC and NO_x. Although the Project’s



proposed land uses would be consistent with the General Plan land use designations applied to the Project site with approval of GPA No. 220004, the Project's proposed land uses are not consistent with the land use inputs used in the 2022 SCAQMD AQMP. In addition, long-term operations of the Project would result in operational VOC and NO_x emissions that would exceed the SCAQMD Regional Thresholds. Thus, the Project's construction and long-term operational activities would result in conflict with the SCAQMD AQMP prior to mitigation. As other cumulative developments also have the potential to result in conflicts with the SCAQMD AQMP, Project impacts due to a conflict with the SCAQMD AQMP would be cumulatively considerable.

B. Regional Criteria Pollutant Emissions (Threshold b.)

As indicated under the analysis of Threshold b., prior to mitigation the Project's construction-related regional emissions would exceed the SCAQMD Regional Threshold for NO_x, and the Project's long-term operational emissions would exceed the SCAQMD Regional Thresholds for VOCs and NO_x. As previously indicated in Table 4.3-2, the SSAB is designated as nonattainment for O₃, and VOCs and NO_x are precursors to ozone formation. Thus, the Project's emissions of NO_x during construction activities and emissions of VOCs and NO_x during long-term operations would cumulatively contribute to a net increase of a criteria pollutant (O₃) for which the SSAB is considered nonattainment. Therefore, and pursuant to SCAQMD's thresholds of significance that indicate that direct impacts also should be considered to be cumulatively considerable, the Project's impacts due to construction-related emissions of NO_x and operational emissions of VOCs and NO_x would be cumulatively considerable.

C. Localized Air Quality Impacts (Threshold c.)

1. LST Analysis

As indicated under the analysis of Threshold c., construction and long-term operation of the proposed Project would not exceed any of the SCAQMD LSTs. Accordingly, and based on SCAQMD guidance, the Project's construction and long-term operational localized air quality impacts would be less than significant on a cumulatively-considerable basis.

2. CO "Hot Spots"

As indicated under the analysis of Threshold c., the Project and other cumulative developments would not generate the traffic volumes necessary to produce a CO "hot spot." As shown in Table 4.3-15, the intersection of Bob Hope Drive and Ramon Road would have the highest AM and PM traffic volumes of 4,290 vph and 4,268 vph, respectively. Total traffic volumes at the intersections would be less than the traffic volumes identified in the 2003 AQMP. As such, the Project would not produce the volume of traffic required to generate a CO "hot spot" either in the context of the 2003 Los Angeles hot spot study or based on representative BAAQMD CO threshold considerations. Localized air quality impacts due to CO "hot spots" would therefore be less than significant on a cumulatively-considerable basis.

3. Cumulatively-Considerable DPM-Source TAC Impacts

As discussed under Threshold c., at the MEIR, the maximum incremental cancer risk attributable to Project construction-source and operational-source DPM emissions is estimated at 0.37 and 0.77 in one million,



respectively, which are less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01 for both construction and long-term operation, which would not exceed the applicable threshold of 1.0. As such, cumulatively-considerable impacts due to cancer and non-cancer related health risks during both construction and operations would be less than significant on a cumulatively-considerable basis.

D. Odors (Threshold d.)

As discussed in the analysis of Threshold d., the Project would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances and would be subject to solid waste regulations. Other developments within the cumulative study area similarly would be required to comply with SCAQMD rules and regulations and the solid waste regulations of the applicable local jurisdictions. Therefore, Project impacts due to other emissions (such as those leading to odors) would be less-than-cumulatively considerable.

4.3.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Significant Direct and Cumulatively Considerable Impact. The proposed Project's near-term construction activities would exceed the SCAQMD Regional Threshold for NO_x , while the Project's long-term operational emissions would exceed the SCAQMD Regional Thresholds for VOC and NO_x . Additionally, although approval of the Project's proposed General Plan Amendment would ensure that the Project's land uses are fully consistent with the Riverside County General Plan, the Project's proposed land uses are not consistent with the land use inputs utilized in the 2022 SCAQMD AQMP for the Project site and the Project would generate operational-source emissions of NO_x and VOCs that would exceed the SCAQMD Regional Thresholds for these pollutants. Thus, prior to mitigation, the Project would be inconsistent with the SCAQMD AQMP, resulting a significant impact on both a direct and cumulatively-considerable basis.

Threshold b: Significant Direct and Cumulatively Considerable Impact. The Project's construction emissions would exceed the Regional Threshold established by the SCAQMD for emissions of NO_x , and long-term operation of the Project would exceed the SCAQMD Regional Thresholds for emissions of VOCs and NO_x . The SSAB is designated as nonattainment for O_3 , and VOCs and NO_x are precursors to ozone formation. Thus, the Project's emissions of NO_x during construction activities and the Project's emissions of VOCs and NO_x under long-term operating conditions would cumulatively contribute to a net increase of a criteria pollutant (O_3) for which the SSAB is considered nonattainment. Thus, the Project's near-term construction emissions and long-term operational emissions would represent a significant impact prior to mitigation.

Threshold c: Less-Than-Significant Impact. The Project's construction and long-term operational emissions would not exceed any of the SCAQMD's LSTs, and impacts would be less than significant. In addition, the Project, even when considered in the context of cumulative developments, would not produce the level of traffic volumes necessary to create a CO "hot spot"; thus, impacts due to CO "hot spots" would be less than significant. Construction and operational activities associated with the Project would not expose nearby sensitive receptors to cancer or non-cancer health risks exceeding the SCAQMD thresholds of significance of 10 in one million or 1.0, respectively, even when combining the Project's construction- and operational-related DPM emissions, and impacts would be less than significant. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.



Threshold d: Less-Than-Significant Impact. The Project does not contain land uses associated with emitting objectionable odors. Additionally, the Project would be required to comply with the County's solid waste regulations, as well as SCAQMD rule 402 to prevent the occurrences of public nuisances. Therefore, odors associated with the proposed Project construction and operations would be less than significant and no mitigation is required.

4.3.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude air quality impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- The Project is required to comply with the provisions of SCAQMD Rule 403, "Fugitive Dust" by implementing the following dust control measures during construction activities, such as earth moving activities, grading, and equipment travel on unpaved roads. Prior to grading permit issuance, the County shall verify that the following notes are included on the grading plan. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. These notes also shall be specified in bid documents issued to prospective construction contractors.
 - All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD guidelines in order to limit fugitive dust emissions.
 - The contractor shall ensure that all disturbed unpaved roads and disturbed areas upon which construction equipment will operate are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the midmorning, afternoon, and after work is done for the day.
 - The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 mph or less.
- The Project's contractors are required to comply with the provisions of SCAQMD Rule 1113, *Architectural Coatings*, by requiring that all architectural coatings consist of low VOCs (i.e., VOCs of less than 50 grams per liter [g/L]) unless otherwise specified in the Rule 1113.
- The Project is required to comply with the provisions of SCAQMD Rule 1301 regarding stationary source equipment. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).
- The Project is required to comply with SCAQMD Rule 2305, *Warehouse Indirect Source Rule*, that requires owners and operators associated with warehouses 100,000 square feet (sf) or larger are



required to directly reduce nitrogen oxides (NO_x) and particulate matter emissions, or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. The rule imposes a “Warehouse Points Compliance Obligation” (WPCO) on warehouse operators. Operators satisfy the WPCO by accumulating “Warehouse Actions and Investments to Reduce Emissions Points” (WAIRE Points) in a given 12-month period. WAIRE Points are awarded by implementing measures to reduce emissions listed on the WAIRE Menu, or by implementing a custom WAIRE Plan approved by the SCAQMD.

- The Project would be required to comply with SCAQMD Rule 1401 by requiring that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any 1 hour that is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart, as published by the United States (U.S.) Bureau of Mines.
- The Project is required to comply with applicable SCAQMD rules for construction activities on the Project site. In addition to the SCAQMD requirements listed above, additional SCAQMD Rules that are currently applicable during construction activity for this Project include but are not limited to: Rule 1403 (Asbestos); Rule 431.2 (Low Sulfur Fuel); and Rule 1186 / 1186.1 (Street Sweepers).
- The Project is required to comply with the provisions of SCAQMD Rule 402, “Nuisance,” which requires that a person shall not discharge air contaminants or other materials that would cause health or safety hazards to any considerable number of persons or the public.

Mitigation

MM 4.3-1 The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations Title 24 shall be provided. In addition, and to facilitate the possible future installation of infrastructure that would charge the batteries that power the motors of electric-powered trucks, the following shall be installed:

- a. At Shell building permit, an electrical room(s) and/or exterior area(s) of the site shall be designated where future electrical panels would be located for the purpose of supplying power to on-site charging facilities for electric powered trucks. Conduit shall be installed from this designated area where the panel would be located to the on-site location where the charging facilities would be located where electric-powered trucks would park and connect to charging facilities to charge the batteries that power the motors of the electric-powered trucks.
- b. At issuance of a building permit for Tenant Improvements, if the tenant is served by electric trucks, the electrical panel and charging units shall be installed, the electrical wiring connections shall be made from the electrical panel to the charging units, and appropriate dock seals shall be installed. If the tenant is not served by electric trucks, this requirement shall not apply.



~~MM 4.3-2~~ Prior to ~~final building inspection~~~~issuance of building permits for future uses on-site~~, the Riverside County Building & Safety Department shall verify that designated carpool parking stalls are installed and designated per the provisions of the California Green Building Standards Code.

~~Prior to issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of all necessary raceways, conduit, and related appurtenances for Electric Vehicle (EV) ready passenger vehicle parking spaces that exceeds the minimum number of EV-ready spaces required by the California Code of Regulations (CCR) Title 24 (CALGreen). Verification of installation shall occur prior to final building inspection for the warehouse building.~~

~~Prior to the issuance of a shell building permit, the Riverside County Building & Safety Department shall verify that the building plans call for installation of an electrical room(s) appropriately sized to hold electrical panel(s) capable of supporting future rooftop solar needs and future EV charging stations at a minimum of 5 percent of the passenger car parking spaces. passenger car Electric Vehicle (EV) charging stations and designated carpool parking stalls have been accommodated per the provisions of the California Green Building Standards Code and shall verify that the plans require that each building be constructed with an adequately sized electrical panel(s) and conduit to accommodate future EV charging stations at a minimum of 5 percent of the passenger car parking spaces.~~

~~MM 4.3-2~~MM 4.3-3 As a component of all future lease or sales agreements, the lease or sales document shall include a provision requiring all on-site mobile equipment used as part of building operations (including yard trucks, hostlers, yard goats, pallet jacks, forklifts) shall be required to be powered by electricity, and an appropriate numbers of charging stations for the on-site equipment shall be accommodated on the site.

~~MM 4.3-3~~MM 4.3-4 In order to promote alternative fuels, and help support lower air pollutants associated with truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD's Carl Moyer Program, CARB's Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP), and/or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. Tenants shall be notified about 1) grant programs for diesel-fueled vehicle engine retrofit and/or replacement; 2) designated truck parking locations in the project vicinity; 3) access to alternative fueling and charging stations proximate to the site that supply electric charging infrastructure or compressed natural gas; and 5) the United States Environmental Protection Agency's SmartWay program.

~~MM 4.3-4~~MM 4.3-5 All construction activities associated with the Project shall be subject to adherence with the Riverside County Board of Supervisors Policy F-3 ("Good Neighbor Policy" for Logistics



and Warehouse/Distribution Uses). The following provisions shall apply to all construction activities on site:

- a. All diesel fueled off-road construction equipment greater than 50 horsepower, including but not limited to excavators, graders, rubber-tired dozers, and similar “off-road” construction equipment shall be equipped with CARB Tier 4 Compliant engines. If the operator lacks Tier 4 equipment, and it is not available for lease or short-term rental within 50 miles of the project site, Tier 3 or cleaner off-road construction equipment may be utilized subject to County approval.
- b. All excavators, graders, rubber-tired dozers, and similar “off-road” construction equipment shall be CARB Tier 3 Certified engines or better.
- c. The maximum daily disturbance area (actively graded area) shall not exceed 10 acres per day.
- d. Construction contractors shall utilize construction equipment, with properly operating and maintained mufflers, consistent with manufacturers’ standards.
- e. The surrounding streets shall be swept on a regular basis to remove any construction related debris and dirt.
- f. Appropriate dust control measures that meet the SCAQMD standards shall be implemented for grading and construction activity.
- g. Construction Contractors shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.
- h. Construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with the items listed above, shall be kept onsite and furnished to the County upon request.
- i. During construction, the Transportation & Land Management Agency representative shall conduct an on-site inspection with a facility representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.

Project contractors shall be required to ensure compliance with these requirements and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. These requirements also shall be specified in bid documents issued to prospective construction contractors.

~~MM 4.3-5~~MM 4.3-6 All tenant operations on the site shall adhere to the germane policy provisions in the Riverside County Board of Supervisors Policy F-3 (“Good Neighbor Policy” for Logistics and Warehouse/Distribution Uses). Applicable requirements of Policy F-3 shall be specified in future lease agreements with all future tenants, and future tenants shall be required to permit



periodic inspection by Riverside County to ensure compliance. Applicable feasible provisions of the Good Neighbor Policy that would serve to measurably reduce Project-related operational emissions include, but are not limited to, the following:

- a. Facility operators shall maintain records of their facility owned and operated fleet equipment and ensure that all diesel-fueled Medium-Heavy Duty Trucks (“MHDT”) and Heavy-Heavy Duty (“HHD”) trucks with a gross vehicle weight rating greater than 19,500 pounds accessing the site use year CARB compliant 2010 or newer engines. The records shall be maintained on-site and be made available for inspection by the County.
- a.b. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.
- b.c. Sites shall clearly mark entry and exit points for trucks and service vehicles.
- e.d. Sites shall be densely screened with landscaping along all bordering streets and adjacent sensitive receptors, with trees spaced no further apart than 25 feet on center. Fifty percent of the landscape screening shall include a minimum of 36- inch box trees. Facility owners and operators will be responsible for identifying a long-term maintenance mechanism to assure that the landscaping remains in place and healthy in accordance with the approved landscaping plan.
- d.e. Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five-three (3) minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.
- e.f. Facility operators shall train their managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- f.g. To encourage truck drivers to take the shortest route to convenience services, signs shall be posted in appropriate locations and/or handouts should be provided that show the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services.
- g.h. Each tenant shall designate an air quality Compliance Officer responsible for implementing the measures described herein and/or in the project conditions of approval and mitigation measures that are applicable to tenants. Contact information shall be provided to the County and updated annually, and signs shall be posted in visible locations providing the contact information for the Compliance Officer to the surrounding community. The Compliance Officer also shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.



~~h.i.~~ Signs shall be posted in the appropriate locations heavy truck drivers to park and perform any maintenance of trucks in designated on-site areas and not within the surrounding community or on public streets.

~~i.j.~~ Facility operators for sites that exceed 250 employees shall establish a rideshare program, in accordance with AQMD rule 2202, with the intent of discouraging single-occupancy vehicle trips and promote alternate modes of transportation, such as carpooling and transit where feasible.

Regardless as to whether they are listed above in Mitigation Measure MM 4.3-6, the Project shall comply with all other applicable provisions of Board of Supervisors' Policy F-3.

~~MM 4.3-6~~MM 4.3-7 As a component of all future lease or sales agreements, the lease or sales document shall include a provision requiring all building tenants to utilize electric equipment for landscape maintenance to the extent feasible.

~~MM 4.3-7~~MM 4.3-8 Prior to issuance of grading or building permits, Riverside County shall ensure that the grading and building plans include a note requiring that all offroad equipment required for Project-related construction activities shall meet CARB Tier 4 interim emission standards or better. Project contractors shall be required to ensure compliance with this requirement and permit periodic inspection of the construction site by County of Riverside staff or its designee to confirm compliance. This requirement also shall be specified in bid documents issued to prospective construction contractors.

MM 4.3-9 Prior to issuance of building permits, Riverside County shall ensure that the building plans include a note requiring the posting of signage directing all Project-related truck traffic to utilize Rio del Sol to access Varner Road, Ramon Road, and the Interstate 10 freeway. Prior to final building inspection, the County shall verify that the required signage has been posted. The requirement to utilize Rio del Sol to access these facilities also shall be specified in future lease or sales agreements issued to prospective tenants.

MM 4.3-10 Prior to issuance of building permits, Riverside County shall ensure that the plans do not accommodate more than 247,798 s.f. of high-cube cold storage uses within the Project's proposed warehouse building.

4.3.8 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a.: Significant and Unavoidable Direct and Cumulatively Considerable Impact. As discussed below under the discussion of Threshold b., implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, which would reduce the Project's near-term construction-related impacts due to NO_x emissions to below a level of significance (as shown in Table 4.3-16). Thus, with the required mitigation, Project construction-related emissions would not conflict with the SCAQMD AQMP. However, while implementation of Mitigation Measures MM 4.3-1 through ~~MM 4.3-10~~MM 4.3-7 would reduce the long-term air quality emissions of the



Project, the identified mitigation would not reduce the Project's operational-source NO_x and VOC emissions to a level below SCAQMD regional thresholds of significance. Additionally, although approval of the Project's proposed GPA 220004 would ensure the Project's land uses are fully consistent with the General Plan land use designations for the property, because the Project would result in operational VOC and NO_x emissions that would exceed the SCAQMD Regional Thresholds, the Project would be inconsistent with the AQMP land use assumptions for the Project site. Thus, Project's direct and cumulatively-considerable impacts due to a conflict with or obstruction of the SCAQMD 2022 AQMP would represent a significant and unavoidable impact for which additional mitigation measures are not available.

Threshold b.: Significant and Unavoidable Direct and Cumulatively Considerable Impact. As shown in Table 4.3-16, *Overall Construction Emissions Summary (With Mitigation)*, implementation of Mitigation Measure MM 4.3-8 would ensure that all Project-related construction equipment meets CARB Tier 4 interim emission standards or better, and would reduce the Project's construction-related emissions of NO_x to below the SCAQMD's Regional Threshold for this pollutant; thus, with implementation of the required mitigation, the Project's construction-related regional air quality emissions impact would be reduced to less-than-significant levels.

Table 4.3-16 Overall Construction Emissions Summary (With Mitigation)

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2024	5.80	75.30	163.00	0.29	20.70	7.23
2025	63.20	26.00	110.00	0.07	12.20	3.09
Winter						
2024	61.20	69.90	159.00	0.25	26.10	7.15
2025	60.10	40.60	122.00	0.13	19.90	5.00
Maximum Daily Emissions	63.20	75.30	163.00	0.29	26.10	7.23
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Note: CalEEMod construction-source (unmitigated) emissions are presented in Appendix 3.1 to the Project's AQIA (*Technical Appendix B1*).
(Urban Crossroads, 2024a, Table 3-6)

Implementation of Mitigation Measures MM 4.3-1 through ~~MM 4.3-10~~**MM 4.3-7** would reduce the Project's long-term air quality emissions, although the exact reduction amount cannot be quantified. For some measures it would be overly speculative to quantify resulting emissions reductions. For instance, while the Project would install passenger car EV charging stations it cannot be determined how many zero emission vehicles would replace gasoline-fueled vehicles as a result. Additionally, in order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest at the Project must provide building occupants with information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles. Yet it cannot be reasonably predicted how many clean trucks would replace diesel-fueled trucks as a result. With other measures the reduction values cannot be quantified due to limitation in the modeling software, such as the requirement that all future cold storage warehousing be equipped with electrical hookups to eliminate idling of main and auxiliary engines during the loading and unloading process. Thus, even with implementation of these mitigation measures and with compliance with the anticipated regulations



implemented by the EPA and CARB to improve truck efficiency, the estimated long-term emissions generated under full buildout of the proposed Project still would exceed the SCAQMD's regional operational significance threshold for VOCs and NO_x and would cumulatively contribute to the nonattainment designations in the SSAB for O₃. Additionally, the predominance of the Project's operational-source emissions would be generated by passenger cars and trucks accessing the Project site. Neither the Project Applicant nor the County have regulatory authority to control tailpipe or consumer product emissions, and no feasible mitigation measures beyond the measures identified herein exist that would reduce Project operational-source VOC or NO_x emissions to levels that are less than significant. Therefore, the proposed Project's operational emissions of VOCs and NO_x would represent a significant and unavoidable impact for which additional mitigation is not available.



4.4 BIOLOGICAL RESOURCES

The analysis in this Subsection is based, in part, on information from the report titled “Majestic Thousand Palms Project Biological Resources and MSHCP Consistency Report” (herein, “BR”), prepared by Rocks Biological Consulting (herein, “RBC”), dated December 9, 2022, and included as *Technical Appendix C1* to this EIR (RBC, 2022a). The Project’s Biological Resources Report addresses potential impacts associated with development of the Project as proposed, as well as potential impacts associated with off-site improvements. In addition, the analysis in this subsection is based, in part, on information from the report titled “Majestic Thousand Palms Aquatic Resources Delineation Report” (herein, “ARDR”), prepared by Rocks Consulting, dated October 11, 2022, and included as *Technical Appendix C2* to this EIR (RBC, 2022b). This Subsection also incorporates a letter from the U.S. Army Corps of Engineers (“Corps”), dated March 3, 2023, which clarifies that the Project site does not contain any Waters of the United States (WoUS) subject to regulation pursuant to Part 325.9 of Title 33 of the Code of Federal Regulations (CFR). The letter from the Corps is entitled “Determination of Need for Department of the Army Permit,” is dated March 3, 2023, and is included as *Technical Appendix C3* to this EIR. Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

For purposes of discussion within this Subsection, the following terminology is used (refer also to Figure 4.4-1, *Vegetation Communities Map*):

- The term “**Project site**” refers to the 83.0-acre property located at the northeast corner of Rio Del Sol and 30th Avenue that is proposed for development with the proposed warehouse building and IID substation.
- The term “**off-site improvement areas**” refers to the 62.5 acres within potential off-site infrastructure improvement alignments for roadway improvements and IID overhead utility line improvements. Roadway improvements include frontage improvements to Rio Del Sol and 30th Avenue and the paving of a 32-foot section of Robert Road between 30th Avenue and San Miguelito Drive. Because IID has not yet decided which off-site alignment will be selected for the placement of power poles to support off-site overhead electrical lines, all of the potential alignments are evaluated herein. The potential off-site power pole alignments include 30th Avenue (between Rio Del Sol Road and Sierra Del Sol), Robert Road (between Ramon Road and 30th Avenue), Sierra Del Sol (between 30th Avenue and just south of Ramon Road), El Centro Way (between Robert Road and San Miguel Drive), Ramon Road (between Robert Road and Sierra Del Sol), and/or along San Miguelito Drive (between El Centro Way and Ramon Road). As described in EIR Section 3.0, although the entirety of these potential alignments are evaluated herein for potential physical effects, the only areas that actually would be physically disturbed as part of the IID off-site improvements are areas where individual power poles and appurtenant facilities would be installed, resulting in maximum permanent impacts to roughly a 10-foot by 10-foot area that would extend to a maximum depth of 15 feet at each pole location, and potentially temporary impacts within the alignments where equipment would be staged for a few days around each pole location.



- The term “**potential impact area**” refers collectively to the 83.0-acre Project site as well as the 62.5 acres of potential off-site improvement areas for infrastructure (145.5 acres total) that may be physically impacted by Project development.
- The term “**Survey Area**” refers to the 145.5-acre potential impact area and a 150-foot buffer around that area (172.4 acres) for a total of approximately 319.9 acres.

It should be noted that the Project’s BR considers the term, “Project site,” to comprise the 83.0-acre property proposed for development in addition to the 62.5 acres of potential off-site improvements. This is because the Wildlife Agencies responsible for issuing permits for the Project consider the term “Project site” to comprise the whole of the Project’s actions, inclusive of on- and off-site impacts. In addition, large portions of the off-site impact limits include potential disturbances associated with IID power pole installation, while impacts associated with the installation of the power poles only would occur in the specific locations where the poles ultimately would be installed; thus, a large portion of the 83.0-acre “potential impact area” would not be impacted by Project implementation. Accordingly, the discussion provided herein separates the Project’s on- and off-site impacts to ensure consistency with the Project Description presented in EIR Section 3.0.

4.4.1 EXISTING CONDITIONS

RBC conducted site visits, vegetation mapping, biological surveys, and habitat assessments for the Survey Area. Provided below is a summary of the biological resources that occur within the Survey Area under existing conditions. Refer to Section 3 of the Project’s BR (*Technical Appendix C1*) for a discussion of the methodology utilized by RBC to evaluate the existing biological conditions within the Survey Area. (RBC, 2022a, pp. 1-2)

A. Vegetation Communities

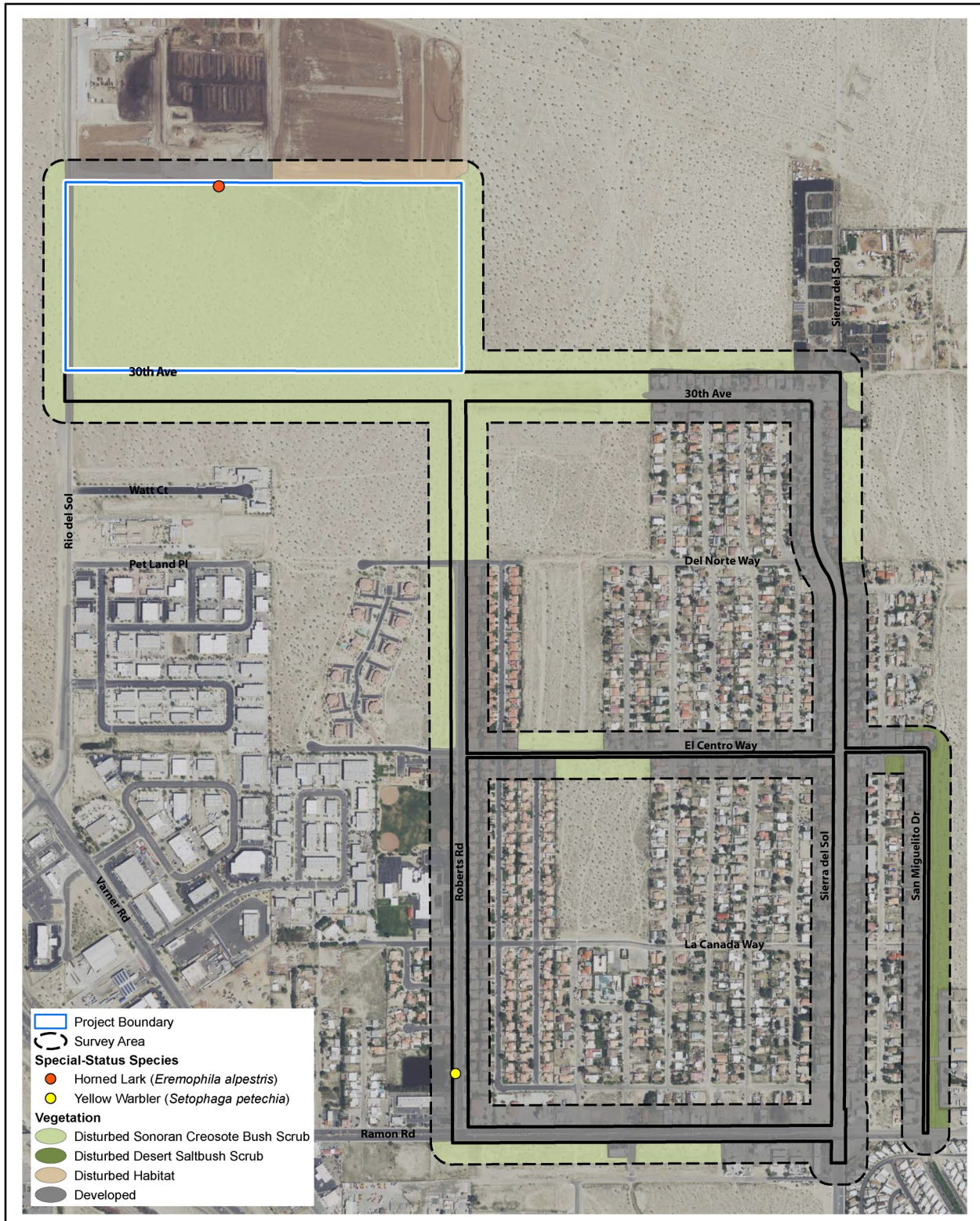
Table 4.4-1, *Vegetation Communities/Land Use Impacts*, summarizes the existing vegetation communities, which are described below and depicted on Figure 4.4-1, *Vegetation Communities Map*.

Table 4.4-1 Vegetation Communities/Land Use Impacts

Vegetation Community/Land Use	Survey Area (acres)	Project Site and Maximum Extent of Off-Site Physical Improvements
Developed	143.1	40.2
Disturbed	4.4	<0.01
Disturbed Desert Saltbrush Scrub	8.9	0.6
Disturbed Sonoran Creosote Bush Scrub	161.5	104.5
Totals	317.9	145.4

(RBC, 2022a, Table 1)

- **Developed:** Developed land supports little to no native vegetation and is composed of human-made structures and paved surfaces (buildings, pavement, etc.). Developed areas encompass approximately 40.2 acres within the potential impact area, while developed areas comprise approximately 143.1 acres



Source(s): Rocks Biological Consulting (12-09-2022)

Figure 4.4-1



Not to Scale



Vegetation Communities Map



within the Survey Area. Developed areas within Project site are limited to existing improvements along Rio Del Sol, while developed areas within the remaining portions of the Survey Area consist of roads and buildings. (RBC, 2022a, pp. 11-12)

- **Disturbed:** Disturbed land is typically classified as land on which the native vegetation has been significantly altered by agriculture, construction, or other land-clearing activities, and the species composition and site conditions are not characteristic of the disturbed phase of a plant association. Disturbed habitat typically is found in vacant lots, along roadsides, within construction staging areas, and in abandoned fields. The habitat is typically dominated by non-native annual species and perennial broadleaf species. Disturbed habitat occurs on less than 0.1-acre of the Project site in the north-central extent of the site and is characterized by a complete lack of native species. The disturbed habitat area has been denuded of most vegetation and covered in mulch, possibly from past agricultural activities on the property to the north. Approximately 4.4 acres of disturbed lands occur within the overall 319.9-acre Survey Area. (RBC, 2022a, p. 12)
- **Disturbed Desert Saltbush Scrub:** Disturbed desert saltbush scrub is similar to desert saltbush scrub; however, it has been substantially physically altered by human disturbance. Disturbed desert saltbush scrub occurs where fine-textured, poorly drained soils with high salinity and/or alkalinity occur. This community is dominated by one of more species of saltbush (*Atriplex* sp.), including allscale (*Atriplex polycarpa*) and four-winged saltbush (*Atriplex canescens* var. *linearis*), and commonly associated with screwbean mesquite (*Prosopis glandulosa* var. *torreyana*). Disturbed desert saltbush scrub occurs on 0.6-acre along the southeastern portion of the Project's off-site improvement areas, and borders developed habitat. An additional 8.3 acres of disturbed desert saltbush scrub is located within the overall Survey Area, also in close proximity to developed habitat. This plant community is dominated by four-winged saltbush and allscale. Due to its proximity to developed habitat, human disturbances, including vehicle paths and tracks, trash dumping, and erosion, are present throughout the community. (RBC, 2022a, p. 12)
- **Disturbed Sonoran Creosote Bush Scrub:** Disturbed Sonoran creosote bush scrub is similar to Sonoran creosote bush scrub; however, it has been substantially physically altered by human disturbance. Disturbed Sonoran creosote bush scrub occurs on slopes, alluvial fans, and valleys and consists of widely spaced stands of creosote bush (*Larrea tridentata*), four-wing saltbush, indigo bush (*Psoralea schottii*), white dalea (*P. emoryi*), and other shrub or succulent species. Disturbed Sonoran creosote bush scrub occurs on a total of 104.5 acres of the potential impact area, encompassing the majority of the Project site as well as undeveloped portions of the Project's off-site improvement areas. A total of 161.5 acres of disturbed Sonoran creosote bush scrub was identified within the overall Survey Area. This plant community is dominated by creosote bush, white dalea, and burrobrush (*Ambrosia dumosa*). Little to no annuals were observed within this habitat during the general biological survey. Human disturbances, including off-road vehicle tracks and trash dumping, is present throughout this community and several linear segments appear to function as roads. (RBC, 2022a, p. 12)



B. Special-Status Plant Species

Special-status plant species include those that are: 1.) listed or proposed for listing by federal or State agencies as threatened or endangered; 2.) California Rare Plant Rank (CRPR) List 1 or 2; or 3.) are considered rare, endangered, or threatened by the California Department of Fish and Wildlife (CDFW) or other local conservation organizations or specialists. (RBC, 2022a, p. 13)

The California Rare Plant Rank (CRPR) system was created by the California Native Plant Society (CNPS), which is a Statewide resource conservation organization that has developed an inventory of California's sensitive plant species. The CRPR system is recognized by the CDFW and essentially serves as an early warning list of potential candidate species for threatened or endangered status. The CRPR system is categorized as outlined in Table 4.4-2, *California Rare Plant Rank Definitions*. (RBC, 2022a, p. 13)

Table 4.4-2 California Rare Plant Rank Definitions

Rank	1A	presumed extirpated in California and rare or extinct elsewhere
	1B	rare, threatened, or endangered in California and elsewhere
	2A	presumed extirpated in California but more common elsewhere
	2B	rare, threatened, or endangered in California but more common elsewhere
	3	plants for which more information needed
	4	plants of limited distribution
Threat	0.1	Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
	0.2	Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
	0.3	Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

(RBC, 2022a, Table 2)

1. Special-Status Plant Species Observed

No special-status plant species were observed during biological surveys conducted on the Project site or within the overall Survey Area. Special-status plants assessed for their potential to occur within the Survey Area are presented in Appendix E to the Project's BR (*Technical Appendix C1*). It should be noted that CRPR 3 and 4 species were omitted from the potential to occur analysis due to their relatively low threat status. Additionally, non-listed special-status plant species with low, very low, or no potential to occur are not addressed further in



this Subsection. These species have low or no potential for occurrence, no impacts are anticipated on these species. (RBC, 2022a, p. 14)

2. ***Threatened and Endangered Plant Species***

No federally- or State-listed threatened or endangered plants were observed during general biological surveys and none have moderate or high potential to occur within or immediately adjacent to the Survey Area due to lack of suitable habitats. Coachella Valley milkvetch (*Astragalus lentiginosus* var. *coachellae*; federally endangered (FE)) has low potential to occur within the Survey Area and is discussed below. There is no designated critical habitat for federally- or State-listed species within or adjacent to the Survey Area. (RBC, 2022a, p. 14)

- **Coachella Valley Milkvetch**: Coachella Valley milkvetch (*Astragalus lentiginosus* var. *coachellae*; FE) is found in dune or Sonoran desert scrub habitats where new sand is available, often as a result of the wind-related sand transport system. Coachella Valley milkvetch is endemic and limited to California and exhibits pink-purple petals, leaves composed of leaflets, and a legume-shaped fruit typical of other Fabaceae species. Suitable elevations for Coachella Valley milkvetch range from 130-2,150 feet above mean sea level (amsl). Development on or adjacent to suitable habitat and habitat degradation via fragmentation, human activities (e.g., off-road vehicle use), and competition with invasives has led to the decline of Coachella Valley milkvetch. Coachella Valley milkvetch is a Covered Species under the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). (RBC, 2022a, pp. 14-15)

Coachella Valley milkvetch was not observed in the Survey Area during biological surveys. This species is vulnerable to off-highway vehicle (OHV) activity, evidence of which is present throughout the Survey Area. In addition, Russian thistle (*Salsola tragus*) and Saharan mustard (*Brassica tournefortii*) are both present throughout the Survey Area which reduce site suitability for Coachella Valley milkvetch. (RBC, 2022a, p. 15)

3. ***Other Special Status Plant Species***

No other special-status plant species were observed or were determined have the potential to occur in the Survey Area during general biological surveys. There are records of two other special-status plant species occurring in proximity to the Project site: chaparral sand-verbena (*Abronia villosa* var. *aurita*) and flat-seeded spurge (*Euphorbia platysperma*). These species have low potential to occur due significant disturbances that have limited the persistence of native annuals within the Survey Area. Horn's milkvetch (*Astragalus hornii* var. *hornii*) also has been recorded within three miles of the Project site; however, this species was not observed within the Survey Area and does not have potential to occur due to the lack of suitable habitats. No other special-status plant species have a moderate or high potential to occur within the Survey Area due to the lack of suitable habitat. (RBC, 2022a, p. 15)



C. Special-Status Animal Species

1. Threatened and Endangered Wildlife Species

No federally- or State-listed wildlife species were documented within or adjacent to the Survey Area during biological surveys. One federally- and State-listed wildlife species, Coachella Valley fringetoe lizard (*Uma inornata*; FT and State endangered (SE)), has been recorded within one mile of the Project site and the Survey Area overlaps with Coachella Valley fringe-toed lizard critical habitat per the United States Fish and Wildlife Service's (USFWS) Information for Planning and Consulting (IPaC) database query and Critical Habitat for Threatened and Endangered Species database. The California Natural Diversity Database (CNDDDB) and USFWS database did not identify any additional federally or State-listed wildlife within or immediately adjacent to the Survey Area. No other federally or State-listed wildlife species have moderate or high potential to occur within the Survey Area due to lack of suitable habitat nor does critical habitat for any of these species occur within the Survey Area. (RBC, 2022a, p. 15)

- **Coachella Valley Fringe-toed Lizard:** Coachella Valley fringe-toed lizard is a Covered Species under the CVMSHCP and is found in desert wash habitats, sparse desert, or alkali scrub where fine, windblown sand or dunes for burrowing are present. They are primarily insectivorous, and populations tend to fluctuate with precipitation rates which likely affect food availability. Habitat loss/fragmentation and degradation of the aeolian sand transport system through development has led to the decline of Coachella Valley fringe-toed lizard. Though highly degraded, the Survey Area overlaps with critical habitat for Coachella Valley fringe-toed lizard; however, the Project has no federal funding or authorizations, and critical habitat designations do not restrict Project activities without federal nexus. Coachella Valley fringe-toed lizard has low potential to occur within the Survey Area due to a general lack of windblown sands and dunes, surrounding development, and anthropogenic disturbances, such as off-road vehicle use and garbage. (RBC, 2022a, p. 16)

2. Other Special-Status Wildlife Species

California horned lark (*Eremophila alpestris actia*) and yellow warbler (*Setophaga petechia*) were the only other special-status wildlife species observed on the Project site during the biological survey. Coachella Valley round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*) also is presumed to be present, as discussed below. No additional non-federally/State-listed special-status wildlife species were observed during biological surveys. Several non-federally/State-listed special-status wildlife species have moderate to high potential to occur on site, including LeConte's thrasher (*Toxostoma lecontei*), prairie falcon (*Falco mexicanus*), vermilion flycatcher (*Pyrocephalus rubinus*), and Palm Springs pocket mouse (*Perognathus longimembris bangsi*). (RBC, 2022a, p. 16)

- **Burrowing Owl:** Burrowing owl is designated a CDFW Species of Special Concern (SSC). Suitable burrowing owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Suitable burrowing owl habitat also may include trees and shrubs if the canopy covers less than 30 percent of the ground surface. Burrows are the essential component of burrowing owl habitat; both natural and artificial burrows provide protection, shelter, and nests for burrowing owl. Burrowing owl typically use burrows made by rodents, such as ground



squirrels or badgers, but may also use human-made structures, such as concrete culverts; concrete, asphalt, or wood debris piles; or openings beneath concrete or asphalt pavement. (RBC, 2022a, p. 16)

Burrowing owls have declined throughout much of their range because of habitat loss due to urbanization, agricultural conversion, and destruction of ground squirrel colonies. The incidental poisoning of burrowing owls and the destruction of their burrows during eradication programs aimed at rodent colonies have also caused their decline. Although burrowing owl are relatively tolerant of lower levels of human activity, human-related impacts, such as shooting and introduction of non-native predators, have negative population impacts. Burrowing owl often nest and perch near roads where they are vulnerable to roadside shooting, fatal car strikes, and general harassment. Burrowing owl is a Covered Species under the CVMSHCP. (RBC, 2022a, pp. 16-17)

No burrowing owl, burrowing owl sign, or suitable burrows were observed within the Survey Area during the general biological survey. Burrowing owl has a low-to-moderate potential to occur within the Survey Area based on the lack of suitable burrows. Despite low potential for occupancy within the Survey Area, the Project site and off-site improvement areas could support burrowing owls in the future. Coachella Valley round-tailed ground squirrel squirrels are presumed to occur within the Survey Area and could create burrows suitable to support burrowing owl in the future. (RBC, 2022a, p. 17)

- **California Horned Lark:** California horned lark is designated a CDFW Watch List (WL) species, which is found from coastal deserts and grasslands to alpine dwarf-shrub habitat above treeline, and in coniferous or chaparral habitats. It is a common to abundant resident in a variety of open habitats, usually found in habitats where trees and large shrubs are absent. Within Southern California, California horned lark nests on the ground in open fields, grasslands, and rangelands. Horned larks forage in areas with low-growing vegetation and feed primarily on grains and other seeds, shifting to mostly insects in the summer months. California horned lark breeds from March through July, with a peak in activity in May. Pairs do not maintain territories outside of the breeding season and instead form large gregarious, somewhat nomadic flocks. (RBC, 2022a, p. 17)

Threats to California horned lark include habitat destruction and fragmentation. Habitats preferred by California horned lark are easily converted to other landscapes and human uses such as farmland and development. Pesticides also have been shown to poison and kill horned larks. As a ground nester, California horned lark is vulnerable to mowing in a variety of habitats and pesticide use in agricultural fields. California horned lark is not a Covered Species under the CVMSHCP; however, the CVMSHCP conserves habitat suitable for this species through the protection of other species (e.g., Palm Springs pocket mouse). (RBC, 2022a, p. 17)

California horned lark individuals were observed within the northern portion of the Project site during the general biological survey. Disturbed Sonoran creosote bush scrub within the Survey Area provides suitable habitat for foraging and nesting. (RBC, 2022a, p. 17)



- **Coachella Valley Round-tailed Ground Squirrel:** Coachella Valley round-tailed ground squirrel, also known as Palm Springs round-tailed ground squirrel, is designated an SSC. Suitable Coachella Valley round-tailed ground squirrel habitat can be found in the Coachella Valley in eolian dunes and desert scrub containing shrubs for cover and burrowing. Coachella Valley round-tailed ground squirrel prefer to reside in mesquite thickets and coarse sand/gravel soils of the Lower Sonoran Life Zone (i.e., the arid, hot deserts of the southwestern United States and northwest Mexico). Omnivorous Coachella Valley round-tailed ground squirrels feed on mesquite and creosote seeds, bark, flowers, and leaves as well as annual seeds, cultivated plants, carrion, ants, termites, and grasshoppers. (RBC, 2022a, pp. 17-18)

Coachella Valley round-tailed ground squirrel have declined due to habitat degradation, the conversion of dunes and desert scrub to development/agricultural land, and predation by domestic animals at habitat edges. Off-road vehicle use dismantles burrows and leads to unfavorable soil compaction over time. Habitat suitability for Coachella Valley round-tailed ground squirrel also decreases with the introduction of invasives, such as Saharan mustard, which limit visibility for predator detection. Coachella Valley round-tailed ground squirrel is a Covered Species under the CVMSHCP. (RBC, 2022a, p. 18)

Suitable habitat for Coachella Valley round-tailed ground squirrel was observed within the Project site and one round-tailed ground squirrel (subspecies unknown) was detected during the general biological survey. A round-tailed ground squirrel specimen collected in 1954 within approximately 0.25-mile of the survey area was identified as the *chlorus* subspecies in 2009. Based on the proximity to a nearby confirmed collection, the round-tailed ground squirrel observed on site was most likely the *chlorus* subspecies. (RBC, 2022a, p. 18)

- **LeConte's Thrasher:** LeConte's thrasher is designated an SSC and is primarily found in open desert wash, desert scrub, alkali desert scrub, and desert succulent shrub habitats with well-drained soils characteristic of alluvial fans. Though predominately insectivorous, LeConte's thrasher occasionally consumes seeds and small vertebrates. LeConte's thrasher hunts on the ground by prodding leaf litter or soils to flush prey. Nesting occurs above ground in desert washes within dense cactus or spiny shrub cover. (RBC, 2022a, p. 18)

Habitat loss and degradation threaten LeConte's thrasher populations. Suitable habitat is often manipulated by off-road vehicle use or is converted to agriculture, grazed pasture, or developed land. Wildfires which periodically destroy salt bush scrub habitats and soil seed stores further threaten LeConte's thrasher populations. LeConte's thrasher is a Covered Species under the CVMSHCP. (RBC, 2022a, p. 18)

Field assessments confirmed the presence of suitable, disturbed patches of creosote bush scrub; LeConte's thrasher has moderate potential to occur within the Survey Area. (RBC, 2022a, p. 18)



- **Palm Springs Pocket Mouse:** Palm Springs pocket mouse is designated as an SSC. Suitable burrowing habitat occurs in creosote scrub, desert scrub, and grasslands with sparse to moderately dense vegetative cover. Palm Springs pocket mice prefer loosely packed or sandy soils for burrowing and seed caching and tend to co-occur with creosote bush, brittlebush (*Encelia farinose*), burrobrush, and desert tea (*Ephedra californica*). Palm Springs pocket mice are less common in areas that have experienced anthropogenic disturbances and soil compaction through off-road vehicle use. Palm springs pocket mouse is a Covered Species under the CVMSHCP. (RBC, 2022a, pp. 18-19)

Suitable habitat for Palm springs pocket mouse was observed within the Survey Area, including the Project site and off-site improvement areas. The Project site and off-site improvement areas primarily consist of disturbed Sonoran creosote bush scrub and contain vegetation species, such as creosote bush, commonly associated with Palm Springs pocket mouse. Additionally, soil types on site include fine sands (of the Carsitas, Myoma, and Coachella series), which are loosely packed in some regions, though no burrows were observed on site. Palm springs pocket mouse has moderate potential to occur on the Project site and off-site improvement areas based on the presence of disturbed suitable habitat. (RBC, 2022a, p. 19)

- **Prairie Falcon:** Prairie falcon is designated as a WL species when nesting. Suitable prairie falcon habitat is primarily confined to perennial grasslands, savannahs, rangeland, agricultural fields, and desert scrub; however, individuals may occasionally be found in annual grasslands and alpine meadows. Prairie falcon primarily feed on small mammals (especially lagomorphs), birds, and invertebrates; food caching amongst individuals and pairs is common. Primary threats to prairie falcon include hunting and habitat degradation. Declines in prey (e.g., ground squirrel) populations due to wildfires and the conversion of grasslands to monotypic agriculture strain food availability and mining activities and human perturbation of nesting sites further decrease prairie falcon survival rates. Prairie falcon is not a Covered Species under the CVMSHCP; however, the CVMSHCP conserves suitable habitat for this species through the protection of Core Habitat for other species (e.g., Palm Springs pocket mouse). (RBC, 2022a, p. 19)

Suitable disturbed Sonoran creosote bush scrub habitat and avian and fossorial prey occur on the Project site and off-site improvement areas. Prairie falcon has moderate potential to occur within the Survey Area based on the presence of suitable foraging habitat. (RBC, 2022a, p. 19)

- **Vermilion Flycatcher:** Vermillion flycatcher is designated as an SSC when nesting. Suitable vermilion flycatcher habitat can be found in deserts, scrub, agricultural fields, parks, golf courses, and riparian woodlands, often near a water source. In California, vermilion flycatchers are known to exist in cottonwood-willow woodlands, residential areas, and parks. They commonly nest in willows (*Salix* spp.), cottonwoods (*Populus* spp.), mesquites (*Prosopis* spp.), and western sycamores (*Platanus racemosa*), and occasionally in non-native trees, such as elms (*Ulmus* spp.), olives (*Olea europaea*), black locusts (*Robinia pseudoacacia*), tamarisks (*Tamarix* spp.), and eucalyptus (*Eucalyptus* spp.). Vermillion flycatchers prefer to nest along channels and are negatively impacted by development and anthropogenic water use. Depletion of desert ground water and habitat destruction are of concern in



certain regions. Flying insects (e.g., members of Diptera, Coleoptera, Orthoptera, and Lepidoptera) make up the majority of the vermilion flycatcher's diet. Vermilion flycatcher is not a Covered Species under the CVMSHCP however, the CVMSHCP conserves suitable habitat for this species through the protection of Core Habitat for other species (e.g., southwestern willow flycatcher [*Empidonax traillii extimus*]). (RBC, 2022a, pp. 19-20)

The Project site and off-site improvement areas provide suitable habitat for vermilion flycatcher in the form of disturbed Sonoran creosote bush scrub. Mesquite and tamarisk, both suitable for nesting, were observed within the Survey Area. Additionally, a detention basin in the southwestern portion of the Survey Area, agricultural land to the north, and golf courses to the south offer potential water sources. Vermilion flycatcher has a moderate potential to occur within the Survey Area. (RBC, 2022a, p. 20)

- **Yellow Warbler:** Yellow warbler is designated an SSC when nesting. In southern California, yellow warbler nests in open-canopy lowland and foothill riparian woodlands dominated by cottonwoods, alders (*Alnus* spp.), or willows up to 8,000 feet amsl. The species is typically found in California from April to October where it holds a small territory for nesting and foraging. The yellow warbler forages for insects and spiders in the upper canopy of deciduous trees and shrubs. It builds a cup nest 2-16 feet off the ground in in alders, cottonwoods, and willows and usually lays 4-5 eggs. Yellow warblers are threatened by habitat destruction and fragmentation, especially of riparian habitats, and brood-parasitism by brown-headed cowbirds. Yellow warbler was observed during the general biological survey along developed land adjacent to a detention basin within the southwestern portion of the Survey Area. (RBC, 2022a, p. 20)

D. Wildlife Linkages/Corridors

A wildlife corridor can be defined as a physical feature that links wildlife habitat, often consisting of native vegetation that joins two or more larger areas of similar wildlife habitat. Corridors enable migration, colonization, and genetic diversity through interbreeding and are therefore critical for the movement of animals and the continuation of viable populations. Corridors can consist of large, linear stretches of connected habitat (such as riparian vegetation) or as a sequence of stepping-stones across the landscape (discontinuous areas of habitat such as wetlands and ornamental vegetation). Corridors also can be larger habitat areas with known or likely importance to local fauna. (RBC, 2022a, p. 20)

Regional corridors are defined as those linking two or more large patches of habitat, and local corridors are defined as those allowing resident animals to access critical resources (food, cover, and water) in a smaller area that might otherwise be isolated by urban development. A viable wildlife migration corridor consists of more than an unobstructed path between habitat areas. Appropriate vegetation communities must be present to provide food and cover for both transient species and resident populations of less mobile animals. There must also be a sufficient lack of stressors and threats within and adjacent to the corridor for species to use it successfully. (RBC, 2022a, p. 20)

The Project site is situated in the northwest and central regions of the unincorporated community of Thousand Palms to the northwest of a developed residential area. Undeveloped land and a recycling facility border the

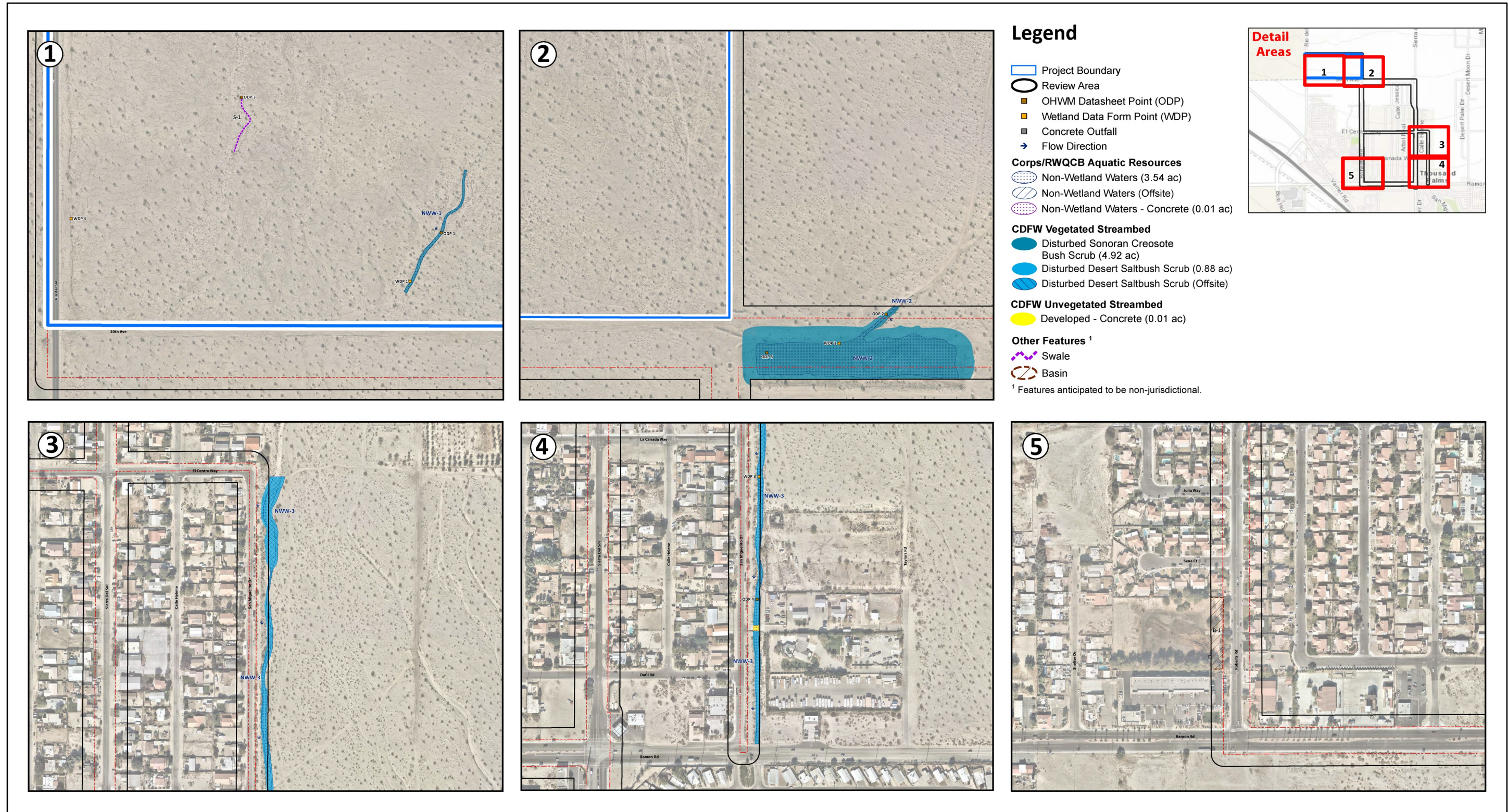


Project site to the north and sparse commercial development surrounds the site to the south. Additional residential development and vacant lots lie east of the Project site. The off-site improvement areas are unlikely to be used by wildlife species as corridors given that these areas primarily are developed and surrounded by residential development. The Project site is undeveloped and likely conveys wildlife movement in some capacity given that it is adjacent to larger undeveloped tracts of land; however, areas to the north of the Project site likely function as the primary regional corridors given their increased distance from development and direct connectivity to high quality habitat. CDFW's Terrestrial Connectivity dataset confirm these assessments, assigning land within the Project site as connectivity ranks 3 (connections with implementation flexibility) and 1 (limited connectivity opportunity), whereas lands north and northeast of the Project site are assigned rank 4 (conservation planning linkages). Although lands northeast of the Project site are within the Thousand Palms Linkage, the CVMSCHP does not designate land within the Project site as part of a linkage or biological corridor. (RBC, 2022a, p. 21)

E. Jurisdictional Aquatic Resources

An aquatic resources report was conducted by RBC and is included as *Technical Appendix C2* to this EIR. The Survey Area supports three aquatic resources, Non Wetland Water (NWW)-1, NWW-2, and NWW-3, that have the potential to be jurisdictional by the Colorado River Basin Regional Water Quality Control Board (RWQCB) and/or CDFW. Figure 4.4-2, *Jurisdictional Aquatic Resources Map*, depicts the location and extent of mapped jurisdictional areas. It should be noted that although the Project's BR indicates that aquatic resources NWW-1, NWW-2, and NWW-3 may contain up to 3.55 acres (2,647 linear feet) of areas that may be considered jurisdictional by the Corps, on March 3, 2023, the Corps issued a letter to the Project Applicant. According to this letter, it was determined that none of the aquatic resources within the Survey Area comprise water(s) of the United States pursuant to 33 CFR Part 325.9. As such, under existing conditions the Survey Area does not include any areas that are considered jurisdictional by the Corps. Accordingly, no further discussion of federally-regulated aquatic resources under Corps jurisdiction is provided in this subsection. A copy of the letter from the Corps is included as *Technical Appendix C3* to this EIR.

As summarized in Table 4.4-3, *Survey Area Aquatic/Jurisdictional Resources Summary*, the Project site supports a single drainage (referred to herein as NWW-1) comprising approximately 0.13-acre (586 linear feet) that is classified as non-wetland waters of the State and that may be jurisdictional by the RWQCB. NWW-1 also supports approximately 0.16-acre (586 linear feet) of vegetated streambed that comprises CDFW jurisdictional areas. Two additional drainages occur within the overall Survey Area. One of these drainages, identified as NWW-2, occurs just to the southeast of the Project site and comprises approximately 2.84 acres (462 linear feet) that is classified as non-wetland waters of the State and that may be jurisdictional by the RWQCB. NWW-2 also contains 4.76 acres (462 linear feet) of vegetated streambed that comprises CDFW jurisdictional areas. A third drainage, referred to herein as NWW-3, occurs to the east of San Miguelito Drive and occurs outside of areas anticipated to be impacted by power poles to be installed as part of the Project. Drainage NWW-3 comprises 0.58-acre (1,599 linear feet) that is classified as non-wetland waters of the State and that may be jurisdictional by the RWQCB. Drainage NWW-3 also contains 0.88-acre (1,578 linear feet) of vegetated streambed and 0.01-acre (22 linear feet) of unvegetated streambed considered jurisdictional by the CDFW. The Survey Area also supports one swale (Swale [S-]1) and one basin (Basin [B-]1) that are not jurisdictional by the Corps, RWQCB, or CDFW (RBC, 2022a, pp. 21-22)



Source(s): Rocks Biological Consulting (12-09-2023)

Figure 4.4-2

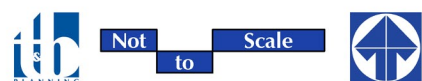




Table 4.4-3 Survey Area Aquatic/Jurisdictional Resources Summary

RWQCB Jurisdictional Areas ¹				
Aquatic Resource ID	Presence of OHWM/Wetland	Vegetation Community	Acreage	Linear Feet
NWW-1	Yes/No	Disturbed Sonoran Creosote Bush Scrub	0.13	586
NWW-2	Yes/No	Disturbed Sonoran Creosote Bush Scrub	2.84	462
NWW-3	Yes/No	Disturbed Desert Saltbush Scrub	0.58	1,599
Totals:			3.55	2,647
CDFW Jurisdictional Areas				
Aquatic Resource ID	Aquatic Resource Type	Vegetation Community	Acreage	Linear Feet
NWW-1	Vegetated Streambed	Disturbed Sonoran Creosote Bush Scrub	0.16	586
NWW-2	Vegetated Streambed	Disturbed Sonoran Creosote Bush Scrub	4.76	462
NWW-3	Unvegetated Streambed	Developed – Concrete	0.01	22
	Vegetated Streambed	Disturbed Desert Saltbush Scrub	0.88	1,578
Totals:			5.82	2,647

- Although the Project's BR indicates that areas subject to RWQCB jurisdiction also may be subject to jurisdiction by the Corps, the Corps issued a letter, dated March 3, 2023, clarifying that none of the aquatic resources within the Project's Survey Area comprise Water(s) of the United States pursuant to 33 CFR Part 325.9. Accordingly, no waters subject to Corps jurisdiction occurs within the Survey Area. A copy of the letter from the Corps is included as EIR *Technical Appendix C3*.

(RBC, 2022a, Tables 3 and 4)

The primary known hydrologic sources for the observed drainage features are direct precipitation and runoff from the surrounding sparsely developed areas. Based on field observations, the westernmost feature delineated within the south-central portion of the Project site (NWW-1) travels north to south/southwest following a slight change in topography before terminating on site; the central feature delineated within the northern portion of the off-site portions of the Survey Area (NWW-2) travels north to south/southwest before terminating in a detention basin; and the easternmost feature delineated off-site within the eastern portion of the Survey Area (NWW-3) travels north to south following a slight change in topography before terminating on site at Ramon Road. (RBC, 2022b, p. 7)

4.4.2 APPLICABLE ENVIRONMENTAL REGULATIONS

The following is a brief description of the federal, State, and local environmental laws and related regulations governing the protection of biological resources.

A. Federal Regulations

1. Endangered Species Act (ESA)

The purpose of the federal Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine



wildlife such as whales and anadromous fish such as salmon. Under the ESA, species may be listed as either endangered or threatened. “Endangered” means a species is in danger of extinction throughout all or a significant portion of its range. “Threatened” means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. (USFWS, 2017)

The ESA makes it unlawful for a person to take a listed animal without a permit. Take is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.” Through regulations, the term “harm” is defined as “an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.” Listed plants are not protected from take, although it is illegal to collect or maliciously harm them on federal land. Protection from commercial trade and the effects of federal actions do apply for plants. (USFWS, 2017)

Section 7 of the ESA requires federal agencies to use their legal authorities to promote the conservation purposes of the ESA and to consult with the USFWS and NMFS, as appropriate, to ensure that effects of actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species. During consultation, the “action” agency receives a “biological opinion” or concurrence letter addressing the proposed action. In the relatively few cases in which the USFWS or NMFS makes a jeopardy determination, the agency offers “reasonable and prudent alternatives” about how the proposed action could be modified to avoid jeopardy. It is extremely rare that a project ends up being withdrawn or terminated because of jeopardy to a listed species. (USFWS, 2017)

Section 10 of the ESA may be used by landowners including private citizens, corporations, tribes, states, and counties who want to develop property inhabited by listed species. Landowners may receive a permit to take such species incidental to otherwise legal activities, provided they have developed an approved habitat conservation plan (HCP). HCPs include an assessment of the likely impacts on the species from the proposed action, the steps that the permit holder will take to avoid, minimize, and mitigate the impacts, and the funding available to carry out the steps. HCPs may benefit not only landowners but also species by securing and managing important habitat and by addressing economic development with a focus on species conservation. (USFWS, 2017)

2. *Clean Water Act Section 401*

Clean Water Act (CWA) § 401 water quality certification provides states and authorized tribes with an effective tool to help protect water quality, by providing them an opportunity to address the aquatic resource impacts of federally issued permits and licenses. Under § 401, a federal agency cannot issue a permit or license for an activity that may result in a discharge to waters of the U.S. until the state or tribe where the discharge would originate has granted or waived § 401 certification. The central feature of CWA § 401 is the state or tribe’s ability to grant, grant with conditions, deny, or waive certification. Granting certification, with or without conditions, allows the federal permit or license to be issued consistent with any conditions of the certification. Denying certification prohibits the federal permit or license from being issued. Waiver allows the permit or license to be issued without state or tribal comment. States and tribes make their decisions to



deny, certify, or condition permits or licenses based in part on the proposed project's compliance with Environmental Protection Agency (EPA)-approved water quality standards. In addition, states and tribes consider whether the activity leading to the discharge will comply with any applicable effluent limitations guidelines, new source performance standards, toxic pollutant restrictions, and other appropriate requirements of state or tribal law. (EPA, 2022c)

Many states and tribes rely on § 401 certification to ensure that discharges of dredge or fill material into a water of the U.S. do not cause unacceptable environmental impacts and, more generally, as their primary regulatory tool for protecting wetlands and other aquatic resources. However, § 401 is limited in scope and application to situations involving federally-permitted or licensed activities that may result in a discharge to a water of the U.S. If a federal permit or license is not required, or would authorize impacts only to waters that are not waters of the U.S., the activity is not subject to the CWA § 401. (EPA, 2022c)

3. *Clean Water Act Section 404*

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Wetlands subject to Clean Water Act Section 404 are defined as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” Activities in waters of the United States regulated under this program include fill for development, water resource projects (such as dams and levees), infrastructure development (such as highways and airports) and mining projects. Section 404 requires a permit before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities). (EPA, n.d.)

The basic premise of the program is that no discharge of dredged or fill material may be permitted if: (1) a practicable alternative exists that is less damaging to the aquatic environment; or (2) the nation's waters would be significantly degraded. Applications for permits must, to the extent practicable: (1) demonstrate steps have been taken to avoid wetland impacts; (2) demonstrate that potential impacts on wetlands have been minimized; and (3) provide compensation for any remaining unavoidable impacts. Proposed activities are regulated through a permit review process. (EPA, n.d.)

An individual permit is required for potentially significant impacts. Individual permits are reviewed by the U.S. Army Corps of Engineers (USACE), which evaluates applications under a public interest review, as well as the environmental criteria set forth in the CWA Section 404(b)(1) Guidelines. However, for most discharges that will have only minimal adverse effects, a general permit may be suitable. General permits are issued on a nationwide, regional, or State basis for particular categories of activities. The general permit process eliminates individual review and allows certain activities to proceed with little or no delay, provided that the general or specific conditions for the general permit are met. States also have a role in Section 404 decisions, through state program general permits, water quality certification, or program assumption. (EPA, n.d.)



4. *Executive Order 11990 – Protection of Wetlands*

The purpose of Executive Order (EO) 11990 is to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands." To meet these objectives, the Order requires federal agencies, in planning their actions, to consider alternatives to wetland sites and limit potential damage if an activity affecting a wetland cannot be avoided. (FEMA, 2023) The Order applies to:

- Acquisition, management, and disposition of federal lands and facilities construction and improvement projects which are undertaken, financed, or assisted by federal agencies;
- Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regulation, and licensing activities. (FEMA, 2023)

The procedures require the determination of whether or not the proposed project will be in or will affect wetlands. If so, a wetlands assessment must be prepared that describes the alternatives considered. The procedures include a requirement for public review of assessments. (FEMA, 2023)

5. *Migratory Bird Treaty Act (16 USC Section 703-712)*

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. The migratory bird species protected by the MBTA are listed in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA (16 U.S.C. 703-712). The MBTA implements Conventions between the United States and four countries (Canada, Mexico, Japan, and Russia) for the protection of migratory birds. (USFWS, n.d.)

B. *State Regulations*

1. *California Endangered Species Act (CESA)*

The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. The California Department of Fish and Wildlife (CDFW) works with interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats. CESA prohibits the take of any species of wildlife designated by the California Fish and Game Commission as endangered, threatened, or candidate species. CDFW may authorize the take of any such species if certain conditions are met. (CDFW, n.d.)

Section 2081 subdivision (b) of the California Fish and Game Code (CFGF) allows CDFW to authorize take of species listed as endangered, threatened, candidate, or a rare plant, if that take is incidental to otherwise lawful activities and if certain conditions are met. These authorizations are commonly referred to as incidental take permits (ITPs). (CDFW, n.d.)



If a species is listed by both the federal ESA and CESA, CFGC Section 2080.1 allows an applicant who has obtained a federal incidental take statement (federal Section 7 consultation) or a federal incidental take permit (federal Section 10(a)(1)(B)) to request that the Director of CDFW find the federal documents consistent with CESA. If the federal documents are found to be consistent with CESA, a consistency determination (CD) is issued and no further authorization or approval is necessary under CESA. (CDFW, n.d.)

A Safe Harbor Agreement (SHA) authorizes incidental take of a species listed as endangered, threatened, candidate, or a rare plant, if implementation of the agreement is reasonably expected to provide a net conservation benefit to the species, among other provisions. SHAs are intended to encourage landowners to voluntarily manage their lands to benefit CESA-listed species. California SHAs are analogous to the federal safe harbor agreement program and CDFW has the authority to issue a consistency determination based on a federal safe harbor agreement. (CDFW, n.d.)

2. *Natural Community Conservation Planning Act (NCCP)*

CDFW's Natural Community Conservation Planning (NCCP) program takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. The NCCP program began in 1991 as a cooperative effort to protect habitats and species. It is broader in its orientation and objectives than the California and Federal Endangered Species Acts, as these laws are designed to identify and protect individual species that have already declined in number significantly. (CDFW, n.d.)

An NCCP identifies and provides for the regional protection of plants, animals, and their habitats, while allowing compatible and appropriate economic activity. Working with landowners, environmental organizations, and other interested parties, a local agency oversees the numerous activities that compose the development of an NCCP. CDFW and the USFWS provide the necessary support, direction, and guidance to NCCP participants. (CDFW, n.d.)

There are currently 17 approved NCCPs (includes 6 subarea plans) and more than 9 NCCPs in various stages of planning (includes 2 subarea plans), which together cover more than 8 million acres and will provide conservation for nearly 400 special status species and a wide diversity of natural community types throughout California. (CDFW, n.d.)

3. *California Fish and Game Code, Section 1600, et seq.*

CFGC section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: (1) substantially divert or obstruct the natural flow of any river, stream, or lake; (2) substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or (3) deposit debris, waste or other materials that could pass into any river, stream, or lake. The CFGC indicates that "any river, stream or lake" includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. (CDFW, n.d.)



CDFW requires a Lake and Streambed Alteration (LSA) Agreement when it determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with CEQA. (CDFW, n.d.)

4. *Native Plant Protection Act (NPPA) of 1977*

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations. (CDFW, n.d.)

5. *Unlawful Take or Destruction of Nests or Eggs (CFGF Sections 3503.5-3513)*

Section 3503.5 of the CFGF specifically protects birds of prey, stating: “It is unlawful to take, possess, or destroy any . . . [birds-of-prey] or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Section 3513 of the CFGF duplicates the federal protection of migratory birds, stating: “It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act.” (CA Legislative Info, n.d.)

6. *Porter-Cologne Water Quality Act*

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code section 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation. (SWRCB, 2018)

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates



rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous Non-Point Source (NPS)-related responsibilities, including monitoring and assessment, planning, financial assistance, and management. (SWRCB, 2018)

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of National Pollutant Discharge Elimination System (NPDES) permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions. (SWRCB, 2018)

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. A number of statewide water quality control plans have been adopted by the State Water Board. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. Statewide and regional water quality control plans include enforceable prohibitions against certain types of discharges, including those that may pertain to nonpoint sources. Portions of water quality control plans, the water quality objectives and beneficial use designations, are subject to review by the EPA, when approved they become water quality standards under the CWA. (SWRCB, 2018)

C. Local and Regional Plans and Regulations

1. Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP)

The CVMSHCP is a comprehensive, multi-jurisdictional habitat conservation plan focusing on conservation of species and their associated habitats in the Coachella Valley region of Riverside County. The overall goal of the CVMSHCP is to maintain and enhance biological diversity and ecosystem processes within the region while allowing for future economic growth. The CVMSHCP covers 27 sensitive plant and wildlife species, as well as 27 natural communities. The overall provisions for the Plan are subdivided according to specific resource conservation goals and organized according to geographic areas, i.e., Conservation Areas. These areas are identified as ‘Core,’ ‘Essential’ or ‘Other Conserved Habitat’ for sensitive plant, invertebrate, amphibian, reptile, bird and mammal species plus ‘Essential Ecological Process Areas’ and ‘Biological Corridors and Linkages.’ Each Conservation Area has specific Conservation Objectives that must be satisfied. (Riverside County, 2015a, p. 4.8-51)

The CVMSHCP received final approval on October 1, 2008. This, plus an Implementing Agreement (IA), allows signatories of the IA to issue take authorizations for all species covered by the CVMSHCP, including



State and federally-listed species, as well as other identified covered species and their habitats. Each city or local jurisdiction participating in the IA imposes a “development mitigation fee” for projects within its jurisdiction. With payment of the mitigation fee and compliance with the requirements of the CVMSHCP, a project may be deemed compliant with CEQA, the National Environmental Policy Act (NEPA), California Endangered Species Act (CESA) and the Federal Endangered Species Act (FESA), and impacts to covered species and their habitat would be deemed less than significant. (Riverside County, 2015a, p. 4.8-51)

The CVMSHCP provides for the long-term survival of protected and sensitive species by designating a contiguous system of habitat to be added to existing public/quasi-public lands. As noted above, the CVMSHCP also includes an impact fee for the purpose of acquiring the requisite conservation lands. A range of biological studies may also be required as part of the CVMSHCP environmental review process to identify the need for specific measures to avoid, minimize and reduce impacts to covered species and their habitat. (Riverside County, 2015a, p. 4.8-51)

2. *Riverside County Oak Tree Management Guidelines*

In March 1993, the County of Riverside issued Oak Tree Management Guidelines to address the treatment of oak woodlands in areas where zoning and/or General Plan density restrictions allow the effective use of clustering. The guidelines are generally considered to be the most effective where minimum lot sizes are 2.5 acres or larger, or where oak woodlands are concentrated in a relatively small portion of a project site. The guidelines include recommendations for oak inventories, land use designs to cluster home sites in order to reduce impacts to oaks and mitigation measures for oak conservation. (Riverside County, 2015, p. 4.8-53)

3. *Riverside County Ordinance No. 559 – Regulating the Removal of Trees*

Riverside County Ordinance No. 559 regulates the removal of living native trees on parcels of property greater than one-half acre, located above 5,000 feet within the unincorporated area of Riverside County without first obtaining a permit to do so. The purpose of the ordinance is to ensure that the timberlands of Riverside County are protected and the ecological balance of such timberlands is preserved. (Riverside County, 2015, p. 4.8-53)

4. *Riverside County Ordinance No. 875 - Establishing a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystem Accordance with the Coachella Valley Multiple Species Habitat Conservation Plan*

This ordinance is to establish a Local Development Mitigation Fee to aid in maintaining biological diversity and their supporting natural ecosystem processes; the protection of vegetation communities and natural areas within the county, Coachella Valley and surrounding mountains located in central Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species; the maintenance of economic development within the unincorporated area of Riverside County by providing a streamlined regulatory process from which development can proceed in an orderly process; and the protection of the existing character of Riverside County and the region through the implementation of a system of reserves to provide permanent open space, community edges and habitat conservation for species covered by the MSHCP. (Riverside County, 2015a, p. 4.2-27)



4.4.3 BASIS FOR DETERMINING SIGNIFICANCE

Section IV of Appendix G to the State CEQA Guidelines addresses typical adverse effects to biological resources, and includes the following threshold questions to evaluate the Project's impacts to biological resources:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Significance thresholds are set forth in Riverside County's Environmental Assessment Checklist, are derived from Section IV of Appendix G to the State CEQA Guidelines (listed above), and state that the proposed Project would have a significant impact on biological resources if construction and/or operation of the Project would:

- a. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan;*
- b. Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12);*
- c. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service;*



- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;*
- e. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service;*
- f. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; or*
- g. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*

The significance thresholds set forth in Riverside County’s Environmental Assessment Checklist were used to evaluate the significance of the proposed Project’s impacts to biological resources.

4.4.4 IMPACT ANALYSIS

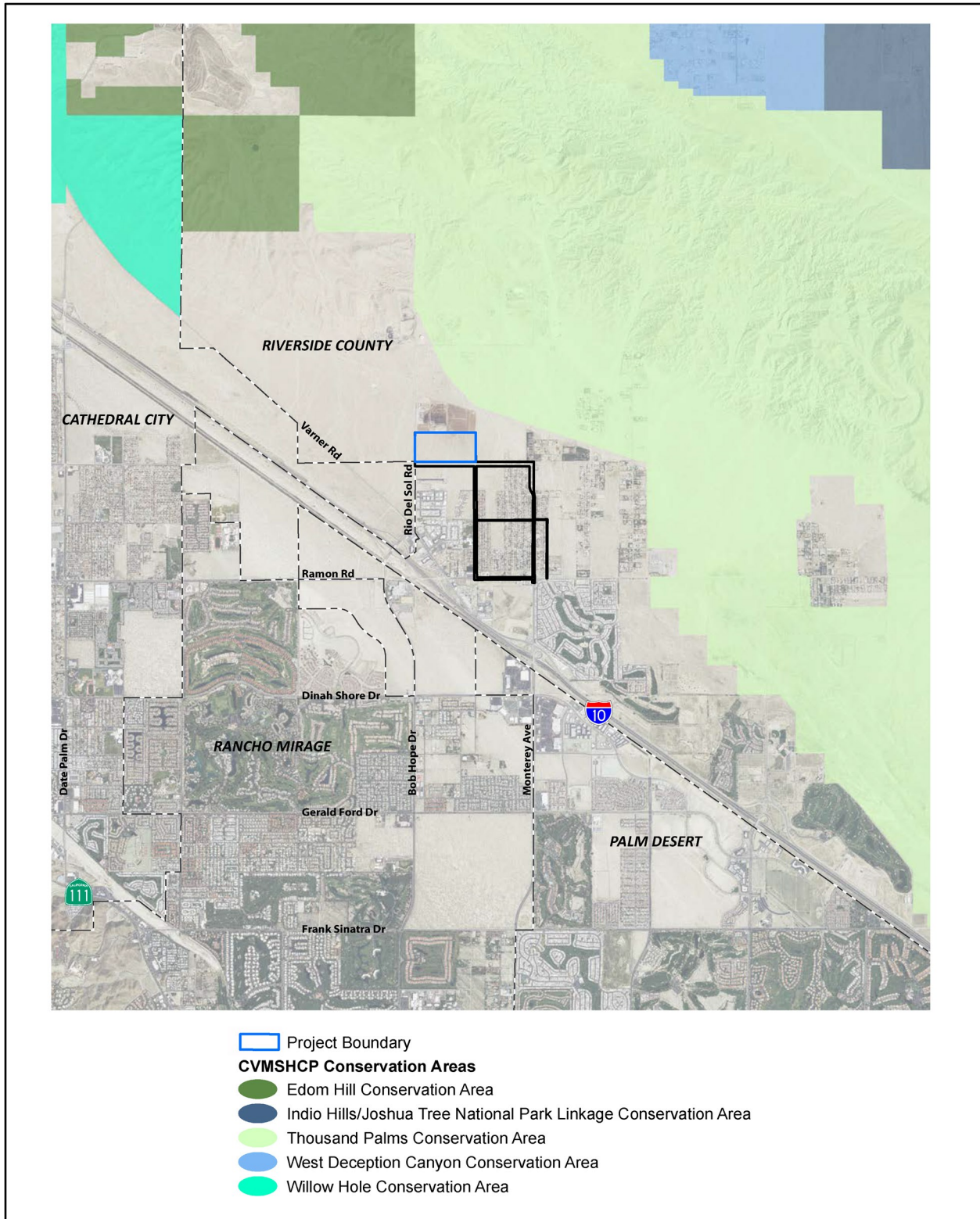
Threshold a.: *Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?*

As previously indicated, the Survey Area (including the Project site) is located within the CVMSHCP plan area. The Project site and off-site improvement areas are not located within a Conservation Area or Core Habitat for any of the CVMSHCP Covered Species. The Thousand Palms Conservation Area is the nearest preserved open space, located approximately 1,200 feet northeast of the Survey Area’s north-central extent, as shown on Figure 4.4-3, *CVMSHCP Conservation Areas*. The proposed Project represents a Covered Activity under the CVMSHCP. As described in Section 7.1 of the CVMSHCP, take authorization will be provided for Covered Activities outside of Conservation areas including “development permitted or approved by Local Permittees. This includes, but is not limited to, new projects approved pursuant to county and city general plans.” (RBC, 2022a, p. 35)

Provided below is an analysis of the Project’s consistency with applicable provisions of the CVMSHCP, including CVMSHCP Section 4.3 (Conservation Areas), Section 4.4 (Required Avoidance, Minimization and Mitigation Measures), and Section 4.5 (Land Use Agency Guidelines), based on RBC’s review of the results of the CVMSHCP Open Data Portal Habitat Models. (RBC, 2022a, p. 35)

A. CVMSHCP Conservation Objectives (CVMSHCP Section 4.3)

The Survey Area is not located within a Conservation Area; therefore, it is not subject to the Conservation Objectives set forth in Section 4.3 of the CVMSHCP. The Thousand Palms Conservation Area is the nearest



Source(s): Rocks Biological Consulting (12-09-2022)

Figure 4.4-3



Not to Scale



CVMSHCP Conservation Areas

Lead Agency: County of Riverside

SCH No. 2022110600



preserved open space, located approximately 1,200 feet northeast of the Survey Area's northernmost extent. Accordingly, the Project has no potential to conflict with the CVMSHCP conservation objectives pursuant to CVMSHCP Section 4.3, and as such no impact would occur.

B. CVMSHCP Required Avoidance, Minimization, and Mitigation Measures (CVMSHC Section 4.4)

CVMSHCP Section 4.4 describes certain avoidance, minimization, and mitigation requirements for Covered Activities within the Conservation Area. The Project's consistency with the various provisions of CVMSHCP Section 4.4 is discussed below.

1. Biological Corridors

CVMSHCP Section 4.4 targets specific roads in Conservation Areas, where culverts or under-crossings are required to maintain Biological Corridors. However, the Project site is not targeted for conservation under the CVMSHCP, and the CVMSHCP provides for adequate biological corridors within the Conservation Area. Accordingly, the Project would not conflict with the CVMSHCP requirements for biological corridors, and no impact would occur.

2. Burrowing Owl

CVMSHCP Section 4.4 requires surveys for the burrowing owl and appropriate avoidance of any burrowing owls that may be identified. As previously discussed, no burrowing owl(s), burrowing owl sign, or suitable burrows were observed on site during the general biological survey. Burrowing owl has a low potential to occur within the Survey Area based on the lack of suitable burrows. Despite low potential for occupancy, the Survey Area could support burrowing owls in the future because the species is migratory. Burrowing owl is a Covered Species under the CVMSHCP with implementation of mitigation requiring pre-construction surveys. However, in the absence of pre-construction surveys, the Project has the potential to result in impacts to the burrowing owl, which would potentially conflict with the CVMSHCP requirements for mitigation for impacts to this species. Accordingly, prior to mitigation, Project impacts to the burrowing owl would be potentially significant. (RBC, 2022a, p. 17)

3. Covered Riparian Bird Species

Riparian Habitat is addressed by CVMSHCP Section 4.4 and addresses the following natural communities: southern arroyo willow riparian forest, Sonoran cottonwood-willow riparian forest, desert fan palm oasis woodland, and southern sycamore-alder riparian woodland in the Cabazon, Stubbe and Cottonwood Canyons, Whitewater Canyon, Upper Mission Creek/Big Morongo Canyon, Thousand Palms, Indio Hills Palms, Joshua Tree National Park, Mecca Hills and Orocopia Mountains, Dos Palmas, Coachella Valley Stormwater Channel and Delta, and Santa Rosa and San Jacinto Mountains Conservation Areas. Riparian bird species specifically identified by this provisions of the CVMSHCP include least Bell's vireo, southwestern willow flycatcher, summer tanager, yellow warbler, and yellow-breasted chat.



However, as previously noted, the Project site does not occur within any CVMSHCP Conservation Areas. Based on the results of the Project's BR (*Technical Appendix C1*), the Survey Area does not contain any suitable habitat for the least Bell's vireo, southwestern willow flycatcher, summer tanager, or yellow breasted chat. Although the yellow warbler was detected within the Project's off-site improvement areas along the western side of Robert Road, north of Ramon Road, the yellow warbler is a covered species under the CVMSHCP, which is designed to provide suitable habitat for conservation of this species. Additionally, the yellow warbler was observed adjacent to a detention basin within areas mapped as "developed," and the installation of the proposed off-site power poles would not occur within the detention basin. Accordingly, the Project has no potential to result in direct impacts to any active yellow warbler nests. However, there is a potential that covered riparian bird species could establish nests within areas planned for impact by the Project. The CFCG prohibits mortality of native birds, including eggs. Accordingly, prior to mitigation, the Project has the potential to conflict with the CVMSHCP required avoidance, minimization, and mitigation measures with respect to nesting riparian birds. This is evaluated as a significant impact for which mitigation would be required.

4. *LeConte's Thrasher*

As required by CVMSHCP Section 4.4, pre-construction surveys and appropriate avoidance measures are required within suitable habitat for the LeConte's thrasher within the CVMSHCP Conservation Areas. As previously noted, the Survey Area is not located within the CVMSHCP Conservation Areas. Notwithstanding, the Survey Area contains suitable, disturbed patches of creosote bush scrub that provides habitat for this species. Although the LeConte's thrasher is a covered species under the CVMSHP, there is nonetheless a potential that LeConte's thrasher individuals could establish nests within areas planned for development by the Project. As previously noted, the CFCG prohibits mortality of native birds, including eggs. Accordingly, prior to mitigation, Project impacts to the LeConte's thrasher nesting individuals would be significant requiring mitigation.

5. *Other Species Addressed by CVMSHCP Section 4.4*

CVMSHCP Section 4.4 also addresses several other species; however, the requirements are not applicable to the proposed Project for the reasons discussed below.

The provisions of CVMSHCP Section 4.4 relating to the following species are not applicable to the proposed Project due to a lack of suitable habitat on site, as documented in Appendix E to the Project's BR (*Technical Appendix C1*): crissal thrasher; desert tortoise; peninsular bighorn sheep; and triple-ribbed milkvetch. Accordingly, the Project has no potential to conflict with the CVMSHCP with respect to these species.

The provisions of CVMSHCP Section 4.4 that relate to fluvial sand transport are not applicable to the proposed Project because the Project would not result in any impacts to fluvial transport areas. As such, the Project would have no potential to conflict with CVMSHCP Section 4.4 with respect to fluvial transport areas.

The Provisions of CVMSHCP Section 4.4 that relate to mesquite hummocks and mesquite bosque natural communities are not applicable to the proposed Project as the Survey Area does not contain any mesquite



hummocks and mesquite bosque natural communities. Accordingly, the Project would have no potential to conflict with CVMSHCP Section 4.4 with respect to mesquite hummocks and mesquite bosque natural communities.

The provisions of CVMSHCP Section 4.4 related to the Palm Springs pocket mouse are not applicable to the proposed Project, as these provisions only apply to habitat in the Upper Mission Creek/Big Morongo Canyon and Willow Hole Conservation Areas, while the Survey Area is located within the Thousand Palms community and outside of the Thousand Palms Conservation Area. Accordingly, the Project has no potential to conflict with the provisions of CVMSHCP Section 4.4 related to the Palm Springs pocket mouse.

The provisions of CVMSHCP Section 4.4 related to the Little San Bernardino Mountains linanthus are not applicable to the proposed Project as there is no suitable habitat for this species within the Survey Area.

C. Land Use Adjacency Guidelines (CVMSHCP Section 4.5)

Section 4.5 of the CVMSHCP serves to enforce the avoidance or minimization of indirect effects associated with projects adjacent to or within designated Conservation Areas, and addresses indirect effects due to drainage, toxics, lighting, noise, and invasive plant species. A property is considered adjacent if it shares a border with any parcel of the Conservation Area. The Survey Area is approximately 1,200 feet from the Thousands Palm Conservation Area at its most proximal border; therefore, adherence to the Guidelines is not required by the CVMSHCP. Notwithstanding, RBC recommends adherence to applicable best management practices within the CVMSHCP Guidelines in order to avoid and minimize impacts on adjacent native habitat and as a precautionary measure to ensure compliance with the CVMSHCP. Accordingly, Project impacts due to a potential conflict with the provisions of CVMSHCP Section 4.5 would be significant prior to mitigation.

D. CVMSHCP Modeled Habitat

The Coachella Valley Conservation Commission (CVCC) maintains an open data portal of the species habitat models used in preparation of the CVMSHCP. The habitat models indicate occurrence data, occupied habitat, and potential habitat for each CVMSCHP Covered Species. The models provide predictive distribution maps based on the assumption that a particular species has a high probability of occurrence in suitable habitats within its range. The Survey Area supports modeled habitat for six special-status species, as shown in Table 4.4-4, *Assessment of CVMSHCP Modeled Habitat Within the Survey Area*. (RBC, 2022a, p. 35)

Although Modeled Habitat for six Covered Species occurs on site, actual site conditions observed during RBC's general biological surveys vary from those predicted by CVMSHCP modeling. CVMSHCP modelling identifies Coachella Valley Jerusalem cricket, Coachella Valley milkvetch, and flat-tailed horned lizard as having suitable habitat on site; however, during biological surveys, these species were not identified as having moderate to high potential to occur due to low suitability of habitat. Field assessments confirmed habitat suitability for LeConte's thrasher, Palm Springs pocket mouse, and Coachella Valley round-tailed ground squirrel in concurrence with CVMSHCP modeling. The Survey Area is not located within a Conservation



Table 4.4-4 Assessment of CVMSHCP Modeled Habitat Within the Survey Area

Species	Assessment Modeled Habitat
Coachella Valley Jerusalem Cricket (<i>Stenopelmatus cahuilaensis</i>)	On-site habitat lacks adequate moisture needed to support this species. Wind deposited sand is limited due to surrounding developed land.
Coachella Valley milkvetch (<i>Astragalus lentiginosus</i> var. <i>coachellae</i>)	On-site habitat has been disturbed by off-road vehicle use and introduction on non-native plants. The natural aeolian sand transport system, which is essential for population viability, has been disrupted by adjacent development.
Flat-tailed horned lizard (<i>Phrynosoma mcallii</i>)	On-site habitat is surrounded by disturbed/developed land which reduces likelihood of species occurrence due to increased direct threats, such as predation by domestic/feral pets and urban adapted native species (e.g., coyote, raven, etc.).
LeConte's thrasher (<i>Toxostoma lecontei</i>)	On-site habitat is suitable for this species.
Palm Springs pocket mouse (<i>Perognathus longimembris bangsi</i>)	On-site habitat is suitable for this species.
Coachella Valley round-tailed ground squirrel (<i>Xerotherophilus tereticaudus chlorus</i>)	On-site habitat is suitable, and species is presumed present.

(RBC, 2022a, Table 9)

Area; therefore, focused surveys for species with modeled habitat are not required. As such, the Project has no potential to conflict with CVMSHCP policies related to modeled habitat for Covered Species. (RBC, 2022a, p. 36)

E. Conclusion of Project Consistency with the CVMSHCP

The proposed Project would be subject to payment of the CVMSHCP Local Development Mitigation Fee pursuant to Riverside County Ordinance No. 875, which would provide coverage for the Project under the CVMSHCP. Additionally, no portion of the Survey Area is targeted for conservation under the CVMSHCP, and as such the Project has no potential to conflict with the CVMSHCP Conservation Objectives pursuant to CVMSHCP Section 4.3. As discussed above, Project impacts due to a conflict with the CVMSHCP Section 4.4 provisions related to biological corridors, crissal thrasher, desert tortoise, peninsular bighorn sheep, triple-ribbed milkvetch, fluvial sand transport, mesquite hummocks and mesquite bosque natural communities, the Palm Springs pocket mouse, and the Little San Bernardino Mountains linanthus are not applicable to the Project for the reasons noted above; thus, the Project has no potential to result in conflicts with these provisions of Section 4.4 of the CVMSHCP. However, the Project has the potential to conflict with the provisions of CVMSHCP Section 4.4 with respect to burrowing owl, nesting riparian birds, and nesting LeConte's thrasher. In addition, the Project conservatively has the potential to conflict with applicable land use adjacency



guidelines included in CVMSHCP Section 4.5. Accordingly, prior to mitigation, the Project would result in a potentially significant impact due to a conflict with the above-listed provisions of the CVMSHCP.

Threshold b.: *Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?*

Threshold c.: *Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?*

The following discussion examines the potential impacts to plant and wildlife resources that would occur as a result of the proposed Project.

A. Impacts to Vegetation Communities

The proposed Project would result in permanent impacts to disturbed Sonoran creosote bush scrub, disturbed desert saltbush scrub, disturbed habitat, and developed land. Specifically, and as summarized in Table 4.4-5, *Project Impacts to Vegetation Communities*, the proposed Project would result in permanent impacts within the 83.0-acre Project site to approximately 1.5 acres of developed areas, less than 0.1-acre of disturbed areas, and approximately 81.4 acres of impacts to disturbed Sonoran creosote bush scrub. As previously discussed, the Project's potential off-site impacts would consist of impacts to 16.7 acres off-site associated with Project-related off-site utility and roadway improvements, as well as potential impacts to up to 45.8 acres within the potential off-site power pole alignments. It should be noted that individual power poles only would create disturbance to an approximate 10-foot by 10-foot area (100 s.f. total per power pole) and, based on a review of existing IID power poles in the local area, the power poles would be spaced at a distance of approximately 180 to 190 feet. Thus, while the Survey Area includes approximately 45.8 acres of potential impact, the actual area of physical impact would be far less than 45.8 acres. Regardless, and assuming that all portions of the Survey Area are impacted as part of Project development, the Project would result in worst-case impacts to up to 40.2 acres of developed areas, less than 0.1-acre of disturbed habitat, 0.6-acre of disturbed desert saltbush scrub, and approximately 104.5 acres of disturbed Sonoran creosote bush scrub. (RBC, 2022a, p. 24)

Although impacts on native vegetation communities would occur with Project implementation, such impacts would be offset through payment of CVMSHCP Local Development Mitigation Fees that would be used to acquire and maintain high-quality habitat within the CVMSHCP Reserve. With the payment of the required fee pursuant to Riverside County Ordinance No. 875, Project impacts on native vegetation communities that may provide habitat for sensitive animal species would be less than significant.



Table 4.4-5 Project Impacts to Vegetation Communities

Vegetation Community/ Land Use	Project Site Impacts (Acres)	Potential Off-Site Impacts (Acres)^{1,2}	Total Potential Project Impacts (Acres)^{1,2}
Developed	1.5	38.7	40.2
Disturbed	<0.1	0.0	<0.1
Disturbed Desert Saltbush Scrub	0.0	0.6	0.6
Disturbed Sonoran Creosote Bush Scrub	81.4	23.1	104.5
Totals:²	83.0	62.4	145.4

1. Potential Off-Site Impacts include the alternative alignments for IID power poles on approximately 45.8 acres, in addition to approximately 16.7 acres of Project-related off-site roadway and utility improvements. Within the 45.8 acres of potential power pole alignments, physical impacts only would occur at the locations of the power poles; however, as the precise locations of the power poles are not known at this time, the analysis herein conservatively assumes that the entire 62.5 acres of Off-Site areas would be impacted by Project development.
 2. Notes: Values reflect rounding. Additionally, it should be noted that the values shown for on- and off-site impact areas are slightly adjusted from what is shown in Table 5 of the Project's BR (EIR *Technical Appendix C1*) as the BR incorrectly allocates approximately 2.1 acres to off-site improvement areas that actually would occur within the boundaries of the 83.0-acre Project site. Total impacts (145.4 acres) to the vegetation communities depicted in Table 4.4-5 are consistent with the value presented in Table 5 of the BR for "Total Project Site Impacts."
- (RBC, 2022a, Table 5)

B. Impacts to Special-Status Plants

1. Impacts to Threatened and Endangered Plant Species

As discussed in Subsection 4.4.1.B, no federally- or State-listed threatened, endangered, or special-status plant species were observed within the Survey Area. Although Coachella Valley milkvetch, a federally-endangered and CRPR 1B.2 species, has a low potential to occur within the Survey Area, no Project impacts to the Coachella Valley milkvetch would occur with implementation of the proposed Project due to a lack of suitable habitat within the Survey Area. Furthermore, the Survey Area falls within the CVMSHCP area and Coachella Valley milkvetch is a Covered Species under the CVMSHCP. With payment of the CVMSHCP development fees, the Project would receive Take Authorization, allowing for direct take of Coachella Valley milkvetch and its habitat. The CVMSHCP does not require projects to comply with any avoidance and minimization measures specific to this species. Coachella Valley milkvetch is considered protected and adequately conserved through the CVMSHCP's designation of Conserved Areas; therefore, if present, impacts to the Coachella Valley milkvetch would be less than significant. (RBC, 2022a, pp. 24-25)

No other federally- or State-listed plant species would be affected by the Project as no other sensitive plant species are present and none have a moderate to high potential to occur on site. (RBC, 2022a, pp. 24-25)

2. Impacts to Other Special-Status Plant Species

As discussed previously, no other special-status plants were observed within the Survey Area. Additionally, no other special-status plant species have a moderate to high potential to occur in the Survey Area. Therefore, the proposed Project would result in no impact to other special-status plant species. (RBC, 2022a, p. 25)



C. Impacts to Special-Status Wildlife

1. Impacts to Threatened and Endangered Wildlife Species

Though highly degraded, the Project site overlaps with critical habitat for Coachella Valley fringe-toed lizard. While not anticipated to occur, this species is known from the region and has minor potential to be present on site. Coachella Valley fringe-toed lizard is a Covered Species under the CVMSHCP. With permitting and approval of the Project by the County of Riverside, a CVMSHCP Local Permittee, and mandatory payment of the CVMSHCP development fees as required by Riverside County Ordinance No. 875, the Project would receive Take Authorization, allowing for direct take of Coachella Valley fringe-toed lizard and its habitat. The CVMSHCP does not require projects to comply with any avoidance and minimization measures specific to this species. Coachella Valley fringe-toed lizard is considered protected and adequately conserved through the CVMSHCP's designation of Conserved Areas; therefore, impacts to Coachella Valley fringe-toed lizard would be considered less than significant. Additionally, although the area is mapped as critical habitat for Coachella Valley fringe-toed lizard by USFWS, the Project has no federal nexus, meaning that the Project has no federal funding or authorizations. Critical habitat designations do not restrict project activities without federal nexus. Accordingly, with mandatory payment of the CVMSHCP development fees, impacts to the Coachella Valley fringe-toed lizard would be less than significant. (RBC, 2022a, p. 25)

No additional federal- and/or State-listed wildlife species have moderate to high potential to occur or have critical habitat mapped within the Survey Area; therefore, the proposed Project would not result in significant impacts on federal and/or state listed wildlife species. (RBC, 2022a, p. 25)

Other Special-Status Wildlife Species

California horned lark (WL), yellow warbler (SSC), and Coachella Valley round-tailed ground squirrel (SSC) were the only non-listed special status wildlife species detected during Project biological surveys. The Survey Area also has moderate potential to support LeConte's thrasher, prairie falcon, vermilion flycatcher, and Palm Springs pocket mouse. The Project site also has low potential to support burrowing owl. (RBC, 2022a, pp. 25-26)

With Project implementation, direct impacts on California horned lark, LeConte's thrasher, yellow warbler, prairie falcon, vermilion flycatcher, Palm Springs pocket mouse, and Coachella Valley round-tailed ground squirrel could occur in the form of habitat destruction. However, LeConte's thrasher, yellow warbler, Palm Springs pocket mouse, and Coachella Valley round-tailed ground squirrel are Covered Species under the CVMSHCP; through conformance with CVMSHCP regulations and guidelines, their habitat is considered adequately conserved through the establishment of CVMSHCP Conservation Areas. With payment of CVMSHCP Local Development Mitigation Fees to mitigate impacts on native vegetation (as required by Riverside County Ordinance No. 875), Project impacts to LeConte's thrasher, yellow warbler, Palm Springs pocket mouse, and Coachella Valley round-tailed ground squirrel would be less than significant. Although not considered Covered Species under the CVMSHCP, suitable habitat for California horned lark, prairie falcon, and vermilion flycatcher also is conserved through the protection of other species' habitat. Any losses in habitat for these species would not pose a substantial decrease of overall habitat across these species' range.



Thus, the Project's impacts to these special-status wildlife species would be less than significant. (RBC, 2022a, p. 26)

However, the Survey Area contains vegetation with the potential to support native nesting birds. The proposed Project has the potential to impact nesting birds if vegetation is removed or ground disturbing activities are initiated during the nesting season (generally February through July). The CFGC prohibits mortality of native birds, including eggs. All habitat and land cover within the Project site has the potential to support nesting birds. The disturbed desert scrub communities have the potential to support a variety of avian species. Ground nesting by species such as California horned lark may also occur in the open areas across the Project site and onsite vegetation may be utilized by scrub-nesting species, such as verdin (*Auriparus flaviceps*) and Anna's hummingbird (*Calypte anna*), which were both observed on site. Thus, a significant impact could occur to nesting birds if grading or development were to occur to nesting birds if grading or development were to occur during the nesting season (generally February through July). Accordingly, the Project's potential impacts to nesting birds during the nesting season would be significant prior to mitigation. (RBC, 2022a, pp. 26-27)

With Project implementation, direct impacts on burrowing owl could occur in the form of habitat destruction. However, burrowing owl is a Covered Species under the CVMSHCP; through conformance with CVMSHCP regulations and guidelines, burrowing owl habitat is considered adequately conserved through the establishment of CVMSHCP Conservation Areas. Accordingly, Project impacts to burrowing owl habitat would be less than significant with mandatory payment of CVMSHCP development fees as required by Riverside County Ordinance No. 875. However, direct impacts on burrowing owl individuals also may result from potential death, injury, or harassment of nesting birds, their eggs, and their young. Injury or mortality to burrowing owl occurs most frequently during the vegetation clearing stage of construction and affects eggs, nestlings, and recently fledged young that cannot safely avoid equipment. Although no burrowing owl, burrowing owl sign, or suitable burrows were observed within the Survey Area during the general biological survey, there is nonetheless a potential for the Survey Area to become occupied with burrowing owls prior to Project-related construction activities. This is evaluated as a potentially significant impact for which mitigation, in the form of pre-construction burrowing owl surveys, would be required. (RBC, 2022a, p. 26)

Threshold d.: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Survey Area is approximately 1,200 feet southwest of the Thousand Palms Linkage as designated by the CVMSHCP; however, the Project site itself is not identified as a Conservation Area or wildlife corridor. The area southwest of the Project site is highly developed; thus, although the Survey Area is proximal to a Conservation Area to the northeast, it would not provide significant habitat connectivity considering its other urban borders. The ephemeral drainages within the Survey Area showed evidence of off-road vehicle use and are unlikely to serve as local wildlife corridors. The Survey Area likely does not function as a significant regional or local wildlife corridor given its disturbed state and proximity to development relative to other undeveloped land north of the site. Therefore, impacts to the movement of any native resident or migratory fish or wildlife, or to established native resident or migratory wildlife corridors would be less than significant and mitigation would not be required. Additionally, the Project site is not located within a native wildlife



nursery site; thus, no impacts to native wildlife nursery sites would occur with Project implementation. (RBC, 2022a, p. 27)

Threshold e.: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?

Table 4.4-5 (previously presented) provides a summary of the proposed Project's impacts to vegetation communities and land use types. As shown, the proposed Project would result in impacts to up to 40.2 acres of developed areas, less than 0.1-acre of disturbed areas, 0.6-acre of disturbed desert saltbush scrub, and 104.5 acres of disturbed Sonoran creosote bush scrub. None of the vegetation communities that would be impacted by the Project consist of riparian habitat, and due to their disturbed nature none of the vegetation communities on site are considered highly sensitive. Although impacts to native vegetation communities would occur with Project implementation, such impacts would be offset through the payment of CVMSHCP Local Development Mitigation Fees that would be used to acquire and maintain high-quality habitat within the CVMSHCP Reserve. With the payment of the required CVMSHCP fees pursuant to Riverside County Ordinance No. 875, Project impacts on sensitive native vegetation communities would be less than significant. (RBC, 2022a, p. 24)

Threshold f.: Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

A. Potential Impacts to Wetlands

Based on the aquatic resources delineation conducted by RBC, three aquatic resources were identified within the Survey Area, in addition to one swale (Swale S-1) and one basin (Basin B-1) that are not expected to be jurisdictional; however, none of the aquatic resources comprise wetland habitat. Accordingly, implementation of the proposed Project would not have a substantial adverse effect on State- or federally-protected wetlands, and no impact would occur.

B. Potential Impacts to Non-Wetland Jurisdictional Waters

As previously stated, the Project site and off-site improvement areas support three aquatic resources: Non-Wetland Water (NWW)-1, NWW-2, and NWW-3, as previously shown on Figure 4.4-2 and as previously summarized in Table 4.4-3. Specifically, the Survey Area supports approximately 3.55 acres (2,647 linear feet) of potential non-wetland waters of the State that are regulated by the RWQCB. The Survey Area also supports approximately 5.81 acres (2,626 linear feet) of vegetated streambed and approximately 0.01-acre (22 linear feet) of unvegetated streambed that are considered jurisdictional by the CDFW. Project impacts to each of these aquatic resources are summarized in Table 4.4-6, *Project Impacts to Aquatic/Jurisdictional Resources*, and are discussed below.

- **Non-Wetland Water 1:** NWW-1 occurs within the boundaries of the 83.0-acre Project site. All areas within the Project site boundaries would be impacted by Project development. Specifically, the Project



would result in impacts to 0.13-acre (586 linear feet) of aquatic resources that are considered jurisdictional by the RWQCB, and would result in impacts to 0.16-acre (586 linear feet) of vegetated streambed that is considered jurisdictional by the CDFW. Project impacts to NWW-1 would be significant prior to mitigation.

- **Non-Wetland Water 2:** NWW-2 occurs off site and east of the future intersection of 30th Avenue at Robert Road. This segment of 30th Avenue would not be improved by the Project; however, this segment of 30th Avenue is part of the potential future alignment for IID power pole locations. It is not possible to precisely determine impacts to this aquatic resource, if any, until IID identifies a preferred alignment and specific locations for the power poles. Based on a review of other IID power poles in the Project vicinity (e.g., along Monterey Avenue south of Ramon Road), power poles would be spaced at distances ranging from approximately 180 to 190 feet, and each power pole location is anticipated to result in physical impacts to an approximate 10-foot by 10-foot area (100 s.f. total per power pole).

Table 4.4-6 Project Impacts to Aquatic/Jurisdictional Resources

RWQCB Jurisdictional Areas					
Aquatic Resource ID ²	Presence of OHWM/ Wetland	Total Acreage	Total Linear Feet	Project Impacts	
				Acres	Linear Feet
NWW-1	Yes/No	0.13	586	0.13	586
NWW-2	Yes/No	2.84	462	<0.01 ³	30 ³
NWW-3	Yes/No	0.58	1,599	0.00	0
Totals:		3.55	2,647	0.14³	616³
CDFW Jurisdictional Areas					
Aquatic Resource ID ²	Aquatic Resource Type	Total Acreage	Total Linear Feet	Project Impacts	
				Acres	Linear Feet
NWW-1	Vegetated Streambed	0.16	586	0.16	586
NWW-2	Vegetated Streambed	4.76	462	<0.01 ³	30 ³
NWW-3	Unvegetated Streambed	0.01	22	0.00	0
	Vegetated Streambed	0.88	1,578	0.00	0
Totals:⁴		5.82	2,647	0.17³	616³

1. Although the Project's BR indicates that areas subject to RWQCB jurisdiction also may be subject to jurisdiction by the Corps, the Corps issued a letter, dated March 3, 2023, clarifying that none of the aquatic resources within the Project's Survey Area comprise water(s) of the United States pursuant to 33 CFR Part 325.9. A copy of the letter from the Corps is included as EIR *Technical Appendix C3*.
2. NWW = Non-Wetland Water; OHWM = Ordinary High Water Mark.
3. Project impacts to NWW-2 only would occur if the off-site IID power poles are installed along the segment of 30th Avenue between Robert Road and Monte Vista Way, and only would occur if the power poles along this segment are placed within the jurisdictional limits of NWW-2. In the event the power pole alignments or locations do not include this segment of 30th Avenue or if they are not installed within the jurisdictional limits of NWW-2, then no impact to NWW-2 would occur as a result of the Project. In such a case, Project impacts to RWQCB jurisdictional areas would consist of 0.13-acre (586 linear feet), and Project impacts to CDFW jurisdictional areas would consist of 0.16-acre (586 linear feet).
4. Note: Totals reflect rounding.
(RBC, 2022a, Tables 3, 4, 6, and 7)



NWW 2 extends for approximately 462 linear feet along the future alignment of 30th Avenue. Therefore, and assuming all of the power poles along this segment of 30th Avenue occur within the mapped limits of NWW-2, potentially three power poles could occur within the limits of NWW-2 (462 linear feet ÷ 180 linear feet/power pole = 2.57 power poles). Installation of up to three (3) power poles within the mapped jurisdictional limits of NWW-2 would result in worst-case physical impacts to up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW. Impacts to NWW-2 would not occur if power poles are not installed along the segment of 30th Avenue east of Robert Road or if power poles are installed along this segment but outside of the mapped limits of NWW-2.

- **Non-Wetland Water 3:** As previously shown on Figure 4.4-2, NWW-3 occurs within the Survey Area, but occurs outside of the Project's potential impact area. As such, Project implementation would completely avoid impacts to 0.58-acre (1,599 linear feet) of non-wetland waters considered jurisdictional by the RWQCB, and would completely avoid impacts to 0.01-acre (22 linear feet) of unvegetated streambed and 0.88-acre (1,578 linear feet) of vegetated streambed considered jurisdictional by the CDFW.

Accordingly, and assuming the worst-case scenario in which up to three power poles are constructed within the mapped jurisdictional limits for NWW-2, the proposed Project would result in impacts to up to 0.14-acre (616 linear feet) of aquatic resources considered jurisdictional by the RWQCB, and up to 0.17-acre (616 linear feet) of impact to aquatic resources considered jurisdictional by the CDFW. In the event the power pole alignments or locations do not include this segment of 30th Avenue or if they are not installed within the jurisdictional limits of NWW-2, Project impacts to RWQCB jurisdictional areas would be limited to 0.13-acre (586 linear feet), and Project impacts to CDFW jurisdictional areas would consist of 0.16-acre (586 linear feet), all of which would occur within the 83.0-acre Project site. Project impacts to jurisdictional resources represents a significant impact for which mitigation would be required.

Threshold g.: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Aside from the CVMSHCP, which is addressed under the analysis of Threshold a., the only other local policies or ordinances protecting biological resources are the Riverside County Oak Tree Management Guidelines and Riverside County Ordinance No. 559 (Regulating the Removal of Trees). There are no oak trees or vegetation communities containing oak trees within the Survey Area. As such, the Project has no potential to result in a conflict with the County's Oak Tree Management Guidelines. Additionally, Riverside County Ordinance No. 559 applies to properties located above 5,000 feet above mean sea level (amsl) in elevation, while the maximum elevation at the Project site is approximately 326 feet amsl; thus, Riverside County Ordinance No. 559 is not applicable to the proposed Project. Accordingly, and aside from potential impacts due to a conflict with the CVMSHCP (as addressed under the analysis of Threshold a.), the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and no impact would occur.



4.4.5 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development within the purview of the CVMSHCP. This study area for cumulatively-considerable impacts to biological resources is appropriated because the CVMSHCP encompasses a large area adjacent to the Project site, and provides for the long-term protection of sensitive plant, animal, and plant communities throughout the CVMSHCP area. Additionally, most cumulative development projects within the Project vicinity would be subject to the provisions of the CVMSHCP, and the general range of habitats, species, climate, etc. are consistent throughout the CVMSHCP.

As discussed under Threshold a., the Project would not conflict with the CVMSHCP Conservation Objectives because the Project site is not targeted for conservation under the CVMSHCP. Additionally, the Project would not conflict with the CVMSHCP provisions related to biological corridors. However, the Project has the potential to result in impacts to the burrowing owls, which would represent a conflict with the CVMSHCP. In addition, although the Project would not result in any impacts to least Bell's vireo, southwestern willow flycatcher, summer tanager, or yellow breasted chat, the Project has the potential to result in adverse effects to the nesting yellow warbler individuals during construction. The Project also has the potential to result in impacts to other nesting bird species, including LeConte's thrasher, and such impacts are prohibited by the CFGC. The Project would comply with all other provisions of CVMSHCP Section 4.4. Additionally, while it is not anticipated that the Project would result in indirect impacts to CVMSHCP Conservation Areas, RBC nonetheless recommends adherence to applicable best management practices within the CVMSHCP Guidelines in order to avoid and minimize impacts on adjacent native habitat and as a precautionary measure to ensure compliance with the CVMSHCP. Therefore, Project impacts to the burrowing owl, yellow warbler, nesting bird species (including LeConte's thrasher), and indirect impacts to the CVMSHCP Conservation Areas represent potential conflicts with the CVMSHCP. As other cumulative developments within the region similarly could conflict with applicable CVMSHCP requirements, the Project's impacts due to a conflict with the CVMSHP would be cumulatively considerable.

As discussed in the analysis of Thresholds b. and c., none of the vegetation communities within the Survey Area are considered sensitive vegetation communities; thus, cumulatively-considerable impacts to sensitive vegetation communities would be less than significant. No federally- or State-listed threatened, endangered, or special-status plant species were observed within the Survey Area, and the Project's potential impacts to the Coachella Valley milkvetch (a covered plant species) would be less than significant with mandatory payment of CVMSHCP fees as required by Riverside County Ordinance No. 875. Although there is a remote potential the Project could result in impacts to Coachella Valley fringe-toed lizard, this species also is covered under the CVMSHP and Project impacts would be less than significant with mandatory payment of CVMSHP fees pursuant to Riverside County Ordinance No. 875. The Project would not result in any other impacts to federally- and/or State-listed wildlife species. However, the Survey Area contains vegetation with the potential to support native nesting birds. The proposed Project has the potential to impact nesting birds if vegetation is removed or ground disturbing activities are initiated during the nesting season (generally February through July). The CFGC prohibits mortality of native birds, including eggs. In addition, although no burrowing owl, burrowing owl sign, or suitable burrows were observed within the Survey Area during the general biological survey, there is nonetheless a potential for the Survey Area to become occupied with burrowing owls prior to



Project-related construction activities, resulting in a potentially significant impact. As other cumulative developments also have the potential to result in impacts to nesting birds protected by the CFGC and/or the burrowing owl, Project impacts would be cumulatively considerable.

As discussed in the analysis of Threshold d., the Project site does not contain a wildlife nursery site, and no cumulatively-considerable impacts to wildlife nursery sites would occur. Additionally, the Project site does not occur in a wildlife corridor or linkage, and impacts to wildlife movement corridors would be less than significant on a cumulatively-considerable basis.

As discussed under the analysis of Threshold e., the proposed Project would result in impacts to up to 40.2 acres of developed areas, less than 0.1-acre of disturbed areas, 0.6-acre of disturbed desert saltbush scrub, and 104.5 acres of disturbed Sonoran creosote bush scrub. None of the vegetation communities that would be impacted by the Project consist of riparian habitat, and due to their disturbed nature none of the vegetation communities within the Survey Area are considered highly sensitive. Moreover, impacts to vegetation communities would be offset through the payment of CVMSHCP Local Development Mitigation Fees that would be used to acquire and maintain high-quality habitat within the CVMSHCP Reserve. As other cumulative developments also would be subject to payment of CVMSHCP fees, Project impacts to riparian habitat and sensitive vegetation communities would be less than significant on a cumulatively-considerable basis.

As discussed under Threshold f., the Project would not result in any impacts to State- or federally-protected wetlands. However, implementation of the proposed Project would result in significant impacts to up to 0.14-acre (616 linear feet) of aquatic resources considered jurisdictional by the RWQCB, and up to 0.17-acre (616 linear feet) of impact to aquatic resources considered jurisdictional by the CDFW. As other cumulative developments within the region also would have the potential to result in impacts to waters jurisdictional by the RWQCB and/or CDFW, Project impacts would be cumulatively considerable.

As indicated in the analysis of Threshold g., aside from the CVMSHCP, which is addressed under the analysis of Threshold a., the only other local policies or ordinances protecting biological resources are the Riverside County Oak Tree Management Guidelines and Riverside County Ordinance No. 559 (Regulating the Removal of Trees). However, the Project site does not contain any oak trees that would be subject to the County's Oak Tree Management Guidelines, and Riverside County Ordinance No. 559 applies only to properties located above 5,000 feet amsl. Accordingly, Project impacts due to a conflict with local policies or ordinances protecting biological resources would be less-than-cumulatively considerable.

4.4.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a.: Significant Direct and Cumulatively-Considerable Impact. The Project would not conflict with the CVMSHCP Conservation Objectives because the Project site is not targeted for conservation under the CVMSHCP. Additionally, the Project would not conflict with the CVMSHCP provisions related to biological corridors. However, the Project has the potential impact burrowing owls, which would represent a conflict with the CVMSHCP if the species is not surveyed for and avoided pre-construction. In addition, the Project has the potential to result in adverse effects to nesting yellow warbler and LeConte's thrasher and to other



nesting bird species if the species are not surveyed for and avoided pre-construction. Therefore, the Project's potential impacts to the burrowing owl, nesting bird species (including yellow warbler and LeConte's thrasher), and potential indirect impacts to the CVMSHCP Conservation Areas represent potential conflicts with the CVMSHCP on a direct and cumulatively-considerable basis.

Threshold b. and c.: Significant Direct and Cumulatively Considerable Impact. No sensitive vegetation communities would be impacted by the Project; thus, impacts to sensitive vegetation communities would not occur. Pertaining to plants, no federally- or State-listed threatened, endangered, or special-status plant species would be impacted other than potential impacts to the Coachella Valley milkvetch (a covered plant species), the impact to which would be less than significant with mandatory payment of CVMSHCP fees as required by Riverside County Ordinance No. 875. Pertaining to wildlife species, although there is a remote potential the Project could result in impacts to Coachella Valley fringe-toed lizard, this species is covered under the CVMSHP and Project impacts would be less than significant with mandatory payment of CVMSHP fees pursuant to Riverside County Ordinance No. 875. Potential impacts to burrowing owls and nesting birds would be significant on both a direct and cumulatively-considerable basis.

Threshold d.: Less-Than-Significant Impact. The Project site does not contain any wildlife nursery sites. The Project site is approximately 1,200 feet southwest of the CVMSHCP-designated Thousand Palms Linkage and is not within a wildlife corridor. Therefore, implementation of the proposed Project would result in less-than-significant impacts to wildlife movement corridors and linkages.

Threshold e.: Less-Than-Significant Impact. The Project would physically impact up to 40.2 acres of developed areas, less than 0.1-acre of disturbed areas, 0.6-acre of disturbed desert saltbush scrub, and up to 104.5 acres of disturbed Sonoran creosote bush scrub. None of these vegetation communities consist of riparian habitat, and due to their disturbed nature are not considered sensitive. Moreover, impacts to vegetation communities would be offset through the payment of CVMSHCP Local Development Mitigation Fees that would be used to acquire and maintain high-quality habitat within the CVMSHCP Reserve. Accordingly, Project impacts to riparian habitats and other sensitive natural plant communities would be less than significant.

Threshold f.: Significant and Cumulatively-Considerable Impact. The Project would not impact any State- or federally-protected wetlands. However, and assuming the worst-case scenario in which up to three power poles are constructed within the mapped jurisdictional limits for NWW-2, the Project would impact up to 0.14-acre (616 linear feet) of aquatic resources considered jurisdictional by the RWQCB, and up to 0.17-acre (616 linear feet) of impact to aquatic resources considered jurisdictional by the CDFW. In the event the power pole alignments or locations do not include this segment of 30th Avenue or if they are not installed within the jurisdictional limits of NWW-2, Project impacts to RWQCB jurisdictional areas would be reduced to 0.13-acre (586 linear feet), and Project impacts to CDFW jurisdictional areas would consist of 0.16-acre (586 linear feet), all of which would occur within the 83.0-acre Project site. Project impacts to aquatic resources considered jurisdictional by the RWQCB and/or CDFW represent a significant impact of the proposed Project on both a direct and cumulatively-considerable basis.



Threshold g.: No Impact. Aside from the CVMSHCP, discussed under Threshold a., the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and no impact would occur.

4.4.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude biological resource impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- Prior to issuance of building permits, the Project Applicant shall make payment of CVMSHCP fees pursuant to Riverside County Ordinance No. 875, *Establish a Local Development Mitigation Fee for Funding the Preservation of Natural Ecosystems in Accordance with the Coachella Valley Multiple Species Habitat Conservation Plan*.
- Prior to issuance of grading permits or other permits authorizing ground-disturbing activities associated with the Project site that would impact jurisdictional waters, the Project Applicant shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) for Project impacts to 0.14-acre (616 linear feet) of vegetated and unvegetated streambed and a Section 1602 Streambed Alteration Permit from CDFW for Project impacts to 0.17-acre (616 linear feet) of vegetated and unvegetated streambed.
- Prior to the installation of IID power poles, IID shall identify the locations of the poles and their physical impact areas. If the physical impact area includes areas under the jurisdiction of the CDFW and RWQCB along 30th Avenue, the Project Applicant or IID shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from California Department of Fish and Wildlife (CDFW) for Project impacts of approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW. Permits are not required if power poles are not installed along the segment of 30th Avenue east of Robert Road or if power poles are installed along this segment but outside of the mapped limits of jurisdiction areas. If permits are required, the permits may be combined into the same permit for the warehouse component of the Project.
- The Project is required to comply with Riverside County Ordinance No. 915, which is intended to provide minimum requirements for outdoor lighting in order to reduce light trespass. Ordinance No. 915 provides regulations on adequate lighting shielding, glare, and light trespass in order to ensure all development in Riverside County installs lighting in a way that does not jeopardize the health, safety, or general welfare of Riverside County residents or degrade their quality of life. Mandatory



compliance with Ordinance No. 915 would ensure that Project-related lighting under long-term operating conditions does not expose nearby CVMSHCP Conservation Areas to excessive Project-related lighting.

Mitigation

MM 4.4-1 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require the following: ~~Project Applicant to retain a qualified biologist to perform a burrowing owl survey at all potentially suitable habitat sites within the Project's limits of disturbance within 30 days of the commencement of any ground-disturbing activities at the Project site, as discussed below.~~

- Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation prior to vegetation removal or ground-disturbing activities.
- If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Management Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.
- Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for



~~review and approval prior to commencing Project activities. Pre-Construction Survey: The pre-construction survey shall be performed by a qualified biologist that will survey the site for the presence/absence of burrowing owls within 30 days prior to commencement of ground-disturbing activities at any portion of the Project site. If burrowing owls are detected on-site during the pre-construction survey, the owls shall be relocated/excluded from the site outside of the breeding season following accepted protocols, and subject to the approval of the Coachella Valley Conservation Commission (CVCC) and Wildlife Agencies (i.e., CDFW and/or USFWS).~~

- ~~• Burrowing Owl Management Plan: In the event that burrowing owl is determined to be present, or in the event that an assumption is made that the burrowing owl occurs on-site, a burrowing owl management plan shall be prepared and implemented in coordination with the CVCC and CDFW that shall detail the relocation of owls from the Project site, passively and/or actively. If additional site visits determine the species is absent, then the pre-construction survey (as discussed above) shall instead be implemented.~~

The conditions of approval shall require that a copy of the results of the pre-construction survey (and all additional surveys), as well as copies of the Burrowing Owl Management Plan, if required, must be provided to the County of Riverside Planning Department for review and approval (in the case of the Burrowing Owl Management Plan) prior to any vegetation clearing and ground disturbance activities.

MM 4.4-2 Prior to the issuance of grading permits for Plot Plan No. 220022, Riverside County shall condition the grading permit(s) to require the following. This note also shall be depicted on the Project's grading plans, and Project contractors shall be required to ensure compliance with this note and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. This note also shall be specified in bid documents issued to prospective construction contractors.

~~"Vegetation clearing shall be conducted outside of the peak bird nesting season (generally February 1 through July 31) to the extent feasible. Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If avoidance of the nesting season is not feasible, a nesting bird survey shall be conducted by a qualified biologist within no more than 72 hours of such scheduled disturbance, to determine the presence of nests or nesting birds. If active nests are identified found during the pre-construction nesting bird surveys, a qualified~~the biologist shall establish an appropriate nest buffers to be marked on the ground. around the vegetation (typically 500 feet for raptors and sensitive species, 300 feet for non-raptors/non-sensitive species). Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and



~~based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The biologist shall review and verify compliance with these nesting boundaries and shall verify the nesting effort has finished. Work may resume within the buffer area when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to Riverside County for mitigation monitoring compliance record keeping. If vegetation removal is not completed within 72 hours of a negative survey during nesting season, the nesting survey must be repeated to confirm the absence of nesting birds."~~

- MM 4.4-3 Best management practices in compliance within the CVMSHCP Guidelines shall apply to avoid and minimize impacts on adjacent native habitat. Prior to issuance of grading and/or building permits, Riverside County shall review the grading and/or building plans to ensure the following requirements are either depicted on the plans, or included as notes on the building or grading plans. Construction contractors shall be required to ensure compliance with these requirements and permit periodic inspection of the construction site by Riverside County staff or its designee to confirm compliance. These requirements also shall be specified in bid documents issued to prospective construction contractors.
- Prior to the allowance of nighttime construction work, Riverside County shall review the plans to ensure that a note is included requiring that all lighting be oriented inward toward the Project site and away from the northeastern boundaries of the Project site.
 - Prior to the approval of landscape construction drawings, Riverside County shall review proposed landscape plans to ensure that none of the prohibited ornamental plant species listed in Table 4-113, *Prohibited Invasive Ornamental Plants*, of the CVMSHCP are included in the plans.
 - Prior to issuance of building permits, Riverside County shall review the building plans to ensure that appropriate barriers, such as native landscaping, rocks/boulders, fencing, walls,



and/or signage, have been incorporated in the plans to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping east of the planned alignment of Robert Road in adjacent native habitats.

- Prior to issuance of grading permits, Riverside County shall review the grading plans to ensure that the plans include a note requiring that the limits of grading/disturbance on site shall be delineated (e.g., through the use of orange construction fencing or other appropriate measures) to ensure that Project-related construction activities, including grading, does not occur outside project boundaries.

MM 4.4-4 Prior to issuance of grading permits that would affect jurisdictional aquatic resources, the Project Applicant shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from CDFW for Project impacts. Project impacts to up to 0.13-acre of RWQCB and up to 0.16-acre of CDFW jurisdictional areas shall be mitigated at a minimum 1:1 mitigation ratio (equal to 0.16-acre) through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW.

MM 4.4-5 Prior to the installation of IID power poles, IID shall identify the locations of the poles and their physical impact areas. If the physical impact area includes areas under the jurisdiction of the CDFW and RWQCB along 30th Avenue, the Project Applicant or IID shall provide the Riverside County Planning Department with copies of a Waste Discharge Requirements (WDR) permit from the Colorado River Basin Regional Water Quality Control Board (RWQCB) and a Section 1602 Streambed Alteration Permit from California Department of Fish and Wildlife (CDFW) for Project impacts of approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW. If permits are required, the permits may be combined into the same permit for the warehouse component of the Project. Project impacts to up to 300 s.f. of RWQCB and CDFW jurisdictional areas shall be mitigated at a minimum 1:1 mitigation ratio (equal to 300 s.f.) through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW. Permits and mitigation are not required if power poles are not installed along the segment of 30th Avenue east of Robert Road or if power poles are installed along this segment but outside of the mapped limits of jurisdiction areas.

MM 4.4-6 Prior to issuance of a grading permit, a thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (see <https://wildlife.ca.gov/Conservation/Plants>) shall be performed in the



grading disturbance boundary by a qualified biologist. Should any species of native plants designated as rare, threatened, or endangered by State law (excluding CVMSHCP Covered Species) be present in the Project area, grading shall not be permitted to commence in the area containing the species until the qualified biologist and Riverside County's Environmental Programs Department confer and agree upon a program for on-site or off-site habitat enhancement or restoration at a minimum 1:1 ratio and/or agree to off-site land acquisition, management, and preservation at a minimum 1:1 ratio to reduce impacts to less-than-significant levels. Implementation of the agreed-upon program shall be initiated prior to the issuance of a building permit and completion of the program shall occur prior to building final inspection prior to occupancy.

- MM 4.4-7 Throughout construction and the lifetime operations of the Project, the County of Riverside and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County of Riverside and Project proponent shall ensure that all lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County of Riverside and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.
- MM 4.4-8 Prior to vegetation removal or ground-disturbing activities, the Project Applicant and/or County of Riverside will collaborate with the Coachella Valley Conservation Commission to plan and implement a salvage of sand-dependent Covered Species within the Project site.
- MM 4.4-9 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging) for Plot Plan No. 220022, the County shall condition the permit(s) to require a pre-construction survey(s) by a qualified biologist(s) for all special status wildlife species including but not limited to desert tortoise, Coachella Valley fringed toed lizard, Casey's June beetle, California red-legged frog, mountain yellow-legged frog, golden eagle, least Bell's vireo, and desert bighorn sheep. A copy of the results of the pre-construction survey(s) shall be provided to the County of Riverside Environmental Programs Department for review and approval prior to any vegetation clearing and ground disturbance activities. If any special status wildlife species are present, a qualified biologist shall implement clearance and exclusion measures approved by the Riverside County Environmental Programs Department prior to the commencement of ground disturbing activities.



4.4.8 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a.: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.4-1 would ensure that appropriate pre-construction surveys are conducted for the burrowing owl, and would further ensure that impacts to any individual burrowing owl(s) that may be identified are avoided, and would require preparation and implementation of a Burrowing Owl Plan in the event any burrowing owl individuals are identified during the pre-construction surveys. Implementation of Mitigation Measure MM 4.4-2 would ensure pre-construction nesting surveys are conducted prior to commencement of construction activities, and further requires appropriate avoidance of any active nests that may be identified. In addition, and although indirect impacts to the CVMSHCP Conservation Areas are not anticipated, implementation of Mitigation Measure MM 4.4-3 would ensure that appropriate measures are undertaken in order to preclude impacts to the Conservation Areas. Implementation of the required mitigation would reduce the Project's potential impacts due to a conflict with the CVMSHCP to less-than-significant levels.

Threshold b. and c.: Less-Than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.4-1 would ensure that appropriate pre-construction surveys are conducted for the burrowing owl, and would further ensure that impacts to any individual burrowing owl(s) that may be identified are avoided, and would require preparation and implementation of a Burrowing Owl Plan in the event any burrowing owl individuals are identified during the pre-construction surveys. Implementation of Mitigation Measure MM 4.4-2 would ensure pre-construction nesting surveys are conducted prior to commencement of construction activities, and further requires appropriate avoidance of any active nests that may be identified. Implementation of the required mitigation would reduce Project impacts to the burrowing owl and nesting birds to below a level of significance.

Threshold f.: Less-Than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.4-4 would ensure that Project on-site impacts to approximately impacts to up to 0.13-acre (586 linear feet) of aquatic resources considered jurisdictional by the RWQCB and Project impacts to up to 0.16-acre (586 linear feet) of aquatic resources considered jurisdictional by the CDFW are mitigated at a minimum 1:1 ratio in accordance with the Waste Discharge Order to be issued by the RWQCB and the Section 1602 Streambed Alteration Agreement (SAA) to be issued by the CDFW. Mitigation shall occur through compensatory mitigation provided on or off site, through payment of in-lieu fees, through purchase of mitigation credits at an approved mitigation bank, and/or as otherwise specified by the permits issued by the RWQCB and/or CDFW. Implementation of Mitigation Measure MM 4.4-5 would ensure that impacts to approximately 300 s.f. (<0.01-acre) and 30 linear feet of impacts to non-wetland waters considered jurisdictional by the RWQCB and up to 300 s.f. (<0.01-acre) and 30 linear feet of impacts to vegetated streambed considered jurisdictional by the CDFW that could result from the installation of off-site IID power poles are mitigated at a minimum 1:1 mitigation ratio. Implementation of the required mitigation would ensure that Project impacts to aquatic resources considered jurisdictional by the RWQCB and/or CDFW are mitigated to below a level of significance.



4.5 CULTURAL RESOURCES

The analysis in this Subsection 4.5 is based on a site-specific cultural resources analysis (herein, “CRA”) prepared by CRM Tech, entitled “Historical/Archaeological Resources Survey Report Majestic Thousand Palms Project,” dated February 9, 2023, and included as *Technical Appendix D* to this EIR (CRM Tech, 2023). All references used in this Subsection are included in EIR Section 7.0, *References*.

It should be noted that confidential information has been redacted from *Technical Appendix D* for purposes of public review. In addition, much of the written and oral communication between Native American tribes, the County of Riverside, and CRM Tech is considered confidential in respect to places that have traditional tribal cultural significance (Gov. Code § 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (Cal. Code Regs. § 15120(d)).

4.5.1 EXISTING CONDITIONS

The proposed Project is located in unincorporated Riverside County within the community of Thousand Palms. The following provides a brief discussion on the prehistoric and historic context of the Project area for better understanding the relevance of resources identified within its proximity. Refer to the Project’s CRA (*Technical Appendix D*) for a complete discussion of the prehistoric and historic setting.

A. Prehistoric Context

1. Paleoindian Period

Numerous investigations on the history of cultural development in southern California have led researchers to propose a number of cultural chronologies for the desert regions. A specific cultural sequence for the Colorado Desert was offered by Schaefer (1994) on the basis of the many archaeological studies conducted in the area. The earliest time period identified is the Paleoindian (ca. 8,000 to 10,000-12,000 years ago), when “small, mobile bands” of hunters and gatherers, who relied on a variety of small and large game animals as well as wild plants for subsistence, roamed the region. These small groups settled “on mesas and terraces overlooking larger washes.” Typical artifacts and features from that period include very simple stone tools, “cleared circles, rock rings, [and] some geoglyph types.” (CRM Tech, 2023, p. 5)

2. Early Archaic Period and Late Prehistoric Period

The Early Archaic Period follows and dates to ca. 8,000 to 4,000 years ago. It appears that a decrease in population density occurred at this time and that the indigenous groups of the area relied more on foraging than hunting. Very few archaeological remains have been identified to this time period. The ensuing Late Archaic Period (ca. 4,000 to 1,500 years ago) is characterized by continued low population densities and groups of “flexible” sizes that settled near available seasonal food resources and relied on “opportunistic” hunting of game animals. Groundstone artifacts for food processing were prominent during this time period. The most recent period in Schaefer’s scheme, the Late Prehistoric, dates from ca. 1,500 years ago to the time of the



Spanish missions and saw the continuation of the seasonal settlement pattern. Peoples of the Late Prehistoric Period were associated with the Patayan cultural pattern and relied more heavily on the availability of seasonal “wild plants and animal resources” (Schaefer 1994). It was during this period that brown and buff ware ceramics were introduced into the region. (CRM Tech, 2023, p. 5)

B. Ethnohistoric Context

1. Cahuilla

The Coachella Valley is a historical center of Native American settlement, where U.S. surveyors noted large numbers of Indian villages and rancherías occupied by the Cahuilla people in the mid 19th century. The origin of the name “Cahuilla” is unclear, but may originate from their own word *káwiya*, meaning master or boss. The Takic-speaking Cahuilla are generally divided by anthropologists into three groups, according to their geographic setting: the Pass Cahuilla of the San Geronio Pass-Palm Springs area, the Mountain Cahuilla of the San Jacinto and Santa Rosa Mountains and the Cahuilla Valley, and the Desert Cahuilla of the eastern Coachella Valley. The basic written sources on Cahuilla culture and history include Kroeber (1925), Strong (1929), and Bean (1978), based on information provided by such Cahuilla informants as Juan Siva, Francisco Patencio, Katherine Siva Saubel, and Mariano Saubel. The following ethnohistoric discussion is based primarily on these sources. (CRM Tech, 2023, pp. 5-6)

The Cahuilla did not have a single name that referred to an all-inclusive tribal affiliation. Instead, membership was in terms of lineages or clans. Each lineage or clan belonged to one of two main divisions of the people, known as moieties. Their moieties were named for the Wildcat, or Tuktum, and Coyote, or Istam. Members of clans in one moiety had to marry into clans from the other moiety. Individual clans had villages, or central places, and territories they called their own, for purposes of hunting game, and gathering raw materials for food, medicine, ritual, or tool use. They interacted with other clans through trade, intermarriage, and ceremonies. (CRM Tech, 2023, p. 6)

Cahuilla subsistence was defined by the surrounding landscape and primarily based on the hunting and gathering of wild and cultivated foods, exploiting nearly all of the resources available in a highly developed seasonal mobility system. They were adapted to the arid conditions of the desert floor, the lacustral cycles of Holocene Lake Cahuilla, and the cooler temperatures and resources available at higher elevations in the nearby mountains. When the lake was full, or nearly full, the Cahuilla would take advantage of the resources presented by the body of fresh water, building elaborate stone fish traps. Once the lake had desiccated, they relied on the available terrestrial resources. (CRM Tech, 2023, p. 6)

The Cahuilla diet included seeds, roots, wild fruits and berries, acorns, wild onions, piñon nuts, and mesquite and screw beans. Medicinal plants such as creosote, California sagebrush, yerba buena, and elderberry were typically cultivated near villages. Common game animals included deer, antelope, big horn sheep, rabbits, wood rats and, when Holocene Lake Cahuilla was present, fish and waterfowl. The Cahuilla hunted with throwing sticks, clubs, nets, traps, and snares, as well as bows and arrow. Common tools included manos and metates, mortars and pestles, hammerstones, fire drills, awls, arrow-straighteners, and stone knives and scrapers. These lithic tools were made from locally sourced material as well as materials procured through trade or travel. They also used wood, horn, and bone spoons and stirrers; baskets for winnowing, leaching,



grinding, transporting, parching, storing, and cooking; and pottery vessels for carrying water, storage, cooking, and serving food and drink. (CRM Tech, 2023, p. 6)

Cahuilla oral tradition tells of a time before there were palms in the area, and how the people, birds, and animals enjoyed the palm fruit once it had arrived. The planting of palms by the Cahuilla is well-documented, as is their enhancement of palm stands through the practice of controlled burning. Burning palm stands would increase fruit yield dramatically by eliminating pests such as the palm borer beetle, date scales, and spider mites. Firing palm stands prevented out-of-control wildfires by eliminating dead undergrowth before it accumulated to dangerous levels. The Cahuilla also burned stands of chia to produce higher yields, and deergrass to yield straighter, more abundant stalks for basketry. (CRM Tech, 2023, p. 6)

Population data prior to European contact is almost impossible to obtain, but estimates range from 3,600 to as high as 10,000 persons covering a territory of over 2,400 square miles. During the 19th century, the Cahuilla population was decimated as a result of European diseases, most notably smallpox, for which the Native peoples had no immunity. Today, Native Americans of Pass or Desert Cahuilla heritage are mostly affiliated with one or more of the Indian reservations in and near the Coachella Valley, including Morongo, Agua Caliente, Cabazon, Torres Martinez, and Augustine. There has been a resurgence of traditional ceremonies in recent years, and the language, songs, and stories are now being taught to the youngest generations. (CRM Tech, 2023, pp. 6-7)

C. Historic Context

In 1823-1825, José Romero, José Maria Estudillo, and Romualdo Pacheco became the first noted European explorers to travel through the Coachella Valley when they led a series of expeditions in search of a route to Yuma. Due to harsh environmental conditions, few non-Indians ventured into the desert valley during the Mexican and early American periods, save a few sporadic travelers along established trails. The most important of these trails was the Cocomaricopa Trail, an ancient Indian trading route that was “discovered” in 1862 by William David Bradshaw and known after that as the Bradshaw Trail. In much of the Coachella Valley, this historic wagon road traversed a similar course to that of present-day Highway 111. During the 1860s-1870s, the Bradshaw Trail served as the main thoroughfare between coastal southern California and the Colorado River, until the completion of the Southern Pacific Railroad in 1876-1877 brought an end to its heyday. (CRM Tech, 2023, p. 7)

Non-Indian settlement in the Coachella Valley began in the 1870s with the establishment of railroad stations along the Southern Pacific Railroad and spread further in the 1880s after public land was opened for claims under the Homestead Act, the Desert Land Act, and other federal land laws. Farming became the dominant economic activity in the valley thanks to the development of underground water sources, often in the form of artesian wells. Around the turn of the century, the date palm was introduced into the Coachella Valley, and by the late 1910s dates were the main agricultural crop and the tree an iconic image celebrating the region as the “Arabia of America.” Then, starting in the 1920s, a new industry featuring equestrian camps, resorts, hotels, and eventually country clubs began to spread throughout the Coachella Valley, transforming it into southern California’s premier winter retreat. (CRM Tech, 2023, p. 7)



The community of Thousand Palms, like two other small localities that once existed in the vicinity, Edom and Dry Camp, owes much of its birth to the presence of railroad facilities. In 1904, two homesteaders, Ned McKesson and August Strelow, arrived in the area to establish a citrus ranch and a date garden, respectively, which would become the dual centers of the budding community during the ensuing decades. In 1939, the Southern Pacific Railroad connected its Edom and Dry Camp Sidings into a single, 14,000-foot-long siding and named it the Thousand Palms Siding, after nearby Thousand Palms Canyon and Oasis. Around the same time, the Edom post office was moved to the vicinity of present-day Thousand Palms to be more convenient for its 20 permanent patrons and 15-20 winter residents. It was subsequently renamed Thousand Palms to reflect the new location. (CRM Tech, 2023, p. 7)

After the establishment of U.S. Highway 60/70/99 across the Coachella Valley (now Varner Road in the project vicinity), Thousand Palms enjoyed a brief period of prosperity in the 1930s-1950s hosting businesses that catered to the needs of passing travelers, as did many other small towns in the California desert region that found themselves next to major arteries in the 1926 United States Numbered Highway System. The same convenience in location also caught the attention of residential developers, who had only limited success before the advantage was negated by the completion of Interstate Highway 10 in the 1950s. Since then, Edom and Dry Camp have all but disappeared, but Thousand Palms has grown slowly into a community of several thousand permanent residents today. (CRM Tech, 2023, pp. 7-8)

D. Research Methods

The archeological program for the proposed Project consisted of a cultural records search and a Native American Sacred Lands File search, pursued historical background research, and a systematic field survey. (CRM Tech, 2023, p. 4)

1. Records Search

The historical/archaeological resources records search for the Project site was provided by the Eastern Information Center (EIC), University of California, Riverside, on April 7, 2022. During the records search, EIC staff examined maps and records on file for previously identified cultural resources and existing cultural resources reports within a one-mile radius of the project area. Previously identified cultural resources include properties designated as California Historical Landmarks, Points of Historical Interest, or Riverside County Historic Landmarks, as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory. (CRM Tech, 2023, p. 8)

2. Historical Research

Historical background research was conducted by professionals at CRM Tech. Sources consulted during the research included published literature in local and regional history, U.S. General Land Office (GLO) land survey plat maps dated 1856, USGS topographic maps dated 1904-1981, and aerial/satellite images taken between 1972 and 2021. The historical maps are accessible at the websites of the U.S. Bureau of Land Management and the USGS, and the aerial/satellite images are available at the Nationwide Environmental Title Research (NETR) Online website and through the Google Earth software. (CRM Tech, 2023, p. 8)



3. *Field Survey*

On April 14-15, 2022, CRM Tech carried out the field survey of the Project area. The main Project site and off-site improvement alignments, including improvements across open desert land, were surveyed on foot at an intensive level by walking a series of parallel north-south transects spaced 15 meters (approximately 50 feet) apart. The portions of the off-site improvement alignments along paved roads were surveyed at a reconnaissance level by visually inspecting the ground surface from a motor vehicle. (CRM Tech, 2023, pp. 8-9)

On January 3, 2023, CRM Tech returned to the Project area to conduct a supplemental survey to ensure that all portions of the Project area were covered at the appropriate level of intensity. Through these efforts, the ground surface in the entire Project area was inspected systematically and carefully for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years or older). Other than the areas covered by existing pavement, visibility of the native ground surface was generally excellent (90-95%) due to the sparse vegetation. (CRM Tech, 2023, p. 9)

E. Results

1. *Records Search Results*

CRM Tech conducted a records search as part of the Project-specific cultural resources investigation. According to EIC records, the main Project site had not been surveyed for cultural resources prior to the current study, but portions of the off-site areas that may be subject to Project-related improvements had been covered by various past studies on adjacent properties or along the same linear routes. No cultural resources were previously recorded within the 83.0-acre Project boundaries. However, one linear site of historical origin, 33-023935, was recorded outside but adjacent to the western boundary of the Project site. The site represents a segment of Rio Del Sol, which dates at least to 1941 and possibly as early as 1910. At the time of its initial recordation, 33-023935 was deemed ineligible for listing in either the California Register of Historical Resources or the National Register of Historic Places due to the lack of any notable historical associations or other special merits. (CRM Tech, 2023, p. 9)

Records identify a total of 79 previous studies completed between 1977 and 2018 within the one-mile scope of the records search conducted with the Eastern Information Center (EIC). These and similar studies resulted in the recordation of 45 additional cultural resources within the one-mile radius, including 20 sites, 7 buildings or groups of buildings, 9 linear features, and 9 isolates (i.e., localities with three or less artifacts). Seven of the sites and two of the isolates were of prehistoric (Native American) origin, including several scatters of artifacts and habitation debris such as ceramic sherds, lithic flakes and points, and groundstone artifacts and artifact fragments. Two of the prehistoric sites consisted of human cremation remains, while each of the prehistoric isolates represented a single ceramic sherd. These prehistoric resources were all clustered to the southeast and the southwest of the Project site location, with none closer than roughly a quarter of a mile (CRM Tech, 2023, p. 9)

The other 36 resources all dated to the historic period, including buildings constructed between circa 1920s and the mid-1940s, refuse scatters and isolated refuse items, and linear features such as the Southern Pacific



(now Union Pacific) Railroad, power transmission lines, water pipelines, and various roads. Among these, the nearest to the project area was Isolate 33-023935, which consisted of three metal cans found on the adjacent property to the north of the Project site in 2013. None of the other sites or isolates were located in the immediate vicinity of the Project area. Site 33-023935 (Rio Del Sol), therefore, is the only previously identified cultural resource that require further consideration during this study. (CRM Tech, 2023, p. 9)

2. *Historical Research Results*

Historical maps and aerial photographs consulted during this study suggest that, other than the various public roadways that date originally to the early and mid-20th century, the Project area is relatively low in sensitivity for cultural resources from the historic period. In the 1850s, when the U.S government conducted the earliest systematic land surveys in the Coachella Valley, no human-made features were observed in the Project area, nor within one mile in any direction. By the early 1940s, the town of Thousand Palms had been established nearby, represented at that time by a small cluster of buildings at the intersection of present-day Varner Road and Ramon Road. Meanwhile, Ramon Road and the unpaved forerunners of Rio Del Sol and Sierra Del Sol had become the first notable features known to be present within the boundaries of the Project's potential off-site improvement areas. (CRM Tech, 2023, pp. 11-12)

Between the 1940s and 1950s, growth in the Thousand Palms area greatly accelerated. Most notably, the residential tracts surrounding the southeastern portion of the Project area had taken shape by that time, although the neighborhoods remained rather sparsely populated. The next growth spurt in the Project vicinity took place in the 1970s-1990s period, when the residential neighborhoods were gradually built out and began to expand to the west. Further to the west, commercial development started to reshape the landscape along Rio Del Sol around the turn of the century. Throughout these episodes of growth, the main Project site remained unsettled, undeveloped, and largely unused to the present time. (CRM Tech, 2023, p. 12)

3. *Field Survey Results*

During the field survey, two isolates were identified and recorded within the boundaries of the Project site, both dating to the historic period. See Appendix 3 of *Technical Appendix D* to this EIR for additional details. They were designated temporarily as 3857-1H and -2H, pending assignment of permanent identification numbers in the California Historical Resources Inventory by the EIC. Isolate 3857-1H consists of the fragmented remains of an aqua-colored, hobble skirt Coca-Cola bottle with an applied ceramic label (ACL), produced between 1952 through 1957. Isolate 3857-2H consists of the fragmented remains of three similar bottles, one of them also bearing an applied ceramic label. Two of the base fragments display maker's marks used after 1954. The third bottle base has been heavily sandblasted in the desert environment and no longer displays any trademark or maker's mark. (CRM Tech, 2023, pp. 12-13)

No other cultural resources, either prehistoric or historical in origin, were encountered within the Project area. Outside but adjacent to the western boundary of the Project site, Rio Del Sol (Site 33023935) was observed to be a two-lane, asphalt-paved road with soft shoulders. Like the vast majority of other public roadways of historical origin that remain in service today, Rio Del Sol is essentially modern in appearance, and its current configuration reflects much more the results of improvements and maintenance in recent decades than its



historical origin. While several of the other roads that coincide with the linear portions of the Project's potential impact areas also date to the historic period, such as Ramon Road, Sierra Del Sol, and parts of Avenue 30 and El Centro Way, they similarly lack any distinctively historical character or potential for historic significance. Therefore, they do not comprise significant historical resources under CEQA and require no further study. (CRM Tech, 2023, p. 13)

4.5.2 APPLICABLE ENVIRONMENTAL REGULATIONS

A. Federal Regulations

1. *National Register of Historic Places (NRHP)*

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. (NPS, 2023b)

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- **Age and Integrity.** Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?
- **Significance.** Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past? (NPS, 2023b)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state. (NPS, 2023b)

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access. (NPS, 2023b)

2. *National Historic Landmarks Program*

National Historic Landmarks (NHLs) are nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in illustrating or interpreting the heritage of the United States. Today, over 2,600 historic places bear this national distinction. Working with citizens



throughout the nation, the NHL Program draws upon the expertise of NPS staff who guide the nomination process for new Landmarks and provide assistance to existing Landmarks. (NPS, 2022c)

3. *American Indian Religious Freedom Act*

The American Indian Religious Freedom Act (AIRFA) requires each executive branch agency with statutory or administrative responsibility for the management of Federal lands, to the extent practicable, permitted by law, and not clearly inconsistent with essential agency functions, to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies are also required to maintain the confidentiality of sacred sites. Each executive branch agency with statutory or administrative responsibility for the management of Federal lands are required to implement procedures to ensure reasonable notice is provided of proposed actions or land management policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites. (NOAA, n.d.)

4. *Federal Antiquities Act*

The Antiquities Act is the first law to establish that archaeological sites on public lands are important public resources. It obligates federal agencies that manage the public lands to preserve for present and future generations the historic, scientific, commemorative, and cultural values of the archaeological and historic sites and structures on these lands. It also authorizes the President to protect landmarks, structures, and objects of historic or scientific interest by designating them as National Monuments. (NPS, 2023e)

B. *State Regulations*

1. *California Administrative Code, Title 14, Section 4308*

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.” (CCR, n.d.)

2. *California Code of Regulations Title 14, Section 1427*

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: “No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value.” (NAHC, n.d.)

3. *California Register of Historic Resources*

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA. (OHP, n.d.)



In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4). (OHP, n.d.)

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if property is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into contract with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource. (OHP, n.d.)

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects. (OHP, n.d.)

4. *Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")*

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations. (OPR, 2005)

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government. (OPR, 2005)

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment. (OPR, 2005)



5. *Assembly Bill 52 (AB 52)*

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. (OPR, 2017a)

The Public Resources Code now establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.) (OPR, 2017a)

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 21084.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources. These rules apply to projects that have a notice of preparation for an environmental impact report or negative declaration or mitigated negative declaration filed on or after July 1, 2015. (OPR, 2017a)

§ 21074 of the Public Resources Code defines “tribal cultural resources.” In brief, in order to be considered a “tribal cultural resource,” a resource must be either:

- (1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or
- (2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource. (OPR, 2017a)

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017a)



6. State Health and Safety Code

California Health and Safety Code (HSC) § 7050.5(b) requires that excavation and disturbance activities must cease “In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery...” until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from “internment or a place of storage while awaiting internment” with the intent to sell them or to dissect them with “malice or wantonness” is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that “all California Indian human remains and cultural items are to be treated with dignity and respect.” It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims. (CA Legislative Info, n.d.)

7. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, § 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines § 15064.5, as follows: (OPR, 2022)

- *A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).*
- *A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*
- *Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:*
 - *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;*
 - *Is associated with the lives of persons important in our past;*



- *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- *Has yielded, or may be likely to yield, information important in prehistory or history.*
- *The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.*

C. Local Regulations

1. Ordinance No. 578 - Establishment of Historic Preservation Districts

This ordinance is intended to facilitate the preservation of areas deemed historically important to the County of Riverside. The ordinance specifies that a Historic Preservation District may be established if the Riverside County Board of Supervisors adopts a resolution that includes the boundaries of the Historic Preservation District and finds that the proposed Historic Preservation District is in conformity with the Cultural and Paleontological section of the Multipurpose Open Space Element of the Riverside County General Plan. It must also find that, for the county, state or nation: the area exemplifies or reflects significant aspects of the cultural, political, economic or social history; the area is identified with historic personages or with important events in history; or, that the area embodies the distinguishing characteristics of a significant architectural period which is inherently valuable for the study of architecture unique to the history of the county, state or nation. (Riverside County, 2015, p. 4.9-25)

Under this ordinance, no building or structure within the boundaries of an adopted Historic Preservation District can be constructed or altered, except in strict compliance with the plans approved in conjunction with the issuance of a Historic District Alteration Permit by the Riverside County Planning Director. The ordinance also outlines how such certificates are to be reviewed and processed in order to preserve the “historical significance and related construction theme” of the Historic District. (Riverside County, 2015, p. 4.9-26)

2. Riverside County Historic Preservation Commission

The Riverside County Historical Commission was established in 2005 to advise the Board of Supervisors on historical preservation matters. It is tasked with working to discover and identify persons, events and places of historical importance within Riverside County, and to make recommendations relating to the preservation of appropriate historic sites and structures. To accomplish this, the Commission established criteria and procedures to identify and recognize historic landmarks in Riverside County. These criteria should be used when reviewing a potentially historically or culturally significant site that could be affected by the proposed development. Such resources are noted in the countywide list provided in Table 4.9-A of Riverside County EIR No. 521. (Riverside County, 2015, p. 4.9-26)



3. Riverside County Planning Department Procedures

The Riverside County Archeologist reviews all proposed land use projects subject to CEQA and not otherwise deemed categorically exempt. The Riverside County Archeologist reviews various internal databases for information that might pertain to the age of any buildings found on site, grading permits, ground disturbance activities and building permits. Where buildings are 45 years or older, the project applicant is required to perform an architectural history evaluation to assess potential historic value as part of a Phase I Cultural Resources study. When the study is completed, and if historic-period resources were identified during a survey, a copy of the report is transmitted to the Riverside County Historic Preservation Officer (CHPO) for review and comment. The CHPO sends relevant comments back to the Riverside County Archeologist. (Riverside County, 2015, p. 4.9-26)

Vacant parcels within areas known to have prehistoric or historic resources trigger a Phase I Cultural Resources study. Similarly, any parcels with environmental, geomorphological or vegetative features known to increase the likelihood of cultural resources being present trigger a “Phase I” cultural resources study. Such studies are required to follow the reporting formula found on the Riverside County Planning Department’s website which mirror the recommendations published by the State Historic Preservation Office (SHPO) in 1987. (Riverside County, 2015, p. 4.9-26)

The Riverside County Archeologist reviews all Phase I cultural resources studies for completeness and reasonable conclusions based on current industry standards in archeology. The Phase I study serves to advise the Riverside County Archeologist on matters relating to any identified prehistoric or historic resources, provide the requisite information to complete the project-related CEQA analysis and guide the Riverside County Archeologist in determining which land use conditions of approval and/or mitigation measures apply to the proposed project. (Riverside County, 2015, p. 4.9-26)

Copies of studies are provided to tribes, upon their request, as a confidential document. If a proposed project is subject to the requirements of the Traditional Tribal Places Act (commonly referred to as Senate Bill 18), a Phase 1 report is forwarded to tribes who request it as part of consultation under SB 18. Typically, official tribal consultations are scheduled after the report has been sent to the tribe(s) to maximize consultation efforts. (Riverside County, 2015, p. 4.9-26)

4.5.3 BASIS FOR DETERMINING SIGNIFICANCE

Section V of Appendix G to the State CEQA Guidelines addresses typical adverse effects to cultural resources, and includes the following threshold questions to evaluate the Project’s impacts on cultural resources: (OPR, 2018a)

- *Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*
- *Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*
- *Would the Project disturb any human remains, including those interred outside of formal cemeteries?*



Significance thresholds set forth in the Riverside County's Environmental Assessment Checklist form are derived from Section V of Appendix G to the State CEQA Guidelines (listed above), as modified by the 2018 updates to the CEQA Guidelines, and state that the proposed Project would have a significant impact on cultural resources if construction and/or operation if the Project would:

- a. *Alter or destroy an historic site;*
- b. *Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5;*
- c. *Alter or destroy an archaeological site;*
- d. *Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5; or*
- e. *Disturb any human remains, including those interred outside of formal cemeteries.*

The significance thresholds set forth in the Riverside County's Environmental Assessment Checklist form, as modified by the 2018 updates to the CEQA Guidelines, were used to evaluate the significance of the proposed Project's impacts on cultural resources.

4.5.4 IMPACT ANALYSIS

Threshold a.: *Would the Project alter or destroy an historic site?*

Threshold b.: *Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to California Code of Regulations, Section 15064.5?*

Based on the Project's CRA (*Technical Appendix D*), one historic site from the historic period was previously recorded adjacent to the Project area, namely the adjacent roadway segment of Rio Del Sol (Site 33-023935). At the time of its recordation in 2014, Site 33-023935 was found not to be eligible for the National Register of Historic Places or the California Register of Historical Resources. Based on the results of the Project's CRA, the cultural resource does not retain any distinctively historical character to relate to its period of origin due to improvements and maintenance in the modern era and does not demonstrate potential for historical significance. As such, Project impacts to Site 33-023935 associated with frontage improvements to Rio Del Sol would be less than significant requiring no mitigation. (CRM Tech, 2023, p. 14)

The Project's CRA found two isolates from the historic period, designated 3857-1H and -2H. Both of the isolates consist of domestic refuse items, a common type of artifact to be found in the southern California desert region, and both contained solely fragments of aqua-colored, hobble skirt Coca-Cola bottles dating to the 1950s era, from which similar artifacts survive in very large numbers. The isolates do not constitute archaeological sites due to the lack of depositional context. Therefore, they are not considered potential "historical resources" and require no further consideration.



Accordingly, and based on the foregoing analysis, the Project would not cause a substantial adverse change in any known historical resources pursuant to Section 15064.5 of the State CEQA Guidelines and impacts would be less than significant. (CRM Tech, 2023, p. 14) Further, given the location of the Project site, there is no reasonable potential that significant historical resources would be located beneath the surface of the site.

Threshold c.: Would the Project alter or destroy an archaeological site?

Threshold d.: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?

The records search and field survey conducted by CRM Tech did not identify archeological resources within the Project site or off-site improvement areas. As such, the Project would not result in any impacts to known archaeological sites and would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines. Accordingly, impacts would be less than significant. (CRM Tech, 2023, pp. 13-14)

Although impacts to known archaeological resources on the Project site and off-site improvement areas would be less than significant, both the Project site and off-site improvement areas have the potential to contain unidentified archaeological resources beneath the surface of the site. Given the presence of previously-identified archaeological resources within the Project vicinity, there is a potential for the Project site or off-site improvement areas to contain unidentified surface or subsurface archaeological resources. Therefore, Project impacts to previously-undiscovered archaeological resources that may occur in the on- or off-site impact areas of the proposed Project would be significant prior to mitigation.

Threshold e: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project site does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. Field Surveys conducted on the Project site and off-site improvement areas by CRM Tech did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction. If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code § 7050.5, “Disturbance of Human Remains.” According to § 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC by telephone within 24 hours. Pursuant to California Public Resources Code § 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48



hours of being granted access to the site. According to Public Resources Code § 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. Impacts to human remains are fully regulated pursuant to California Health and Safety Code § 7050.5 and California Public Resources Code § 5097.98, and the Project Applicant would be required to comply with all applicable laws and regulations. Accordingly, with mandatory compliance with California Health and Safety Code § 7050.5 and California Public Resources Code § 5097.98, Project impacts to human remains would be less than significant.

4.5.5 CUMULATIVE IMPACT ANALYSIS

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development within nearby portions of unincorporated Riverside County and the City of Rancho Mirage. This study area was selected for evaluation because it encompasses a broad region with similar geological, biological, and climatic conditions.

As noted above under Thresholds a. and b., no historical resources were identified on site or within the off-site improvement areas that meet the CEQA or CRHR definitions. As such, the Project would not result in any cumulatively-considerable impacts to known historical resources. There is also no reasonable potential that significant historical resources would be located beneath the surface of the site. As such, the Project has no potential to result in cumulatively considerable impacts to significant historical resources.

As described under Thresholds c. and d., no archaeological resources were identified on site or within the off-site improvement areas. As such, the Project would not result in any cumulatively-considerable impacts to known archaeological sites and would not cause a substantial adverse change in the significance of a known archaeological resource pursuant to California Code of Regulation, Section 15064.5. However, there is a possibility that previously-undiscovered subsurface archaeological resources may be impacted by development of the Project as proposed. Other cumulative developments resulting from buildout of the Riverside County General Plan and the general plans of cities within the County also have the potential to result in impacts to archaeological sites or resources, including sites or resources that may be buried beneath the ground surface. As such, the Project's potential impacts to previously-undiscovered archaeological sites or resources would be cumulatively considerable prior to mitigation.

As discussed under Threshold e., the Project would be subject to compliance with the provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097 et. seq. As such, while there is a remote potential for human remains to be uncovered as part of site grading activities, mandatory compliance with these provisions of State law would ensure impacts to human remains would be less than significant. As other cumulative developments similarly would be subject to compliance with California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097 et. seq., Project impacts to human remains would be less than significant on a cumulatively-considerable basis.



4.5.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Thresholds a. and b.: Less-than-Significant Impact. No significant historical resources are located in the area that would be physically disturbed by the Project. Also, given the location of the site and its historic context, there is no reasonable potential that significant historical resources would be unearthed during Project-related construction activities. ~~No impacts would occur~~ be less than significant.

Thresholds c. and d.: Significant Direct and Cumulatively-Considerable Impact. No archeological resources were identified within the Project area or off-site improvement areas. However, there is a potential for previously-undiscovered historical resources to occur beneath the surface of areas planned for physical impact (i.e., grading) as part of the Project. Potential impacts to previously-undiscovered archeological resources on site or within the off-site improvement areas would be significant on both a direct and cumulatively-considerable basis prior to mitigation.

Threshold e.: Less-than-Significant Impact. The Project area does not contain a cemetery and no known cemeteries are located within the immediate site vicinity. The Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 and California Public Resources Code § 5097 et. seq. Mandatory compliance with these provisions of State law would ensure that Project-related potential impacts to human remains that may be buried beneath the ground surface would be less than significant.

4.5.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude cultural resource impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code Section 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 6254 (r).
- In the event that human remains are encountered during ground-disturbing construction activities on site or within the Project's off-site improvement areas, compliance with California Health and Safety Code § 7050.5 and Public Resources Code § 5097 et. seq. shall be required. State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. The County Coroner shall determine that no investigation of the cause of death is required, and determine if the remains are of Native American origin. In the event



that the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. If the NAHC is unable to identify a Most Likely Descendant, or if the Most Likely Descendant failed to make a recommendation within 48 hours after being notified by the NAHC, or the Project Applicant rejects the recommendation of the Most Likely Descendant, the Project Applicant shall rebury the Native American human remains and associated grave goods on the property in a location not subject to further ground disturbance. Evidence of compliance with this mitigation measure, if human remains are found, shall be provided to Riverside County upon the completion of a treatment plan and final report detailing the significance and treatment finding.

Mitigation

- MM 4.5-1 **Retain a Qualified Archaeologist:** Prior the issuance of a grading permit, the Developer/Permit Applicant shall retain and enter into a monitoring and mitigation service contract with a qualified archaeologist ("Archaeological Monitor") for mitigation monitoring services, and to implement a Cultural Resource Monitoring Program (CRMP). At least 30 days prior to issuance of grading permits, copy of the agreement between the developer/permit applicant and the Archaeological Monitor shall be submitted to the County Planning Department.
- MM 4.5-2 **Native American Monitor:** Prior to the issuance of grading permits, the Developer/Permit Applicant shall enter into an agreement with the primary consulting tribe, as identified by the County Archaeologist, for a Native American Monitor. In conjunction with the Archaeological Monitor, the Native American Monitor shall attend a pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all construction personnel. In addition, the Native American Monitor shall be on-site during all initial ground disturbing activities and excavation of each portion of the Project site including clearing, grubbing, tree removals, grading and trenching. In conjunction with the Archaeological Monitor, the Native American Monitor have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources. The Developer/Permit Applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this requirement. Upon verification, the County Archaeologist shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.
- MM 4.5-3 **Preparation of a CRMP:** The Archaeological Monitor required pursuant to Mitigation Measure MM 4.5-1 shall prepare a Cultural Resources Monitoring Plan (CRMP) to guide the procedures and protocols of an archaeological mitigation monitoring program that shall be implemented during all onsite and offsite ground-disturbing activities. The CRMP shall include, but not be limited to, the Project grading and development schedule; approved Project



cultural resources mitigation measures and conditions of approval; monitoring procedures; protocols for the identification, assessment, collection, and analysis of any resource(s) observed during grading; curation guidelines; and coordination with project personnel, County staff, and any participating Native American tribe(s). The final CRMP shall be submitted to the County Project planner and/or inspector, the appropriate Project supervisor/engineer/etc., and monitoring Native American tribe(s), if any.

- MM 4.5-4 **Preconstruction Meeting:** The Archaeological Monitor shall be invited to a preconstruction meeting with construction personnel and County and tribal representatives. The attending archaeologist shall review the provisions of the CRMP and answer any applicable questions.
- MM 4.5-5 **Construction Monitoring:** Full-time monitoring shall occur throughout the entire Project area, including all off-site improvement areas, during ground-disturbing activities. Full-time monitoring shall continue until the Archaeological Monitor required pursuant to Mitigation Measure MM 4.5-1 determines that the overall sensitivity of the Project area has been reduced from high to low as a result of mitigation monitoring. Should the monitor(s) determine that there are no cultural resources within the Project site or off-site improvement areas, or should the sensitivity be reduced to low during monitoring, all monitoring shall cease.
- MM 4.5-6 **Unanticipated Discoveries:** If subsurface cultural resources are encountered during construction, if evidence of an archaeological/historical site is observed, or if other suspected historic resources are encountered, all ground-disturbing activity shall cease within 100 feet of the resource. In such a case, the County Archaeologist shall be immediately notified. A meeting shall be convened between the developer, the Archaeological Monitor (as required by Mitigation Measure MM 4.5-1), the Native American tribal representative (or other appropriate ethnic/cultural group representative) required pursuant to Mitigation Measure MM 4.5-2, and the County Archaeologist to discuss the significance of the find. Potentially significant cultural resources could consist of, but are not limited to: stone, bone, fossils, wood, or shell artifacts or features, including structural remains, historic dumpsites, hearths, and middens. Midden features are characterized by darkened soil and could conceal material remains, including worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials and special attention should always be paid to uncharacteristic soil color changes. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance under all applicable regulatory criteria. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to whether the identified resource comprises a unique historic resource as defined under § 15064.5 of the State CEQA Guidelines, and as to the appropriate treatment (documentation, recovery, avoidance, etc.) for the identified cultural resource. Resource evaluations shall be limited to nondestructive analysis. Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.



- MM 4.5-7 **Curation:** Any archaeological artifacts recovered as a result of mitigation, excluding items covered by the provisions of applicable Treatment Plans or Agreements, shall be donated to the Western Science Center in Hemet or as directed by the County Archaeologist, where they would be afforded long-term preservation. The Developer/Applicant is responsible for all costs and fees associated with curation of the artifacts.
- MM 4.5-8 **Final Phase IV Report:** The results of the mitigation monitoring program shall be incorporated into a final report and submitted to the Riverside County Planning Department for review and approval. Upon approval by the Lead Agency, the final report, including any associated DPR 523 Forms, shall be submitted to the Developer/land Owner, the Eastern Information Center (EIC), and the monitoring tribe(s), if any.

4.5.8 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Thresholds c. and d.: Less-Than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measures MM 4.5-1 through MM 4.5-8 would ensure that any ~~historical~~archaeological resources identified within the Project area during ground-disturbing activities are appropriately treated as directed by the County Archaeologist (and the Native American tribal representative, if any). Implementation of the required mitigation would reduce the Project's potential impacts to subsurface archaeological sites or resources to below a level of significance.



4.6 ENERGY

This Subsection 4.6 is based in part on the information contained in the Project’s Energy Analysis Report (herein, “EA”), Titled “Majestic Thousand Palms (GPA220004, CZ2200013, PPT220022, CEQ220033) Energy Analysis,” dated January 30, 2024, and included as *Technical Appendix E* to this EIR (Urban Crossroads, 2024c). Refer to Section 7.0, *References*, for a complete list of reference sources.

4.6.1 EXISTING CONDITIONS

A. Overview

The most recent data for California’s estimated total energy consumption and natural gas consumption is from 2020, released by the United States (U.S.) Energy Information Administration’s (EIA) California State Profile and Energy Estimates in 2021 and included: (Urban Crossroads, 2024c, p. 7)

- As of 2020, approximately 6,923 trillion British Thermal Unit (BTU) of energy was consumed
- As of 2021, approximately 605 million barrels of petroleum
- As of 2021, approximately 2,101 billion cubic feet of natural gas
- As of 2021, approximately 1 million short tons of coal

According to the EIA, in 2021 the U.S. petroleum consumption comprised about 77% of all transportation energy use, excluding fuel consumed for aviation and most marine vessels. In 2022, about 251,923 million gallons (or about 5.99 million barrels) of finished petroleum products were consumed in the U.S., an average of about 690 million gallons per day (or about 16.4 million barrels per day). In 2021, California consumed approximately 12,157 million gallons in motor gasoline (33.31 million per day) and approximately 3,541 million gallons of diesel fuel (9.7 million per day). (Urban Crossroads, 2024c, p. 7)

The most recent data provided by the EIA for energy use in California is reported from 2021 and provided by demand sectors as follows:

- Approximately 37.8% transportation sector
- Approximately 23.2% industrial sector
- Approximately 20.0% residential sector
- Approximately 19.0% commercial sector
- Approximately 19.6% commercial

According to the EIA, California used approximately 247,250 gigawatt hours of electricity in 2021. By sector in 2021, residential uses utilized 36.5% of the State’s electricity, followed by 43.9% for commercial uses, 19.2% for industrial uses, and 0.3% for transportation. Electricity usage in California for differing land uses varies substantially by the type of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. (Urban Crossroads, 2024c, p. 7)

According to the EIA, California used approximately 200,871 million therms of natural gas in 2021. In 2021 (the most recent year for which data is available), by sector, industrial uses utilized 33% of the State’s natural



gas, followed by 30% used as fuel in the electric power sector, 21% from residential, 11% from commercial, 1% from transportation uses and the remaining 3% was utilized for the operations, processing and production of natural gas itself. While the supply of natural gas in the United States and production in the lower 48 states has increased greatly since 2008, California produces little, and imports 90% of its supply of natural gas. (Urban Crossroads, 2024c, pp. 7-8)

In 2022, total system electric generation for California was 287,220 gigawatt hours (GWh). California's massive electricity in-State generation system generated approximately 203,257 GWh which accounted for approximately 70% of the electricity it uses; the rest was imported from the Pacific Northwest (12%) and the U.S. Southwest (17%). Natural gas is the main source for electricity generation at 47.46% of the total in-State electric generation system power as shown in Table 4.6-1, *Total Electricity System Power (California 2022)*. (Urban Crossroads, 2024c, p. 8)

Table 4.6-1 Total Electricity System Power (California 2022)

Fuel Type	California In-State Generation (GWh)	% of California In-State Generation	Northwest Imports (GWh)	Southwest Imports (GWh)	Total Imports (GWh)	Total California Energy Mix (GWh)	Total California Power Mix
Coal	273	0.13%	181	5,716	5,897	8,272	2.15%
Natural Gas	96,457	47.46%	44	7,994	8,038	105,356	36.38%
Oil	65	0.03%	-	-	-	37	0.02%
Other (Waste Heat/Petroleum Coke)	315	0.15%	-	-	-	465	0.11%
Unspecified	-	0.00%	12485	7,943	20,428	25,758	7.11%
Total Thermal and Unspecified	97,110	47.78%	12,710	21,653	34,363	25,656	45.77%
Nuclear	17627	8.67%	397	8,342	8,739	18,887	9.18%
Large Hydro	14,607	7.19%	10,803	1,118	11,921	184,431	9.24%
Biomass	5,366	2.64%	771	25	797	6,271	2.15%
Geothermal	11,110	5.47%	253	2,048	2,301	13,214	4.67%
Small Hydro	3,005	1.48%	211	13	225	2,835	1.12%
Solar	40,494	19.92%	231	8,225	8,456	39,458	17.04%
Wind	13,938	6.86%	8,804	8,357	17,161	31,555	10.83%
Total Non-GHG and Renewables	106,147	52.22%	21,471	28,129	49,599	93,333	54.23%
Total Energy	203,257	100.00%	34,180	49,782	83,962	277,764	100.00%

Source: CECs 2022 Total System Electric Generation
(Urban Crossroads, 2024c, Table 2-1)

An updated summary of, and context for energy consumption and energy demands within the State is presented in “U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts” excerpted below (Urban Crossroads, 2024c, p. 8):

- In 2022, California was the seventh-largest producer of crude oil among the 50 states, and, as of January 2022, the State ranked third in crude oil refining capacity.



- California is the largest consumer of jet fuel and second-largest consumer of motor gasoline among the 50 states.
- In 2020, California was the second-largest total energy consumer among the states, but its per capita energy consumption was less than in all but three other states.
- In 2022, renewable resources, including hydroelectric power and small-scale, customer-sited solar power, accounted for 49% of California's in-State electricity generation. Natural gas fueled another 42%. Nuclear power supplied almost all the rest.
- In 2022, California was the fourth-largest electricity producer in the nation. The State was also the nation's third-largest electricity consumer, and additional needed electricity supplies came from out-of-State generators.

As discussed in further detail below, California is one of the nation's leading energy-producing states, and California's per capita energy use is among the nation's most efficient (Urban Crossroads, 2024c, p. 8).

B. Electricity

The usage associated with electricity use were calculated using CalEEMod Version 2022.1. The Southern California region's electricity reliability has been of concern for the past several years due to the planned retirement of aging facilities that depend upon once-through cooling technologies, as well as the June 2013 retirement of the San Onofre Nuclear Generating Station (San Onofre). While the once-through cooling phase-out has been ongoing since the May 2010 adoption of the State Water Resources Control Board's once-through cooling policy, the retirement of San Onofre complicated the situation. California Independent Service Operator (ISO) studies revealed the extent to which the South Coast Air Basin (SCAB) and the San Diego Air Basin (SDAB) region were vulnerable to low-voltage and post-transient voltage instability concerns. A preliminary plan to address these issues was detailed in the 2013 Integrative Energy Policy Report (IEPR) after a collaborative process with other energy agencies, utilities, and air districts. Similarly, the subsequent 2022 IEPR's provides information and policy recommendations on advancing a clean, reliable, and affordable energy system. (Urban Crossroads, 2024c, p. 10)

California's electricity industry is an organization of traditional utilities, private generating companies, and State agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. The California ISO is a nonprofit public benefit corporation and is the impartial operator of the State's wholesale power grid and is charged with maintaining grid reliability, and to direct uninterrupted electrical energy supplies to California's homes and communities. While utilities still own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources. The ISO matches buyers and sellers of electricity to ensure that enough power is available to meet demand. To these ends, every five minutes the ISO forecasts electrical demands, accounts for operating reserves, and assigns the lowest cost power plant unit to meet demands while ensuring adequate system transmission capacities and capabilities. (Urban Crossroads, 2024c, p. 10)

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided to California consumers. To this end, utilities file annual transmission expansion/modification plans to



accommodate the State’s growing electrical needs. The ISO reviews and either approves or denies the proposed additions. In addition, and perhaps most importantly, the ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available to the State. In this manner, continuing reliable and affordable electrical power is assured to existing and new consumers throughout the State. (Urban Crossroads, 2024c, p. 10)

Electricity is currently provided to the Project site by the Imperial Irrigation District (IID). IID provides electric power to more than 158,000 persons in the Imperial Valley and parts of Riverside and San Diego counties. Based on IID’s 2022 Power Content Label Mix, IID derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, and solar power generation. IID also purchases from independent power producers and utilities, including out-of-state suppliers (14). (Urban Crossroads, 2024c, p. 10)

Table 4.6-2, *IID 2022 Power Content Mix*, shows IID’s specific proportional shares of electricity sources in 2021. As indicated, the 2022 OOD Power Mix has renewable energy at 37.7% of the overall energy resources. Geothermal resources are at 11.3%, large hydroelectric sources are at 4.6%, solar energy is at 12.0%, and coal is at 0%. (Urban Crossroads, 2024c, pp. 10-11)

Table 4.6-2 IID 2022 Power Content Mix

Energy Resources	2022 IID Power Mix
<i>Eligible Renewable</i>	37.7%
Biomass & Waste	7.8%
Geothermal	11.3%
Eligible Hydroelectric	6.6%
Solar	12.0%
Wind	20.0%
<i>Coal</i>	0.0%
<i>Large Hydroelectric</i>	4.6%
<i>Natural Gas</i>	35.3%
<i>Nuclear</i>	3.4%
<i>Other</i>	0.0%
Unspecified Sources of power*	19.0%
Total	100%

“Unspecified sources of power” means electricity from transactions that are not traceable to specific generation sources. (Urban Crossroads, 2024c, Table 2-2)

C. Natural Gas

Information about natural gas customers and volumes, supplies, delivery of supplies, storage, service options, and operations is based on information provided by the California Public Utilities Commission (CPUC). Refer to pages 11-14 of *Technical Appendix E* for a complete summary of this information. In brief summary, California's natural gas utilities provide service to over 11 million gas meters. SoCalGas and PG&E provide service to about 5.9 million and 4.3 million customers, respectively, while SDG&E provides service to over 800,000 customers. In 2018, California gas utilities forecasted that they would deliver about 4740 million



cubic feet per day (MMcfd) of gas to their customers, on average, under normal weather conditions. The overwhelming majority of natural gas utility customers in California are residential and small commercial customers, referred to as "core" customers. Larger volume gas customers, like electric generators and industrial customers, are called "noncore" customers. Although very small in number relative to core customers, noncore customers consume about 65% of the natural gas delivered by the state's natural gas utilities, while core customers consume about 35%. (Urban Crossroads, 2024c, pp. 11-14).

Natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the State in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC oversees utility purchases and transmission of natural gas to ensure reliable and affordable natural gas deliveries to existing and new consumers throughout the State. (Urban Crossroads, 2024c, p. 14)

D. Transportation Energy Resources

The Project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline and diesel fuel. The Department of Motor Vehicles (DMV) identified 36.2 million registered vehicles in California, and those vehicles consume an estimated 17.2 billion gallons of fuel each year. Gasoline (and other vehicle fuels) are commercially provided commodities and would be available to the Project patrons and employees via commercial outlets. (Urban Crossroads, 2024c, pp. 14-15)

California's on-road transportation system includes 396,616 lane miles, more than 26.6 million passenger vehicles and light trucks, and almost 9.0 million medium- and heavy-duty vehicles. While gasoline consumption has been declining since 2008 it is still by far the dominant fuel. California is the second-largest consumer of petroleum products, after Texas, and accounts for 8% of the nation's total consumption. The State is the largest U.S. consumer of motor gasoline and jet fuel, and 83% of the petroleum consumed in California is used in the transportation sector. (Urban Crossroads, 2024c, p. 15)

California accounts for less than 1% of total U.S. natural gas reserves and production. As with crude oil, California's natural gas production has experienced a gradual decline since 1985. In 2021, about 33% of the natural gas delivered to consumers went to the State's industrial sector, and about 31% was delivered to the electric power sector. Natural gas fueled more than two-fifths of the State's utility-scale electricity generation in 2021. The residential sector, where three-fifths of California households use natural gas for home heating, accounted for 22% of natural gas deliveries. The commercial sector received 12% of the deliveries to end users, and the transportation sector consumed the remaining 1%. (Urban Crossroads, 2024c, p. 15)

4.6.2 APPLICABLE REGULATORY REQUIREMENTS

The following is a brief description of the federal, State, and local environmental laws and related regulations related to energy use and conservation.



A. Federal Regulations

1. *Intermodal Surface Transportation Efficiency Act (ISTEA)*

The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) promoted the development of inter-modal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that Metropolitan Planning Organizations (MPOs) were to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values guiding transportation decisions. The applicable MPO for the County of Riverside is the Southern California Association of Governments (SCAG). SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is the applicable planning document for the area. (FHWA, 2020)

2. *The Transportation Equity Act for the 21st Century (TEA-21)*

The TEA-21 was signed into law in 1998 and builds upon the initiatives established in the ISTEA legislation, discussed above. TEA-21 authorizes highway, highway safety, transit, and other efficient surface transportation programs. TEA-21 continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of good transportation decisions. TEA-21 also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of Intelligent Transportation Systems, to help improve operations and management of transportation systems and vehicle safety.

B. State Regulations

1. *Integrated Energy Policy Report*

Senate Bill 1389 (Bowen, Chapter 568, Statutes of 2002) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing California's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State's economy; and protect public health and safety (Public Resources Code § 25301a). The CEC prepares these assessments and associated policy recommendations every two years, with updates on alternate years, as part of the Integrated Energy Policy Report (IEPR). (CEC, n.d.)

The 2019 IEPR focuses on changes in its energy system to address climate change and improve air quality in order to ensure that all Californians share in the benefit of the state's clean energy future. The report provides an analysis of electricity sector trends, building decarbonization and energy efficiency, zero-emission vehicles, energy equity, climate change adaptation, electricity reliability in Southern California, natural gas technologies, and electricity, natural gas, and transportation energy demand forecasts. In response to SB 100, which calls for California's electricity system to become 100 percent zero-carbon by 2045, the CEC, California Public Utilities Commission (CPUC) and the California Air Resources Board (CARB) are leading the way to identify pathways to remove carbon from the state's electricity system. The goal is to utilize the clean electricity system to eliminate the carbon from other portions of California's energy system. (CEC, n.d.)



2. *California Code Title 24, Part 6, Energy Efficiency Standards*

California Code Title 24, Part 6 (also referred to as the California Energy Code) was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. California's building efficiency standards are updated on an approximately three-year cycle. The 2019 Standards for building construction, which went into effect on January 1, 2020, improved upon the former 2016 Standards for residential and nonresidential buildings. The CEC anticipates that single-family homes built with the 2019 standards will use approximately 7% less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar PV systems, homes built under the 2019 standards will about 53% less energy than homes built under the 2016 standards. Nonresidential buildings will use approximately 30% less energy due to lighting upgrades compared to the prior code. (CEC, n.d.)

3. *California Renewable Portfolio Standards (RPS)*

The CEC implements and administers portions of California's Renewables Portfolio Standard (RPS). Under the existing RPS, 25% of retail sales are required to be from renewable sources by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. SB 100 raises California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and California Air Resources Board (CARB) to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal. (CEC, n.d.)

4. *Pavley Fuel Efficiency Standards (AB 1493)*

In California, AB 1493 establishes fuel efficiency ratings for model year 2009-2016 passenger cars and light trucks. (CARB, n.d.)

5. *Senate Bill 350 (SB 350) – Clean Energy and Pollution Reduction Act of 2015*

In October 2015, the legislature approved, and the Governor signed, SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the renewables portfolio standard (RPS), higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions: (CA Legislative Info, n.d.)



- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 45 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the CEC, and local publicly owned utilities.
- Reorganize the Independent System Operator (ISO) to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

6. *Advanced Clean Cars Program*

In 2012, the California Air Resources Board (CARB) adopted a set of regulations to control emissions from passenger vehicle model years 2017 through 2025, collectively called Advanced Clean Cars. Advanced Clean Cars, developed in coordination with the United States Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA), combined the control of smog-causing (criteria) pollutants and greenhouse gas (GHG) emissions into a single coordinated package of regulations: the Low-Emission Vehicle III Regulation for criteria (LEV III Criteria) and GHG (LEV III GHG) emissions, and a technology-forcing mandate for zero-emission vehicles (ZEV). The goal of the program is to guide the development of environmentally advanced cars that would continue to deliver the performance, utility, and safety car owners have come to expect. Advanced Clean Cars includes the following elements (CARB, 2020c):

LEV III Criteria: Reducing Smog-Forming Pollution. CARB adopted new emission standards to reduce smog-forming emissions (also known as “criteria pollutants”) beginning with 2015 model year vehicles. The goal of this regulation is to have cars emit 75 percent less smog-forming pollution than the average car sold in 2012 by 2025.

LEV III GHG: Reducing GHG Emissions. California’s GHG regulations are projected to reduce GHG emissions from new vehicles by approximately 40 percent (from 2012 model vehicles) in 2025.

ZEV Regulation: Promoting the Cleanest Cars. The ZEV regulation is designed to achieve the State’s long-term emission reduction goals by requiring auto manufacturers to offer for sale specific numbers of the very cleanest cars available. These vehicle technologies include full battery-electric, hydrogen fuel cell, and plug-in hybrid-electric vehicles. Updated estimates using publicly available information show about 8 percent of California new vehicle sales in 2025 will be ZEVs and plug-in hybrids.

7. *Advanced Clean Trucks Program*

In June, 2020, CARB adopted a new Rule requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024 (CARB, 2020d). By 2045, every new truck sold in California will be required to be zero-emission (ibid.). Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines would be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035 (ibid.). By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales (ibid.). CARB reports that as of 2020, most commercially-available models of zero-emission vans, trucks and buses operate less than 100 miles per day (ibid.). Commercial availability of electric-powered



long-haul trucks is very limited (ibid.). However, as technology advances over the next 20 years, zero-emission trucks will become suitable for more applications, and several truck manufacturers have announced plans to introduce market ready zero-emission trucks in the future (ibid.). When commercial availability of electric-powered long-haul trucks is more readily available, implementation of the Advanced Clean Trucks Regulation is anticipated to significantly reduce GHG emissions and energy usage statewide.

8. Senate Bill 1020 – Clean Energy, Jobs, and Affordability Act of 2022

SB 1020, also known as the Clean Energy, Jobs, and Affordability Act of 2022, revised State policy to include interim targets requiring that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent of all retail sales of electricity to California end-use customers by December 31, 2040, 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035. SB 1020 also requires each State agency to ensure that zero-carbon resources and eligible renewable energy resources supply 100 percent of electricity procured to serve their agency by December 31, 2035. In addition, SB 1020 requires the State Water Project (SWP) to procure eligible renewable energy and zero-carbon resources as necessary to meet the clean energy requirements specified for all State agencies. Finally, SB 1020 requires the California Public Utilities Commission (CPUC) to develop utility affordability metrics for both electricity and gas service. (CA Legislative Info, n.d.)

C. Local Regulations

The County of Riverside's most current Climate Action Plan, updated in November 2019 uses several methods to promote renewable energy and energy efficiency. The regulation most relevant to the project is R2-CE1: Clean Energy, which states:

- *Clean energy includes energy efficiency and clean energy supply options such as highly efficient combined heat and power as well as renewable energy sources. Installing solar photovoltaics panels on residential and commercial building rooftops is an effective way to produce renewable energy on-site. Moreover, when combined with energy storage systems, solar panels could continuously meet residential and commercial energy demand. The Riverside County Settlement Agreement requires that on-site renewable energy production (including but not limited to solar) shall apply to any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development. Renewable energy production shall be onsite generation of at least 20 percent of energy demand for commercial, office, industrial or manufacturing development, meet or exceed 20 percent of energy demand for multi-family residential development, and meet or exceed 30 percent of energy demand for single-family residential development. These renewable energy requirements should be updated with every CAP Update by the County based on most recent technology advancements. (Riverside County, 2019a, pp. 4-11 and 4-12)*

The County of Riverside also has several other non-mandatory regulations that would serve to benefit the Project. For example, CAP measure R2-L1, *Tree Planting for Shading and Energy Saving*, encourages residents and developers to plant trees to lower outdoor summer temperatures. CAP measure R2-L2, *Light*



Reflecting Surfaces for Energy Saving, advocates for coating surfaces such as roofs and asphalt with substances that reflect sunlight, for example by painting them white or installing rooftop gardens.

4.6.3 BASIS FOR DETERMINING SIGNIFICANCE

Section VI of Appendix G to the California Environmental Quality Act (CEQA) Guidelines addresses typical adverse effects due to energy consumption, and includes the following threshold questions to evaluate a project's impacts on energy resources (OPR, 2018a).

- Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

The following thresholds are derived directly from Section VI of Appendix G to the State CEQA Guidelines and the County's Environmental Assessment form. The proposed Project would have a significant impact on energy resources if construction and/or operation of the Project would:

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

4.6.4 IMPACT ANALYSIS

A. Methodology for Calculating Project Energy Demands

Information from the CalEEMod Version 2022 outputs for the Project's Air Quality Impact Analysis ("AQIA"; EIR *Technical Appendix B1*) was utilized in this analysis, detailing Project related construction equipment, transportation energy demands, and facility energy demands. (Urban Crossroads, 2024c, p. 23)

In May 2023, the SCAQMD, in conjunction with the California Air Pollution Control Officers Association (CAPCOA) and other California air districts, released the latest version of the CalEEMod Version 2022.1.1.18. The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources as well as energy usage. Accordingly, the latest version of CalEEMod has been used to determine the proposed Project's anticipated transportation and facility energy demands. Outputs from the annual model runs are provided in Appendices 4.1 through 4.3 to the Project's EA (*Technical Appendix E*). (Urban Crossroads, 2024c, p. 23)

On May 2, 2022, the EPA approved the 2021 version of the EMissions FACtor model (EMFAC2021) web database for use in State Implementation Plan (SIP) and transportation conformity analyses. EMFAC2021 is a mathematical model that was developed to calculate emission rates, fuel consumption, and vehicle miles traveled (VMT) from motor vehicles that operate on highways, freeways, and local roads in California, and is used by the CARB to project changes in future emissions from on-road mobile sources. The Project's EA



(*Technical Appendix E*) utilizes the different fuel types for each vehicle class from the annual EMFAC2021 emission inventory in order to derive the average vehicle fuel economy which is then used to determine the estimated annual fuel consumption associated with vehicle usage during Project construction and operational activities. For purposes of analysis, the 2023 through 2025 analysis years were utilized to determine the average vehicle fuel economy used throughout the duration of the Project. Outputs from the EMFAC2021 model run is provided in Appendix 4.4 to the Project’s EA. (Urban Crossroads, 2024c, pp. 23-24)

Threshold a.: *Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

A. Construction Energy Demands

1. Construction Power Cost and Electricity Usage

The focus within this subsection is the energy implications of the construction process, specifically the power cost from on-site electricity consumption during construction of the proposed Project. For purposes of analysis, construction of the Project is expected to occur from June 2024 and would last through May 2025. The construction schedule utilized in the analysis represents a “worst-case” analysis scenario. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet. (Urban Crossroads, 2024c, p. 24)

Based on the 2023 National Construction Estimator, a typical power cost per 1,000 s.f. of construction per month is estimated to be \$2.50, which was used to calculate the Project’s total construction cost. The proposed Project includes the development of 1,238,992 s.f. of warehouse space, assumed to include 991,194 s.f. of high-cube fulfillment space and 247,798 s.f. of high-cube cold storage. Additionally, the proposed Project includes the development of 1,659,636 s.f. of associated parking areas. As shown on Table 4.6-3, *Construction Power Cost*, the total power cost of the on-site electricity usage during the construction of the Project is estimated to be approximately \$82,719.01. (Urban Crossroads, 2024c, p. 24)

Table 4.6-3 Construction Power Cost

Land Use	Power Cost (per 1,000 s.f. of construction per month)	Size (1,000 s.f.)	Construction Duration (months)	Project Construction Power Cost
High-Cube Fulfillment	\$2.50	991.194	11	\$27,257.84
High-Cube Cold Storage	\$2.50	247.798	11	\$6,814.45
Parking Lot	\$2.50	1,659.636	11	\$45,639.99
IIS Substation	\$2.50	109.336	11	\$3,006.74
Construction Power Cost:				\$82,719.01

(Urban Crossroads, 2024c, Table 4-2)

The total Project construction electricity usage is the summation of the products of the power cost (estimated in Table 4.6-3) by the utility provider cost per kilowatt hour (kWh) of electricity. IID’s general service rate schedule were used to determine the Project’s electrical usage. As of January 1, 2015, IID’s general service rate is \$0.093 per kilowatt hours (kWh) of electricity for large general services. As shown in Table 4.6-4,



Construction Electricity Usage, the total electricity usage from on-site Project construction related activities is estimated to be approximately 889,452 kWh. (Urban Crossroads, 2024c, p. 25)

Table 4.6-4 Construction Electricity Usage

Land Use	Cost per kWh	Project Construction Electricity Usage (kWh)
High-Cube Fulfillment	\$0.09	293,092
High-Cube Cold Storage	\$0.09	73,274
Parking Lot	\$0.09	490,753
IID Substation	\$0.09	32,331
Construction Electricity Usage:		889,452

(Urban Crossroads, 2024c, Table 4-3)

2. Construction Equipment Fuel Estimates

Fuel consumed by construction equipment would be the primary energy resource expended of the course of Project construction. Refer to the equipment assumptions in EIR Table 3-3, *Anticipated Construction Equipment*, and the construction phase durations presented in EIR Table 3-2, *Anticipated Construction Duration*. Consistent with industry standards and typical construction practices, each piece of equipment listed in EIR Table 3-3 would operate up to a total of 8 hours per day. (Urban Crossroads, 2024c, pp. 25-26)

Project construction activity timeline estimates, construction equipment schedules, equipment power ratings, load factors, and associated fuel consumption estimates are presented in Table 4.6-5, *Construction Equipment Fuel Consumption Estimates*. The aggregate fuel consumption rate for all equipment is estimated at 18.5 horsepower hour per gallon (hp-hr-gal.), obtained from CARB 2018 Emissions Factors Tables and cited fuel consumption rate factors presented in Table D-24 of the Moyer guidelines. For the purposes of this analysis, the calculations are based on all construction equipment being diesel powered, which is consistent with industry standards. (Urban Crossroads, 2024c, p. 27)

Diesel fuel would be supplied by existing commercial fuel providers serving the Project area and region. As presented in Table 4.6-5, Project construction activities would consume an estimated 99,390 gallons of diesel fuel. Project construction would represent a “single-event” diesel fuel demand and would not require ongoing or permanent commitment of diesel fuel resources for this purpose. (Urban Crossroads, 2024c, p. 30)

3. Construction Trips and Vehicle Miles Traveled (VMT)

Construction generates on-road vehicle emissions from vehicle usage for workers, vendors, and haul truck commuting to and from the site. The number of workers, vendor, and haul trips are presented below in Table 4.6-6, *Construction Trips and VMT*. It should be noted that for vendor trips, specifically, CalEEMod only assigns vendor trips to the Building Construction phase. Vendor trips would likely occur during all phases of construction. As such, the CalEEMod defaults for vendor trips have been adjusted based on a ratio of the total vendor trips to the number of days of each subphase of activity. (Urban Crossroads, 2024c, p. 30)



Table 4.6-5 Construction Equipment Fuel Consumption Estimates

Construction Activity	Duration (Days)	Equipment	HP Rating	Quantity	Usage Hours	Load Factor	HP-hrs/day	Total Fuel Consumption
Site Preparation	60	Rubber Tired Dozers	367	3	8	0.4	3,523	11,427
		Crawler Tractors	84	4	8	0.37	995	3,226
Grading	90	Excavators	36	2	8	0.38	219	1,065
		Graders	148	1	8	0.41	485	2,362
		Rubber Tired Dozers	367	1	8	0.4	1,174	5,713
		Scrapers	423	2	8	0.48	3,249	15,804
		Crawler Tractors	84	2	8	0.37	497	2,419
Substation Construction	43	Cranes	367	2	8	0.29	1,703	3,958
		Forklifts	82	3	8	0.2	394	915
		Generator Sets	14	1	8	0.74	83	193
		Tractors/Loaders/Backhoes	84	3	8	0.37	746	1,734
		Welders	46	1	8	0.45	166	385
	109	Off-Highway Trucks	376	2	8	0.38	2,286	5,314
		Cranes	367	1	8	0.29	851	5,017
		Off-Highway Trucks	376	2	8	0.38	2,286	13,469
Building Construction	153	Cranes	367	1	8	0.29	851	7,042
		Forklifts	82	3	8	0.2	394	3,255
		Generator Sets	14	1	8	0.74	83	685
		Tractors/Loaders/Backhoes	84	3	8	0.37	746	6,169
		Welders	46	1	8	0.45	166	1,370
Off-Site Utility and Infrastructure Improvements	64	Excavators	36	1	8	0.38	109	379
		Off-Highway Trucks	376	1	8	0.38	1,143	3,954
		Other Construction Equipment	82	1	8	0.42	276	953
Paving	23	Pavers	81	2	8	0.42	544	677
		Paving Equipment	89	2	8	0.36	513	637
		Rollers	36	2	8	0.38	219	272
Architectural Coating	130	Air Compressors	37	1	8	0.48	142	998
Construction Fuel Demand (Gallons Fuel):								99,390

(Urban Crossroads, 2024c, Table 4-5)

Table 4.6-6 Construction Trips and VMT

Construction Activity	Worker Trips Per Day	Vendor Trips Per Day	Hauling Trips Per Day
Site Preparation	18	40	0
Grading	20	60	140
Substation Construction	520	103	0
Building Construction	520	103	0
Off-Site Utility and Infrastructure Improvements	8	0	0
Paving	15	0	0
Architectural Coating	104	0	0

(Urban Crossroads, 2024c, Table 4-6)



4. Construction Worker Fuel Estimates

With respect to estimated VMT for the Project, the construction worker trips (personal vehicles used by workers commuting to the Project from home) would generate an estimated 1,740,277 VMT during the 11 months of construction. Based on CalEEMod methodology, it is assumed that 50% of all construction worker trips are from light-duty-auto vehicles (LDA), 25% are from light-duty-trucks (LDT1¹), and 25% are from light-duty-trucks (LDT2²). Data regarding Project related construction worker trips were based on CalEEMod defaults utilized within the Project-specific AQIA (*Technical Appendix B1*). (Urban Crossroads, 2024c, p. 30)

Vehicle fuel efficiencies for LDA, LDT1, and LDT2 were estimated using information generated within the 2021 version of the EMFAC developed by CARB. EMFAC2021 is a mathematical model that was developed to calculate emission rates, fuel consumption, and VMT from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by the CARB to project changes in future emissions from on-road mobile sources. EMFAC2021 was run for the LDA, LDT1, and LDT2 vehicle class within the Riverside (SS) sub-area for the 2024 through 2026 calendar years. Data from EMFAC2021 is shown in Appendix 4.4 to the Project-specific EA (*Technical Appendix E*). (Urban Crossroads, 2024c, pp. 30-31)

As shown in Table 4.6-7, *Construction Worker Fuel Consumption Estimates*, the estimated annual fuel consumption resulting from Project construction worker trips is 119,302 gallons during full construction of the Project. It should be noted that construction worker trips would represent a “single-event” gasoline fuel demand and would not require ongoing or permanent commitment of fuel resources for this purpose. (Urban Crossroads, 2024c, p. 32)

5. Construction Vendor Fuel Estimates

With respect to estimated VMT, the construction vendor trips (vehicles that deliver materials to the site during construction) would generate an estimated 491,808 VMT along area roadways for the Project over the duration of construction activity. It is assumed that 50% of all vendor trips are from medium-heavy duty trucks (MHD), 50% of all vendor trips are from heavy-heavy duty trucks (HHD), and 100% of all hauling trips are from HHD trucks. These assumptions are consistent with the CalEEMod defaults utilized within the Project-specific AQIA (*Technical Appendix B1*). Vehicle fuel efficiencies for MHDs and HHDs were estimated using information generated within EMFAC2021. EMFAC2021 was run for the MHD and HHD vehicle classes within the Riverside (SS) sub-area for the 2024 through 2025 calendar years. Data from EMFAC2021 is shown in Appendix 4.4 to the Project-specific EA (*Technical Appendix E*). (Urban Crossroads, 2024c, p. 32)

Based on Table 4.6-8, *Construction Vendor Fuel Consumption Estimates*, it is estimated that 86,563 gallons of fuel would be consumed related to construction vendor trips during full construction of the Project. It should

¹ Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

² Vehicles under the LDT2 category have a GVWR of less than 6,000 lbs. and ETW between 3,751 lbs. and 5,750 lbs.



Table 4.6-7 Construction Worker Fuel Consumption Estimates

Year	Construction Activity	Duration (Days)	Worker Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
2024	LDA						
	Site Preparation	60	9	18.5	9,990	31.15	321
	Grading	90	10	18.5	16,650	31.15	535
	Substation Construction	109	260	18.5	524,290	31.15	16,832
	Building Construction	66	260	18.5	317,460	31.15	10,192
	Architectural Coating	43	52	18.5	41,366	31.15	1,328
	LDT1						
	Site Preparation	60	5	18.5	4,995	23.65	211
	Grading	90	5	18.5	8,325	23.65	352
	Substation Construction	109	130	18.5	262,145	23.65	11,084
	Building Construction	66	130	18.5	158,730	23.65	6,711
	Architectural Coating	43	26	18.5	20,683	23.65	874
	LDT2						
	Site Preparation	60	5	18.5	4,995	23.77	210
	Grading	90	5	18.5	8,325	23.77	350
	Substation Construction	109	130	18.5	262,145	23.77	11,028
	Building Construction	66	130	18.5	158,730	23.77	6,677
	Architectural Coating	43	26	18.5	20,683	23.77	870
2025	LDA						
	Substation Construction	43	260	18.5	206,830	32.28	6,408
	Building Construction	87	260	18.5	418,470	32.28	12,965
	Off-Site Utilities	64	4	18.5	4,736	32.28	147
	Paving	23	8	18.5	3,191	32.28	99
	Architectural Coating	87	52	18.5	83,694	32.28	2,593
	LDT1						
	Substation Construction	43	130	18.5	103,415	24.44	4,231
	Building Construction	87	130	18.5	209,235	24.14	8,667
	Off-Site Utilities	64	2	18.5	2,368	24.14	98
	Paving	23	4	18.5	1,596	24.14	66
	Architectural Coating	87	26	18.5	41,847	24.14	1,733
	LDT2						
	Substation Construction	109	130	18.5	262,145	24.44	10,726
	Building Construction	87	130	18.5	209,235	24.44	8,561
	Off-Site Utilities	64	2	18.5	2,368	24.44	97
	Paving	23	4	18.5	1,596	24.44	65
	Architectural Coating	87	26	18.5	41,847	24.44	1,712
TOTAL CONSTRUCTION WORKER FUEL CONSUMPTION							119,302

(Urban Crossroads, 2024c, Table 4-7)



Table 4.6-8 Construction Vendor Fuel Consumption Estimates

Year	Construction Activity	Duration (Days)	Vendor Trips/Day	Trip Length (miles)	VMT	Average Vehicle Fuel Economy (mpg)	Estimated Fuel Consumption (gallons)
2024	MHD						
	Site Preparation	60	20	10.2	12,240	7.58	1,614
	Grading	90	30	10.2	27,540	7.58	3,633
	Substation Construction	43	52	10.2	22,807	7.58	3,008
	Building Construction	66	52	10.2	34,670	7.58	4,573
	HHD (Vendor)						
	Site Preparation	60	20	10.2	12,240	6.19	1,976
	Grading	90	30	10.2	27,540	6.19	4,447
	Substation Construction	43	51.5	10.2	22,588	6.19	3,647
	Building Construction	66	52	10.2	34,670	6.19	5,598
	HHD (Hauling)						
	Grading	90	140	13.9	175,140	6.19	28,278
2025	MHD						
	Substation Construction	109	52	10.2	57,814	7.67	7,533
	Building Construction	87	52	10.2	45,701	7.67	5,955
	HHD (Vendor)						
	Substation Construction	109	51.5	10.2	57,258	6.32	9,065
	Building Construction	87	51.5	10.2	45,701	6.32	7,236
TOTAL CONSTRUCTION VENDOR FUEL CONSUMPTION							86,563

(Urban Crossroads, 2024c, Table 4-8)

be noted that Project construction vendor trips would represent a “single-event” diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose. (Urban Crossroads, 2024c, p. 33)

6. Construction Energy Efficiency/Conservation Measures

Starting in 2014, CARB adopted the nation's first regulation aimed at cleaning up off-road construction equipment such as bulldozers, graders, and backhoes. These requirements ensure fleets gradually turnover the oldest and dirtiest equipment to newer, cleaner models and prevent fleets from adding older, dirtier equipment. As such, the equipment used for Project construction would conform to CARB regulations and California emissions standards. It should also be noted that there are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Equipment employed in construction of the Project would therefore not result in inefficient wasteful, or unnecessary consumption of fuel. (Urban Crossroads, 2024c, p. 33)

Construction contractors would be required to comply with applicable CARB regulation regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer



engines and equipment would result in less fuel combustion and energy consumption. (Urban Crossroads, 2024c, p. 33)

Additional construction-source energy efficiencies would occur due to required California regulations and best available control measures (BACM). For example, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Section 2449(d)(3) requires that grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling.” In this manner, construction equipment operators are required to be informed that engines are to be turned off at or prior to five minutes of idling. Enforcement of idling limitations is realized through periodic site inspections conducted by County building officials, and/or in response to citizen complaints. (Urban Crossroads, 2024c, pp. 33-34)

A full analysis related to the energy needed to form construction materials is not included in this analysis due to a lack of detailed Project-specific information on construction materials. At this time, an analysis of the energy needed to create Project-related construction materials would be extremely speculative and thus has not been prepared. (Urban Crossroads, 2024c, p. 34)

In general, construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations. (Urban Crossroads, 2024c, p. 34)

B. Operational Energy Demands

Energy consumption in support of or related to Project operations would include transportation fuel demands (fuel consumed by passenger car and truck vehicles accessing the Project site), fuel demands from operational equipment, and facilities energy demands (energy consumed by building operations and site maintenance activities). (Urban Crossroads, 2024c, p. 34)

1. Transportation Fuel Demands

Energy that would be consumed by Project-generated traffic is a function of total VMT and estimated vehicle fuel economies of vehicles accessing the Project site. The VMT per vehicle class can be determined by evaluated in the vehicle fleet mix and the total VMT. (Urban Crossroads, 2024c, p. 34)

As with worker and vendors trips, operational vehicle fuel efficiencies were estimated using information generated within EMFAC2021 developed by CARB. EMFAC2021 was run for the Riverside sub-area for the 2024 through 2025 calendar years. Data from EMFAC2021 is shown in Appendix 4.4 to the Project-specific EA (*Technical Appendix E*). (Urban Crossroads, 2024c, p. 34)



In order to account for the possibility of refrigerated uses (cold storage) that would be accommodated by the high-cube cold storage warehouse proposed, it is assumed that all trucks accessing this land use are presumed to also have transport refrigeration units (TRUs). Therefore, for modeling purposes 93 trucks are assumed to be trucks with TRUs. TRUs are also accounted for during on-site and off-site travel. TRU calculations are based on EMFAC2021. (Urban Crossroads, 2024c, p. 34)

As summarized on Table 4.6-9, *Total Project-Generated Traffic Annual Fuel Consumption*, the Project would result in 29,332,699 annual VMT and an estimated annual fuel consumption of 3,043,533 gallons of fuel. (Urban Crossroads, 2024c, p. 35)

2. On-Site Cargo Handling Equipment Fuel Demands

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this particular Project, on-site modeled operational equipment includes up to four (4) 175 horsepower (hp), natural gas-powered cargo handling equipment – port tractors operating at 4 hours a day for 365 days a year. Project operational activity estimates and associated fuel consumption estimates are based on the annual EMFAC2021 offroad emissions for the 2025 operational year and was used to derive the total annual fuel consumption associated on-site equipment. As presented in Table 4.6-10, *On-Site Cargo Handling Equipment Fuel Consumption Estimates*, Project on-site equipment would consume an estimated 18,567 gallons of natural gas. (Urban Crossroads, 2024c, p. 35)

Table 4.6-9 Total Project-Generated Traffic Annual Fuel Consumption

Vehicle Type	Average Vehicle Fuel Economy (mpg)	Annual VMT	Estimated Annual Fuel Consumption (gallons)
LDA	32.28	5,663,846	175,482
LDT1	24.14	508,086	21,046
LDT2	24.44	2,804,524	114,747
MDV	14.96	1,962,604	131,231
MCY	14.96	221,868	14,835
LHDT1	16.40	2,581,298	157,430
LHDT2	14.96	785,635	52,532
MHDT	7.67	1,949,277	253,991
HHDT	6.32	12,855,561	2,035,333
TRUs			86,906
Total (All Vehicles):		29,332,699	3,043,533

(Urban Crossroads, 2024c, Table 4-9)



Table 4.6-10 On-Site Cargo Handling Equipment Fuel Consumption Estimates

Equipment	Quantity	Usage Hours	Days of Operation	EMFAC2021 Fuel Consumption (gal./yr)	EMFAC2021 Activity (hrs./yr)	Total Fuel Consumption
Cargo Handling Equipment	4	4	365	17,909	5,633	18,567
On-Site Cargo Handling Equipment Fuel Demand (Gallons Fuel):						18,567

(Urban Crossroads, 2024c, Table 4-10)

3. Facility Energy Demands

Project building operations activities would result in the consumption of electricity, which would be supplied to the Project by IID. Electricity usage associated with the Project was calculated based on data provided by the Project Applicant and includes 20% of the building user's electric power from renewable sources. As summarized on Table 4.6-11, *Project Annual Operational Energy Demand Summary*, the Project would consume approximately 8,563,734 kWh/year of electricity. Based on information provided by the Project Applicant, the Project would not use natural gas for the building envelope; thus, natural gas consumption has not been analyzed herein. (Urban Crossroads, 2024c, p. 36)

Table 4.6-11 Project Annual Operational Energy Demand Summary

Land Use	Electricity Demand (kWh/year)
High-Cube Fulfillment Center	4,711,274
High-Cube Cold Storage	2,243,230
Parking Lot	1,609,230
Total Project Energy Demand:	8,563,734

(Urban Crossroads, 2024c, Table 4-11)

4. Operational Energy Efficiency/Conservation Measures

Energy efficiency/energy conservation attributes of the Project would be complemented by increasingly stringent State and federal regulatory actions addressing vehicle fuel economies and vehicle emissions standards; and enhanced building/utilities energy efficiencies mandated under California building codes (e.g., Title 24, California Green Building Standards Code). (Urban Crossroads, 2024c, p. 36)

Project annual fuel consumption estimates presented previously in Table 4.6-9 represent likely potential maximums that would occur for the Project. Under subsequent future conditions, average fuel economies of vehicles accessing the Project site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation, and in response to fuel economy and emissions standards imposed on newer vehicles entering the circulation system. (Urban Crossroads, 2024c, p. 36)

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local



roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. (Urban Crossroads, 2024c, p. 36)

C. Conclusion

1. *Summary of Construction Energy Demands*

The estimated power cost of on-site electricity usage during the construction of the Project is assumed to be approximately \$82,719.01. Additionally, based on the assumed power cost, it is estimated that the total electricity usage during construction, after full Project buildout, is calculated to be approximately 889,452 kWh. (Urban Crossroads, 2024c, pp. 36-37)

Construction equipment used by the Project would result in single event consumption of approximately 99,390 gallons of diesel fuel. Construction equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed construction process that are unusual or energy-intensive, and Project construction equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. (Urban Crossroads, 2024c, p. 37)

CCR Title 13, Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. BACMs inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by County building officials, and/or in response to citizen complaints. (Urban Crossroads, 2024c, p. 37)

Construction worker trips for full construction of the Project would result in the estimated fuel consumption of 119,302 gallons of fuel. Additionally, fuel consumption from construction vendor and hauling trips (MHDs and HHDs) will total approximately 63,609 gallons. Diesel fuel would be supplied by County and regional commercial vendors. Indirectly, construction energy efficiencies and energy conservation would be achieved using bulk purchases, transport and use of construction materials. The 2022 IEPR released by the CEC has shown that fuel efficiencies are getting better within on and off-road vehicle engines due to more stringent government requirements. As supported by the preceding discussions, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Urban Crossroads, 2024c, p. 37)

2. *Summary of Operational Energy Demands*

Transportation Energy Demands

Annual vehicular trips and related VMT generated by the operation of the Project would result in a fuel demand of 3,043,533 gallons of fuel. Fuel would be provided by current and future commercial vendors. Trip generation and VMT generated by the Project are consistent with other industrial uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Ed., 2021); and CalEEMod. As such, Project operations would not result in excessive and wasteful vehicle trips and VMT, nor excess and wasteful vehicle energy consumption compared to other industrial uses. (Urban Crossroads, 2024c, p. 37)



It should be noted that the state strategy for the transportation sector for medium and heavy-duty trucks is focused on making trucks more efficient and expediting truck turnover rather than reducing VMT from trucks. This is in contrast to the passenger vehicle component of the transportation sector where both per-capita VMT reductions and an increase in vehicle efficiency are forecasted to be needed to achieve the overall state emissions reductions goals. (Urban Crossroads, 2024c, p. 37)

Heavy duty trucks involved in goods movements generally are controlled on the technology side and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-electric heavy-heavy duty trucks are being tested in 2023 and SCAQMD is looking to integrate this new technology into large-scale truck operations. The following state strategies reduce GHG emissions from the medium and heavy-duty trucks: (Urban Crossroads, 2024c, p. 38)

- CARB's Mobile Source Strategy focuses on reducing GHGs through the transition to zero and low emission vehicles and from medium-duty and heavy-duty trucks.
- CARB's Sustainable Freight Action Plan establishes a goal to improve freight efficiency by 25% by 2030, deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
- CARB's Emissions Reduction Plan for Ports and Goods Movement (Goods Movement Plan) in California focuses on reducing heavy-duty truck-related emissions focus on establishment of emissions standards for trucks, fleet turnover, truck retrofits, and restriction on truck idling (CARB 2006). While the focus of Goods Movement Plan is to reduce criteria air pollutant and air toxic emissions, the strategies to reduce these pollutants would also generally have a beneficial effect in reducing GHG emissions.
- CARB's On-Road Truck and Bus Regulation (2010) requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent.
- CARB's Heavy-Duty (Tractor-Trailer) GHG Regulation requires SmartWay tractor trailers that include idle-reduction technologies, aerodynamic technologies, and low-rolling resistant tires that would reduce fuel consumption and associated GHG emissions.

Enhanced fuel economies realized pursuant to federal and State regulatory actions, and related transition of vehicles to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) likely would decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The Project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code and County requirements, the Project would promote the use of bicycles as an



alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Urban Crossroads, 2024c, p. 38)

On-Site Cargo Handling Equipment Fuel Demands

As previously stated, it is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. On-site cargo handling equipment used by the Project would result in approximately 18,567 gallons of natural gas. On-site equipment use of fuel would not be atypical for the type of construction proposed because there are no aspects of the Project's proposed operations that are unusual or energy-intensive, and Project on-site equipment would conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. (Urban Crossroads, 2024c, pp. 38-39)

Facility Energy Demands

Project facility operational energy demands are estimated at 8,563,734 kWh/year of electricity, which would be supplied by IID. Electricity is not currently available at the Project site, requiring installation of the electrical substation that is part of the proposed Project. Based on information provided by the Project Applicant, the Project would not use natural gas. As such, natural gas consumption has not been analyzed in the Project's EA. The Project proposes conventional industrial uses reflecting contemporary energy efficient/energy conserving designs and operational programs. The Project does not propose uses that are inherently energy intensive and the energy demands in total would be comparable to other industrial uses of similar scale and configuration. (Urban Crossroads, 2024c, p. 39)

Implementation of the Project would increase the demand for electricity at the Project site and petroleum consumption in the region during operation. However, the electrical consumption demands of the Project during operation would conform to the state's Title 24 and to CALGreen standards, which implement conservation measures. Further, the proposed Project would not directly require the construction of new energy generation or supply facilities and providers of electricity are in compliance with regulatory requirements that assist in conservation, including requirements that electrical providers achieve state-mandated renewable energy production requirements. With compliance with Title 24 conservation standards and other regulatory requirements, the Project would not be wasteful or inefficient or unnecessarily consume energy resources during construction or operation and would result in a less-than-significant impact with respect to consumption of energy resources. Lastly, the Project will comply with the applicable 2022 Title 24 standards. Compliance with applicable Title 24 standards will ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. (Urban Crossroads, 2024c, p. 39)

3. *Significance of Impacts*

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. The Project aims to achieve energy conservation goals within the State of California. Therefore, Project impacts due to construction- and operational-related energy consumption would be less than significant.



Threshold b: *Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

A summary of the Project's consistency with applicable regulations and requirements is provided below.

Consistency with Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA)

Transportation and access to the Project site is provided primarily by the local and regional roadway systems. The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project site.

Transportation Equity Act for the 21st Century (TEA-21)

The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The Project site facilitates access, acts to reduce vehicle miles traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

Consistency with 2022 Integrative Energy Policy Report (IEPR)

Electricity would be provided to the Project site by IID. Based on information provided by the Project Applicant, no natural gas would be used as a result of the operation of the Project. The Project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2022 IEPR. Additionally, the Project would comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2022 IEPR.

Consistency with Energy Action Plan

The Project site is located along major transportation corridors with proximate access to the interstate freeway system. The site selected for the Project facilitates access, acts to reduce VMT, and takes advantage of existing infrastructure systems. The Project therefore supports urban design and planning processes identified under the Energy Action Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

Consistency with California Code Title 24, Part 6, Energy Efficiency Standards

The 2022 version of Title 24 was adopted by the CEC and became effective on January 1, 2023. The proposed Project would be subject to applicable Title 24 standards. As such, the Project would not conflict with or obstruct implementation of the 2022 Title 24 standards.



Consistency with AB 1493

AB 1493 is not applicable to the Project as it is a Statewide measure requiring CARB to develop and adopt vehicle emission standards. No feature of the Project would interfere with implementation of the requirements under AB 1493.

Consistency with Renewable Portfolio Standard (RPS)

California's Renewable Portfolio Standard is not applicable to the Project as it is a Statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS.

Consistency with SB 350

The proposed Project would use energy from IID, which have committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption.

Consistency with the County of Riverside Climate Action Plan (CAP)

The Project would be required to comply with the 2022 Title 24 standards. As documented in EIR Subsection 4.8, *Greenhouse Gas Emissions*, and as documented in the Project-specific GHG report (*Technical Appendix G*), the Project would be required to achieve a minimum of 100 points pursuant to the CAP Screening Tables. Additionally, the Project Applicant would be required to provide documentation to the County demonstrating implementation of CAP measure R2-CE1, *Clean Energy*, which includes on-site renewable energy production. As such, no feature of the Project would conflict with the County of Riverside Climate Action Plan.

Conclusion

As indicated in the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, impacts would be less than significant.

4.6.5 CUMULATIVE IMPACT ANALYSIS

As indicated under the analysis of Threshold a., there are no components of the proposed Project that would result in the wasteful, inefficient, or unnecessary consumption of energy resources. Other cumulative developments involving discretionary approvals also would be subject to CEQA's requirements to evaluate and address potential impacts due to energy consumption. Although it is possible other cumulative developments could result in the wasteful, inefficient, or unnecessary consumption of energy resources, the Project's projected energy demand during operations would be less-than-cumulatively considerable with mandatory compliance with applicable regulations.



As indicated under the analysis of Threshold b., the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. As such, the Project has no potential to result in cumulatively-considerable impacts due to a conflict with or obstruction of such plans.

4.6.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a.: Less-than-Significant Impact. Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California. As such, Project impacts due to wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant requiring no mitigation.

Threshold b: Less-than-Significant Impact. Energy consumed by the Project's operation is calculated to be comparable to, or less than, energy consumed by other ~~single-family residential~~ light industrial projects of similar scale and intensity that are operating in California, as the Project would be subject to current regulatory requirements, such as the 2022 version of Title 24, which was not in effect when most existing residential developments were constructed. Based on the analysis presented herein, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

4.6.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude energy consumption impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- Pavley Fuel Efficiency Standards (AB1493). Establishes fuel efficiency ratings for new vehicles.
- Renewable Portfolio Standards (SB 100): Increases California's RPS requirement to 50% renewable resources target by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.



- CCR Title 13, Motor Vehicles, Section 2449(d)(3): *Idling*. Grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling.

Mitigation

Project impacts due to energy consumption would be less than significant; therefore, mitigation is not required.



4.7 GEOLOGY AND SOILS

The information and analysis in this Subsection 4.7 is based primarily on information contained in a technical report prepared by Sladden Engineering (herein, “Sladden”). The technical study, entitled, “Geotechnical Investigation, Majestic Thousand Palms, NEC Rio Del Sol Road & 30th Avenue,” dated September 17, 2021, and included as *Technical Appendix F* to this EIR (Sladden, 2021). Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

4.7.1 EXISTING CONDITIONS

A. Geologic Setting

The Project site and vicinity including the area of the Project’s off-site improvements are located within the Colorado Desert Physiographic Province (also referred to as the Salton Trough) that is characterized as a northwest-southeast trending structural depression extending from the Gulf of California to the Banning Pass. The Salton Trough is dominated by several northwest trending faults, most notably the San Andreas Fault system. The Salton Trough is bounded by the Santa Rosa/San Jacinto Mountains on the southwest, the San Bernardino Mountains on the north, the Little San Bernardino/Chocolate/Orocopia Mountains on the east, and extends through the Imperial Valley into the Gulf of California on the south. (Sladden, 2021, p. 3)

A relatively thick sequence (20,000 feet) of sediment has been deposited in the Coachella Valley portion of the Salton Trough from Miocene to present times. These sediments are predominately terrestrial in nature with some lacustrine (lake) and minor marine deposits. The major contributor of these sediments has been the Colorado River. The mountains surrounding the Coachella Valley are composed primarily of Precambrian metamorphic and Mesozoic II “granitic” rock. (Sladden, 2021, p. 3)

The Salton Trough is an internally draining area with no readily available outlet to the Gulf of California and with portions well below sea level (-253 feet above mean sea level [amsl]). The region is intermittently blocked from the Gulf of California by the damming effects of the Colorado River delta (current elevation +30 feet amsl). Between about 300 AD and 1600 AD (to 1700) the Salton Trough has been inundated by the River’s water, forming ancient Lake Cahuilla (max. elevation +58 feet amsl). Since that time the floor of the Trough has been repeatedly flooded with other “fresh” water lakes (1849, 1861, and 1891), the most recent and historically long lived being the current Salton Sea (1905). The sole outlet for these waters is evaporation, leaving behind vast amounts of terrestrial sediment materials and evaporite minerals. (Sladden, 2021, p. 3)

The Project site is mapped to be immediately underlain by undifferentiated Quaternary-age dune sand (Qs) and alluvium (Qal). The regional geologic setting for the site vicinity is presented on the Figure 2 of the Project’s Geotechnical Investigation (EIR *Technical Appendix E*). (Sladden, 2021, p. 3)

B. Subsurface Conditions

The subsurface conditions at the Project site were investigated by drilling nine (9) exploratory boreholes to depths between approximately 11 to 51 feet below ground surface (bgs) in order to evaluate the subsurface soil conditions. The boreholes were advanced using a truck-mounted Mobile B-61 drill-rig equipped with 8-inch



outside diameter (O.D.) hollow stem augers. A representative of Sladden was on-site to log the materials encountered and retrieve samples for laboratory testing and engineering analysis. During the field investigation conducted by Sladden, disturbed soil was encountered to a depth of approximately one (1) foot bgs. Underlying the disturbed soil and extending to the maximum depths explored, native earth materials were encountered. Generally, the native earth materials consisted of silty sand (SM) and gravelly sand (SP). The native soil appeared grayish brown in in-situ color, dry and fine- to coarse-grained with scattered gravel and cobbles. (Sladden, 2021, p. 3) It is expected that the Project's off site improvement areas contain the same subsurface characteristics.

C. Site Topography

EIR Figure 2-7, *USGS Topographic Map*, in EIR Section 2.0 depicts the topographic conditions of the Project site. As shown, the Project site gently slopes downward from the northeast corner to the southwest corner of the Project site. Elevations on the site range from approximately 280 feet above mean sea level (amsl) near the southwest corner of the Project site to 326 feet amsl near the northeastern corner of the Project site. Overall topographic relief is approximately 46 feet. Areas of the Project's off-site improvements parallel public roadway rights of way and are generally flat and gently sloping.

D. Groundwater

Groundwater was not encountered to a maximum explored depth of approximately 51 feet bgs during the field investigation conducted by Sladden. Based upon the depth to groundwater in the Project vicinity, it is the opinion of Sladden that groundwater does not affect the geologic conditions at the Project site under existing conditions. (Sladden, 2021, p. 4)

E. Seismic Hazards

The southwestern United States is a tectonically active and structurally complex region, dominated by northwest trending dextral faults. The faults of the region often are part of complex fault systems, composed of numerous subparallel faults that splay or step from the main fault traces. Strong seismic shaking could be produced by any of these faults. (Sladden, 2021, p. 4)

The Project site is located within the influence of several fault systems that are considered to be active or potentially active. An active fault is defined by the State of California as a "sufficiently active and well defined fault" that has exhibited surface displacement within the Holocene epoch (about the last 11,000 years). A potentially active fault is defined by the State as a fault with a history of movement within Pleistocene time (between 11,000 and 1.6 million years ago). The nearest faults to the Project site are two segments of the San Andreas Fault (Coachella and Southern segments), both of which are located approximately 2.7 miles from the Project site. (Sladden, 2021, p. 4 and Table 1)

1. Fault Rupture

Surface rupture is expected to occur along preexisting, known active fault traces. However, surface rupture could potentially splay or step from known active faults or rupture along unidentified traces. Based on research



conducted by Sladden, there are no known active faults within or trending towards the Project site. Signs of active surface faulting were not observed during Sladden's review of non-stereo digitized photographs of the site and site vicinity. Additionally, no signs of active surface fault rupture or secondary seismic effects (lateral spreading, lurching etc.) were identified on-site during the field investigation conducted by Sladden. Therefore, Sladden opines that risks associated with primary surface ground rupture at the Project site should be considered "low." (Sladden, 2021, p. 5)

2. *Ground Shaking*

The Project site and vicinity has been subjected to past ground shaking by faults that traverse through the region. Strong seismic shaking from nearby active faults is expected to produce strong seismic shaking at the Project site and in the site's vicinity. Based on site-specific ground motion parameters developed for the property, the site modified peak ground acceleration (PGAm) is estimated to be 0.952g. (Sladden, 2021, p. 6)

3. *Liquefaction*

Liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressures. Generally, liquefaction can occur if all of the following conditions apply: liquefaction-susceptible soil, groundwater within a depth of 50 feet or less, and strong seismic shaking. Groundwater levels in the vicinity of the Project site are in excess of 50 feet below the existing ground surface. The potential for liquefaction impacting the Project site is therefore considered "negligible." (Sladden, 2021, p. 6)

4. *Slope Failure, Landslide, and Rock Fall Hazards*

The Project site and the Project's off-site improvement areas are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. No signs of slope instability in the form of landslides, rock falls, earthflows, or slumps were observed at or near the subject site during the investigation conducted by Sladden. As such, risks associated with slope instability at the Project site are considered "negligible." (Sladden, 2021, p. 6)

5. *Tsunamis and Seiches*

Because the Project site and the Project site is situated at an elevated inland location and is not immediately adjacent to any impounded bodies of water, risk associated with tsunamis and seiches at the Project site is considered "negligible" (Sladden, 2021, p. 6). The same applies to the Project's off-site improvement areas.

F. Soils

1. *Erosion Potential*

Erosion is the process by which the upper layers of the ground surface (such as soils) are worn and removed by the movement of water or wind. Soils with characteristics such as low permeability and/or low cohesive strength are more susceptible to erosion than those soils having higher permeability and cohesive strength. Additionally, the slope gradient on which a given soil is located also contributes to the soil's resistance to



erosive forces. Because water is able to flow faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode.

As previously indicated in EIR Table 2-3, *Summary of On-Site Soil Characteristics*, approximately 39.5% of the Project site has a slow rate of runoff, a moderate susceptibility to water erosion, and a slight susceptibility to wind erosion. Approximately 48.5% of the Project site has a slow rate of runoff, a slight susceptibility to water erosion, and a high susceptibility to wind erosion. Approximately 11.9% of the Project site has a very slow rate of runoff, a slight susceptibility to water erosion, and a high susceptibility to wind erosion. (USDA, 1980, p. 12 and 23; USDA, n.d.)

2. *Blowsand*

Within the Project area, there is a natural sand migration process, called “blowsand,” wherein winds blowing across sandy soil picks up the soil and blows it in the direction of the wind. Blowsand is a frequent occurrence in the Project site vicinity.

3. *Expansive Soils*

Expansion Index (EI) testing of select samples was performed in order to evaluate the expansive potential of the materials underlying the site. Based the results of laboratory testing (EI = 0) conducted by Sladden, the materials underlying the site are considered "non-expansive." (Sladden, 2021, p. 6)

4. *Shrinkage and Subsidence*

Sladden estimates that shrinkage of on-site soils should be between 10 and 15 percent. Subsidence of the surfaces that are scarified and compacted should be between 1 and 2 tenths of a foot. These factors will vary depending upon the type of equipment used, the moisture content of the soil at the time of grading, and the actual degree of compaction attained. (Sladden, 2021, p. 8)

4.7.2 APPLICABLE ENVIRONMENTAL REGULATIONS

The following is a brief description of the federal, state, and local environmental laws and related regulations governing issues related to geology and soils.

A. Federal Regulations

1. *Clean Water Act*

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source



into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. (EPA, 2023e)

B. State Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. (CA Legislative Info, n.d.)

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires. (CA Legislative Info, n.d.)

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet). (CA Legislative Info, n.d.)

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, § 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards. (CDC, n.d.)

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. (CDC, n.d.)



The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy. (CDC, n.d.)

3. *Natural Hazards Disclosure Act*

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone. (CA Legislative Info, n.d.)

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires. (CA Legislative Info, n.d.)

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers. (CA Legislative Info, n.d.)

4. *Essential Services Buildings Seismic Safety Act*

In 1986, the California Legislature determined that buildings providing essential services should be capable of providing those services to the public after a disaster. Their intent in this regard was defined in legislation known as the Essential Services Buildings Seismic Safety Act of 1986 and includes requirements that such buildings shall be "...designed and constructed to minimize fire hazards and to resist...the forces generated by earthquakes, gravity, and winds." This enabling legislation can be found in the California Health and Safety Code, Chapter 2, § 16000 through 16022. In addition, the California Building Code defines how the intent of the act is to be implemented in Title 24, Part 1 of the California Building Standards Administrative Code, Chapter 4, Articles 1 through 3. (CAB, n.d.)

5. *California Building Standards Code (Title 24)*

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code § 18909). Health and Safety Code (state law) § 18902 gives CCR Title 24 the name California Building Standards Code (CBSC). (CBSC, 2022, p. 1)

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code §§ 18908 and 18938) throughout the State of California.



Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code §§ 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code §§ 17958.7 and 18941.5). (CBSC, 2022, p. 1)

6. *Porter-Cologne Water Control Act*

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code § 13000 *et seq.*), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation. (SWRCB, 2018)

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of National Pollutant Discharge Elimination System (NPDES) permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The Storm Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions. (SWRCB, 2018)

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain



the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. (SWRCB, 2018) The Project site is located in the Colorado River Basin, which is within the purview of Colorado River Basin Regional Water Quality Control Board (RWQCB). The RWQCB's Water Quality Control Plan for the Colorado River Basin Region (herein, "Basin Plan") is the governing water quality plan for the region.

7. *California Administrative Code, Title 14, Section 4308*

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value." (Westlaw, n.d.)

8. *California Public Resources Code*

Public Resources Code § 5097.5 states that "A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands." (FindLaw, n.d.)

Public Resources Code § 30244 states that, "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required." (FindLaw, n.d.)

C. *Local Regulations*

1. *Riverside County Ordinance No. 457 – Riverside County Building and Fire Codes*

Every three years, Riverside County's Building and Fire Codes are adapted from the California Building Standards Code (CCR Title 24), which includes both building and fire codes. These codes establish site-specific investigation requirements, construction standards and inspection procedures to ensure that development authorized by the County of Riverside does not pose a threat to the health, safety, or welfare of the public. The California Building Standards Code contains minimum baseline standards to guard against unsafe development. This ordinance also adopts, in some cases with modification to a stricter standard, a number of California State's Title 24 codes (fire, building, plumbing, electrical, etc.). The Riverside County Department of Building and Safety provides technical expertise in reviewing and enforcing these codes. (Riverside County, 2015, p. 4.12-25)



2. *Riverside County Ordinance No. 547 - Implementation of the Alquist-Priolo Earthquake Fault Zoning Act*

This ordinance establishes the policies and procedures used by the County of Riverside to implement the A-P Act. Among other things, it requires all projects proposed within an “earthquake fault zone,” as shown on the maps prepared by the State Geologist to comply with the provisions of the A-P Act. It establishes regulations for construction, including for grading, slopes and compaction, erosion control, retaining wall design and earthquake fault zone setbacks. (Riverside County, 2015, p. 4.12-25)

3. *Riverside County Ordinance 484 – Control of Blowing Dust*

This ordinance establishes requirements for the control of blowing sand within county-designated “Agricultural Dust Control Areas.” It defines activities that may contribute to wind erosion, identifies restrictions on activities within these areas, establishes penalties for violation of the ordinance and identifies procedures necessary to obtain a valid permit. (Riverside County, 2015, p. 4.12-25)

4.7.3 BASIS FOR DETERMINING SIGNIFICANCE

Section VII of Appendix G to the State CEQA Guidelines addresses typical adverse effects due to geological conditions, and includes the following threshold questions to evaluate the Project’s impacts resulting from geologic or soil conditions (OPR, 2018a):

- *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*
 - *Strong seismic ground shaking?*
 - *Seismic-related ground failure, including liquefaction?*
 - *Landslides?*
- *Would the project result in substantial soil erosion or the loss of topsoil?*
- *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*
- *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*
- *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*
- *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*



Significance thresholds are set forth in Riverside County's Environmental Assessment Checklist, as modified based on the 2018 updates to Section VII of Appendix G to the State CEQA Guidelines (listed above), and indicate significant impacts would occur if the Project or any Project-related component would:

- a. Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault;*
- b. Be subject to seismic-related ground failure, including liquefaction;*
- c. Be subject to strong seismic ground shaking;*
- d. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards;*
- e. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence;*
- f. Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard;*
- g. Change topography or ground surface relief features;*
- h. Create cut or fill slopes greater than 2:1 or higher than 10 feet;*
- i. Result in grading that affects or negates subsurface sewage disposal systems;*
- j. Result in substantial soil erosion or the loss of topsoil;*
- k. Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), creating substantial direct or indirect risks to life or property;*
- l. Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water;*
- m. Be impacted by or result in an increase in wind erosion and blow sand, either on or off site.*

The significance thresholds set forth in Riverside County's Environmental Assessment Checklist, as modified by the 2018 updates to the State CEQA Guidelines, were used to evaluate the significance of the proposed Project's impacts on geology and soils. It should be noted that the Project's potential impacts to paleontological resources are addressed separately in Subsection 4.14, *Paleontological Resources*, of this EIR.



4.7.4 IMPACT ANALYSIS

Threshold a: *Would the Project be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

Threshold c: *Would the Project be subject to strong seismic ground shaking?*

The Project site and the Project's off-site improvement areas are located in a seismically-active region; however, no active or potentially active fault is known to exist at the Project site or in its off-site improvement areas nor are these areas situated within an Alquist-Priolo Earthquake Fault Zone. The nearest faults to the Project site are two segments of the San Andreas Fault (Coachella and Southern segments), both of which are located approximately 2.7 miles from the Project site (Sladden, 2021, p. 6). Therefore, impacts due to rupture of a known fault would be less-than-significant.

As previously stated, the Project site and the Project's off-site improvement areas are located in a seismically active area of southern California and are expected to experience moderate to severe ground shaking during the lifetime of the Project. The risk is not considered substantially different than that of other similar properties in the southern California area. The Project Applicant would be required to construct all proposed structures in accordance with the California Building Standards Code ("CBSC"; also known as Title 24) and the Riverside County Building Code. The CBSC and the Riverside County Building Code have been designed to preclude significant adverse effects associated with strong seismic ground shaking. The CBSC provides standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures, and have been specifically tailored for California earthquake conditions. In addition, the CBSC requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and implement the site-specific recommendations contained therein to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. Additionally, the Project's Geotechnical Investigation (*Technical Appendix E*) includes site-specific recommendations to attenuate seismic-related hazards.

However, a significant impact could occur if the Project did not comply with the site-specific recommendations of the Project's Geotechnical Investigation (*Technical Appendix E*). The Project's Geotechnical Investigation includes recommendations that would reduce seismic risks to an "acceptable level" as defined by the California Code of Regulations. Accordingly, prior to mitigation implementing the Geotechnical Investigation recommendations, the proposed Project has the potential to expose people or structures to substantial adverse effects, including loss, injury, or death, as a result of strong seismic ground shaking. This is considered a significant impact for which mitigation would be required.

Threshold b: *Would the Project be subject to seismic-related ground failure, including liquefaction?*

Liquefaction is the process in which loose, saturated granular soil loses strength as a result of cyclic loading. The strength loss is a result of a decrease in granular sand volume and a positive increase in pore pressures.



Generally, liquefaction can occur if all of the following conditions apply: liquefaction-susceptible soil, groundwater within a depth of 50 feet or less, and strong seismic shaking. As previously noted, groundwater levels in the Project area are in excess of 50 feet below the existing ground surface. The potential for liquefaction impacting the site and off-site improvement areas is therefore considered "negligible." (Sladden, 2021, p. 6) Thus, the Project would not be subject to seismic-related ground failure, including liquefaction, and no impact would occur.

Threshold d: *Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?*

Landslide Hazards

The Project site and the Project's off-site improvement areas are situated on relatively level ground and not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. No signs of slope instability in the form of landslides, rock falls, earthflows, or slumps were observed at or near the subject site during the investigation conducted by Sladden. (Sladden, 2021, p. 6) Accordingly, the Project would not be located on an unstable geologic unit and would not result in on- or off-site landslide hazards, and no impact would occur.

Lateral Spreading

Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Once liquefaction transforms the subsurface layer into a fluid mass, gravity plus the earthquake inertial forces may cause the mass to move downslope towards a free face (such as a river channel or an embankment). Lateral spreading may cause large horizontal displacements and such movement typically damages pipelines, utilities, bridges, and structures.

Lateral spreading is primarily associated with liquefaction hazards. As noted above, based on the Project site's lack of shallow groundwater, liquefaction risks at the Project site are considered to be negligible (Sladden, 2021, p. 6). Thus, the potential for lateral spreading is low. Similar conditions exist in the Project's off-site improvement areas. Accordingly, impacts associated with lateral spreading would be less than significant and no mitigation is required.

Collapse Hazards

Static settlement of the site would be induced by subjecting the existing grades to design grades (adding fill) and by the proposed structural building loads. The geotechnical report prepared for the Project site includes site-specific recommendations to attenuate potential hazards, including hazards due to collapse. Impacts due to collapse hazards could occur if proposed grading activities are not conducted in accordance with the site-specific recommendations of the Project's Geotechnical Update (*Technical Appendix E*). This is a potentially significant direct impact of the proposed Project for which mitigation would be required.



Rockfall Hazards

A rockfall is a fragment of rock, or block of rocks, that detaches from a vertical to sub-vertical cliff or bluff in a downward motion. The Project site and the Project's off-site improvement areas are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability, and there are no hillsides in the Project area with prominent rock outcroppings. As such, the Project site is not subject to rockfall hazards. Accordingly, no impact would occur due to rockfall hazards.

Threshold e: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

According to mapping information available from Riverside County Geographic Information Systems (GIS), the Project site is mapped as being "susceptible" to ground subsidence (RCIT, n.d.). The geotechnical report prepared for the Project site indicated that the settlement potential can be attenuated through the excavation of fill soils so that native soils can be properly prepared (Sladden, 2021, p. 8). However, a significant impact due to ground subsidence could occur if future development were to fail to comply with the site-specific recommendations of the Project's Geotechnical Investigation (*Technical Appendix E*). This is determined to be a potentially significant direct impact of the proposed Project for which mitigation would be required.

Threshold f: Would the Project be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

There are no volcanoes in the Project region; thus, no impacts due to volcanic hazards would occur.

A seiche is an underwater wave that oscillates through a body of water which may be triggered by earthquakes or landslides. In general, seiches are small (on the order of a few inches) and are present in larger lakes as a result of the depth, temperature, and contours of the body of water. The Project site and the Project's off-site improvement areas are situated at an elevated inland location and are not immediately adjacent to any impounded bodies of water. Thus, the risk of seiches affecting the Project site is considered "negligible." (Sladden, 2021, p. 6) No impacts due to seiches would occur with implementation of the Project.

The Project site and the Project's off-site improvement areas are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that potentially could be susceptible to slope instability. No signs of slope instability in the form of landslides, rock falls, earthflows, or slumps were observed at or near the subject site during the investigation conducted by Sladden. (Sladden, 2021, p. 6) Accordingly, the Project is not subject to mudflow hazards, and no impact would occur.

Threshold g: Would the Project change topography or ground surface relief features?

Grading associated with the Project would require a total of 727,940 cubic yards (cy) of cut and 607,253 cy of fill, requiring the net export of approximately 120,687 cy of soils. The building pad would be raised out of the floodplain. Although the site's topography would be modified to accommodate the planned development, the site would still appear as a relatively flat property from surrounding public roadways and the Project would not result in a substantial change in topography or ground surface relief features, and impacts would be less than significant. The paving of a segment of Robert Road off-site and the installation of off-site power poles



have no reasonable potential for changing topographic or ground surface relief features. Impacts would be less than significant.

Threshold h: *Would the Project create cut or fill slopes greater than 2:1 or higher than 10 feet?*

As described in EIR Section 3.0, *Project Description*, manufactured slopes are proposed along the northern site boundary, which would be constructed at a maximum gradient of approximately 2:1 (horizontal:vertical) and would measure up to 16 feet in height. A retaining wall also is proposed at the base of the northern slope that would measure up to four feet in height. Slopes also are proposed around the proposed retention basins in the southern portion of the Project site, which would measure approximately 30 feet in height and would be constructed at a maximum gradient of 3:1. Although the slopes would exceed a height of 10 feet, site-specific recommendations are provided in the Project's Geotechnical Investigation (*Technical Appendix E*), which would ensure that proposed slopes are grossly stable. However, a potentially significant impact could occur if site grading activities do not comply with the site-specific recommendations of the Geotechnical Investigation. This is concluded to be a significant direct impact of the proposed Project for which mitigation would be required.

Threshold i: *Would the Project result in grading that affects or negates subsurface sewage disposal systems?*

The Project site is undeveloped and has not been subject to past development. As such, there are no subsurface sewage disposal systems on the Project site under existing conditions. Also, no subsurface sewage disposal systems would be affected by the Project's off-site improvements. Thus, the Project would not result in grading that affects or negates subsurface sewage disposal systems, and no impact would occur.

Threshold l: *Would the Project have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Sewer service to the proposed Project would be provided by the Coachella Valley Water District (CVWD), and no septic tanks or alternative wastewater disposal systems are proposed as part of the Project. As such, no impact associated with septic tanks or alternative wastewater disposal systems would occur.

Threshold j: *Would the Project result in substantial soil erosion or the loss of topsoil?*

Threshold m: *Would the Project be impacted by or result in an increase in wind erosion and blow sand, either on or off site?*

Implementation of the Project has the potential to result in soil erosion. The analysis below summarizes the likelihood of the Project to result in substantial soil erosion during temporary construction activities and long-term operation.

Construction-Related Impacts

Proposed grading and construction activities at the Project site would expose underlying soils and disturb surficial soils. Exposed soils would be subject to erosion during rainfall events or high winds due to the removal of stabilizing vegetation and exposure of these erodible materials to wind and water.



Pursuant to the requirements of the SWRCB, the Project Applicant is required to obtain a NPDES permit for construction activities, including proposed grading. The NPDES permit is required for all projects that include construction activities such as clearing, grading, and/or excavation that disturb at least one acre of total land area. The County's Municipal Separate Storm Sewer System (MS4) NPDES Permit requires the Project Applicant to prepare and submit to the County for approval a Project-specific Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would identify a combination of erosion control and sediment control measures (i.e., Best Management Practices (BMPs)) to reduce or eliminate sediment discharge to surface water from stormwater and non-stormwater source discharges during construction.

In addition, proposed construction activities would be required to comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which would reduce the amount of particulate matter in the air and minimize the potential for wind erosion. Rule 403 requires that certain construction practices be followed that limit dust and dirt from leaving the construction site. For example, no dust is allowed to be tracked out of the site by more than 25 feet. In addition, proposed construction activities would be required to comply with applicable County ordinances (i.e., Ordinance Nos. 457 and 460) to protect and enhance the water quality of the County, which requires the Project Applicant to prepare an erosion control plan to be used during the rainy season. With mandatory compliance to the requirements noted in the Project's SWPPP, as well as mandatory compliance to applicable regulatory requirements including but not limited to SCAQMD Rule 403 and Riverside County Ordinance Nos. 457 and 460, the potential for water and/or wind erosion impacts during Project construction would be reduced to less-than-significant levels.

Long-Term Operational Impacts

Following construction, wind and water erosion on the Project site would be minimized, as the disturbed areas would be landscaped or covered with impervious surfaces. Drainage would be controlled through a storm drain system and all storm flows generated on the Project site would be retained and infiltrated on site and discharge off site at the same locations that occur under existing conditions; thus, the Project would not result in an increase in runoff from the Project site such that erosion hazards downstream would be increased. Further, development of the Project site as proposed would reduce blowsand across the site. Therefore, implementation of the Project would not significantly increase the risk of long-term wind or water erosion on- or off-site, and impacts would be less than significant. Blowsand effects would be reduced compared to existing conditions.

<p><i>Threshold k: Would the Project be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), creating substantial risks to life or property?</i></p>
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Expansion Index (EI) testing of select samples was performed in order to evaluate the expansive potential of the materials underlying the Project site. Based the results of laboratory testing (EI = 0) conducted by Sladden, the materials underlying the site are considered "non-expansive." (Sladden, 2021, p. 6) Accordingly, the Project would not be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), and would not create substantial risks to life or property due to expansive soils; thus, no impact would occur.



4.7.5 CUMULATIVE IMPACT ANALYSIS

With the exception of erosion hazards, potential effects due to geology and soils are inherently restricted to the areas proposed for development and would not contribute to cumulative impacts associated with other existing, planned, or proposed development. That is, thresholds including fault rupture, seismic ground shaking, liquefaction, landslides, expansive soils, and other geologic hazards would involve effects to (and not from) the proposed development, and are specific to on-site conditions. Accordingly, addressing these potential hazards for the proposed development would involve using measures to conform to existing requirements, and/or site-specific design and construction efforts that have no relationship to, or impact on, off-site areas. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no connection to similar potential issues or cumulative effects to or from other properties. Cumulatively-considerable impacts would be less than significant.

As discussed under Thresholds j. and m., during near-term construction activities measures would be incorporated into the Project's design to ensure that significant erosion hazards do not occur. Other developments within the cumulative study area would be required to comply with similar requirements, such as the need to obtain an NPDES permit and mandatory compliance with the resulting SWPPPs. Further, all projects in the cumulative study area also would be required to comply with Riverside County Ordinance Nos. 457 and 460, as well as SCAQMD Rule 403, which would preclude water- and wind-related erosion hazards during construction. Following construction, wind and water erosion on the Project site would be minimized, as the disturbed areas would be landscaped or covered with impervious surfaces. Drainage would be controlled through a storm drain system and all storm flows generated on the Project site would be fully retained and infiltrated on site; thus, the Project would not result in an increase in runoff from the Project site such that erosion hazards downstream would be increased. Therefore, because the Project would result in less-than-significant erosion impacts, and because other projects within the cumulative study area would be subject to similar requirements to control erosion hazards during construction and long-term operation, cumulatively-considerable impacts associated with wind and water erosion hazards are evaluated as less than significant.

4.7.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Thresholds a. and c.: Significant Direct Impact. No active or potentially active fault is known to exist at the Project site nor is the site situated within an Alquist-Priolo Earthquake Fault Zone. Thus, impacts due to rupture of a known earthquake would be less than significant. The Project site and vicinity is subject to seismic ground shaking associated with earthquakes. A significant impact could occur if the Project was not constructed in accordance with the site-specific recommendations of the Project's Geotechnical Investigation (*Technical Appendix E*). This is concluded to be a potentially significant impact for which mitigation would be required.

Threshold b.: No Impact. Groundwater levels in the Project area are in excess of 50 feet below the existing ground surface. The potential for liquefaction impacting the Project is therefore considered negligible. Thus, the Project would not be subject to seismic-related ground failure, including liquefaction, and no impact would occur.



Threshold d.: Significant Direct Impact. The areas to be physically impacted by the Project are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. There are no signs of slope instability in the form of landslides, rock falls, earthflows, or slumps. Accordingly, the Project would not be located on an unstable geologic unit and would not result in on- or off-site landslide hazards, and no impact would occur. Additionally, due to the lack of shallow groundwater, the potential for lateral spreading is low and potential impacts associated with lateral spreading would be less than significant. Static settlement of the Project site would be induced by subjecting the existing grades to design grades (adding fill) and by the proposed structural building loads. The geotechnical report prepared for the Project site includes site-specific recommendations to attenuate potential hazards, including hazards due to collapse. Impacts due to collapse hazards could occur if proposed grading activities are not conducted in accordance with the site-specific recommendations of the Project's Geotechnical Update (*Technical Appendix E*), which is a potentially significant direct impact of the proposed Project for which mitigation would be required.

Threshold e.: Significant Direct Impact. The Project site is susceptible to ground subsidence and a significant impact due to ground subsidence could occur if future development on site were to fail to comply with the site-specific recommendations of the Project's Geotechnical Investigation (*Technical Appendix E*). This is concluded to be a potentially significant direct impact of the proposed Project for which mitigation would be required.

Threshold f.: No Impact. There are no volcanoes in the Project region; thus, no impacts due to volcanic hazards would occur. Areas to be physically impacted by the Project are situated at an elevated inland location and are not immediately adjacent to any impounded bodies of water. Thus, the risk of seiches affecting the Project are considered negligible and no impacts due to seiches would occur with implementation of the Project. Areas to be physically impacted by the Project are situated on relatively level ground and are not immediately adjacent to any slopes or hillsides that could be potentially susceptible to slope instability. There are no signs of slope instability in the form of landslides, rock falls, earthflows, or slumps on or near the site. Accordingly, areas to be physically impacted by the Project are not subject to mudflow hazards, and no impact would occur.

Threshold g.: Less-than-Significant Impact. Areas to be physically impacted by the project have flat and gently sloping topography. The Project would not result in a substantial change in topography or ground surface relief features, and impacts would be less than significant.

Threshold h.: Significant Direct Impact. Manufactured slopes are proposed along the northern Project site boundary, which would be constructed at a maximum gradient of approximately 2:1 (horizontal:vertical) and would measure up to 16 feet in height. A retaining wall also is proposed at the base of the northern slope that would measure up to four feet in height. Slopes also are proposed around the proposed retention basins in the southern portion of the Project site, which would measure approximately 30 feet in height and would be constructed at a maximum gradient of 3:1. Although the slopes would exceed a height of 10 feet, site-specific recommendations are provided in the Project's Geotechnical Investigation (*Technical Appendix E*), which would ensure that proposed slopes are grossly stable. A potentially significant impact could occur if site



grading activities do not comply with the site-specific recommendations of the Geotechnical Investigation. This is evaluated as a significant direct impact of the proposed Project for which mitigation would be required.

Threshold i.: No Impact. There are no subsurface sewage disposal systems on the Project site under existing conditions. Thus, the Project would not result in grading that affects or negates subsurface sewage disposal systems, and no impact would occur.

Threshold l.: No Impact. Sewer service to the proposed Project would be provided by the CVWD, and no septic tanks or alternative wastewater disposal systems are proposed as part of the Project. As such, no impact associated with septic tanks or alternative wastewater disposal systems would occur.

Thresholds j. and m.: Less-than-Significant Impacts. The Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain an NPDES permit for construction activities and adhere to a Stormwater Pollution Prevention Plan (SWPPP) as well as SCAQMD Rule 403 and Riverside County Ordinance Nos. 457 and 460. With mandatory compliance to these regulatory requirements, the potential for water and wind erosion impacts during construction would be less than significant. Following development, wind and water erosion on the Project site would be minimized, as the areas disturbed during construction would be landscaped or covered with impervious surfaces and drainage would be controlled through a storm drain system. Existing blowsand effects across the site would be reduced. Furthermore, the Project is required by law to implement a WQMP during operation, which would preclude substantial erosion impacts in the long-term. Accordingly, impacts due to soil erosion, loss of top soil, and blow sand would be less than significant.

Threshold k.: No Impact. The Project would not be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2022), and would not create substantial risks to life or property due to expansive soils; thus, no impact would occur.

4.7.7 COUNTY REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable County Regulations and Design Requirements

The following are regulations and design requirements that apply to the proposed Project and that reduce or preclude GHG impacts. Although compliance with mandatory regulatory requirements does not technically meet CEQA's definition for mitigation, they are specified herein as requirements for the Project.

- The Project is required to comply with the provisions of County Ordinance Nos. 457 and 460. Ordinance No. 457 requires that all projects comply with California Building Codes and the International Building Codes. These codes establish site-specific investigation requirements, construction standards, and inspection procedures to ensure that development does not pose a threat to the health, safety, and welfare of the public, and includes requirements related to erosion. Ordinance No. 460 sets forth soil erosion control requirements and requires preparation and implementation of a wind erosion control plan.



- The Project is required to comply with the provisions of SCAQMD Rule 403, by addressing blowing dust from the Project's construction activities.
- The Project is required to comply with the provisions of the County's National Pollution Discharge Elimination System (NPDES) permit, and the future-required Storm Water Pollution Prevention Plan (SWPPP). Compliance with the NPDES permit and the future-required SWPPPs would ensure an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) are implemented to reduce or eliminate sediment discharge to surface water from stormwater and non-stormwater discharges.

Mitigation

MM 4.7-1 Prior to issuance of grading or building permits, the Riverside County Building and Safety Department shall verify that all of the recommendations given in the Project's geotechnical study, entitled "Geotechnical Investigation, Majestic Thousand Palms, NEC Rio Del Sol Road & 30th Avenue," dated September 17, 2021, prepared by Sladden Engineering, and included as *Technical Appendix E* to the Project's EIR, are incorporated into the construction and grading plans. The recommendations primarily address the need for remedial grading including over-excavation and re-compaction within the building areas to support foundation bearing soil. Recommendations also address building footings, slab on grade construction, and pavement design. Specific recommendations for site preparation are presented in the Earthwork and Grading section of the report. Alternatively, the Project shall comply with the findings and recommendations of any geotechnical studies that may be required in association with future grading and/or building permits.

4.7.8 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Thresholds a. & c.: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into grading and/or building permit applications to address seismic-related hazards in conformance with the CBSC, the Riverside County Building Code, and the Project's site-specific Geotechnical Investigation (EIR *Technical Appendix E*). With implementation of the required mitigation, impacts due to strong seismic ground shaking would be reduced to less-than-significant levels.

Threshold d.: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to address the potential for collapse hazards. With implementation of the required mitigation, impacts due to collapse hazards would be reduced to less-than-significant levels.

Threshold e.: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to address the potential for ground subsidence hazards. With implementation of



the required mitigation, impacts due to ground subsidence hazards would be reduced to less-than-significant levels.

Threshold h.: Less-than-Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measure MM 4.7-1 would ensure that appropriate measures are incorporated into future grading and/or building permit applications to ensure that any slopes higher than 10 feet would be grossly stable. With implementation of the required mitigation, impacts associated with unstable slopes would be reduced to less-than-significant levels.



4.8 GREENHOUSE GAS EMISSIONS

The analysis in this Subsection 4.8 is based in part on a technical study prepared by Urban Crossroads, Inc. (herein, “Urban Crossroads”), entitled “Majestic Thousand Palms Greenhouse Gas Analysis” (herein, “GHGA”), dated January 31, 2024, and included as EIR *Technical Appendix G* (Urban Crossroads, 2024d). Refer to Section 7.0, *References*, for a complete list of these and other reference sources.

4.8.1 EXISTING CONDITIONS

A. Introduction to Global Climate Change (GCC)

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. The majority of scientists believe that the climate shift taking place since the Industrial Revolution is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases (GHGs) in the earth’s atmosphere, including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. The majority of scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years. (Urban Crossroads, 2024d, p. 8)

An individual project like the Project cannot generate enough GHG emissions to affect a discernible change in global climate. However, the Project may participate in the potential for GCC by its incremental contribution of GHGs combined with the cumulative increase of all other sources of GHGs, which when taken together constitute potential influences on GCC. (Urban Crossroads, 2024d, p. 8)

GCC refers to the change in average meteorological conditions on the earth with respect to temperature, wind patterns, precipitation, and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO₂, N₂O, CH₄, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These particular gases are important due to their residence time (duration they stay) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the earth’s atmosphere, but prevent radiative heat from escaping, thus warming the earth’s atmosphere. GCC can occur naturally as it has in the past with the previous ice ages. (Urban Crossroads, 2024d, p. 8)

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic activity. Without the natural GHG effect, the earth’s average temperature would be approximately 61 degrees Fahrenheit (°F) cooler than it is currently. The cumulative accumulation of these gases in the earth’s atmosphere is considered to be the cause for the observed increase in the earth’s temperature. (Urban Crossroads, 2024d, p. 8)

B. Greenhouse Gases

1. Greenhouse Gases and Health Effects

GHGs trap heat in the atmosphere, creating a GHG effect that results in global warming and climate change. Many gases demonstrate these properties and are discussed below. For the purposes of analysis, emissions of CO₂, CH₄, and N₂O were evaluated because these gases are the primary contributors to GCC from development



projects. Although there are other substances such as fluorinated gases that also contribute to GCC, these fluorinated gases were not evaluated as their sources are not well-defined and do not contain accepted emissions factors or methodology to accurately calculate these gases. (Urban Crossroads, 2024d, pp. 8-9)

☐ **Water**

Water is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change. (Urban Crossroads, 2024d, Table 2-1)

As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to ‘hold’ more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a “positive feedback loop.” The extent to which this positive feedback loop would continue is unknown as there are also dynamics that hold the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it would eventually condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the earth’s surface and heat it up). (Urban Crossroads, 2024d, Table 2-1)

The main source of water vapor is evaporation from the oceans (approximately 85%). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves. (Urban Crossroads, 2024d, Table 2-1)

There are no known direct health effects related to water vapor at this time. It should be noted however that when some pollutants react with water vapor, the reaction forms a transport mechanism for some of these pollutants to enter the human body through water vapor. (Urban Crossroads, 2024d, Table 2-1)

☐ **Carbon Dioxide (CO₂)**

Carbon Dioxide (CO₂) is an odorless and colorless GHG. Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO₂ concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30%. Left unchecked, the concentration of CO₂ in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources. (Urban Crossroads, 2024d, Table 2-1)

CO₂ is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing.



Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. CO₂ is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks. (Urban Crossroads, 2024d, Table 2-1)

Outdoor levels of CO₂ are not high enough to result in negative health effects. According to the National Institute for Occupational Safety and Health (NIOSH) high concentrations of CO₂ can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of CO₂ in the earth's atmosphere are estimated to be approximately 370 ppm, the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period. (Urban Crossroads, 2024d, Table 2-1)

☐ **Methane (CH₄)**

Methane (CH₄) is an extremely effective absorber of radiation, although its atmospheric concentration is less than CO₂ and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs. CH₄ in the atmosphere is generated by many different sources, such as fossil fuel production, transport and use, from the decay of organic matter in wetlands, and as a byproduct of digestion by ruminant animals such as cows. Determining which specific sources are responsible for variations in annual increases of CH₄ is complex, but scientists estimate that fossil fuel production and use contributes roughly 30% of the total CH₄ emissions. These industrial sources of CH₄ are relatively simple to pinpoint and control using current technology. (Urban Crossroads, 2024d, Table 2-1)

CH₄ is extremely reactive with oxidizers, halogens, and other halogen-containing compounds. Exposure to high levels of CH₄ can cause asphyxiation, loss of consciousness, headache, dizziness, nausea, vomiting, weakness, loss of coordination, and an increased breathing rate. (Urban Crossroads, 2024d, Table 2-1)

☐ **Nitrous Oxide (N₂O)**

Nitrous Oxide (N₂O) also known as laughing gas, is a colorless GHG. Concentrations of N₂O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb). N₂O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant, i.e., in whipped cream bottles. It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. N₂O can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction. (Urban Crossroads, 2024d, Table 2-1)

N₂O can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage) (Urban Crossroads, 2024d, Table 2-1)



☐ **Chlorofluorocarbons (CFCs)**

CFCs are gases formed synthetically by replacing all hydrogen atoms in CH₄ or ethane (C₂H₆) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs have no natural source. They are found in aerosol sprays, blowing agents for foams and packing materials, as solvents, and as refrigerants. In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation. (Urban Crossroads, 2024d, Table 2-1)

In confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation. (Urban Crossroads, 2024d, Table 2-1)

☐ **Hydrofluorocarbons (HFCs)**

HFCs are synthetic, man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential (GWP, described below). The HFCs with the largest measured atmospheric abundances are (in order), Fluoroform (HFC-23), 1,1,1,2-tetrafluoroethane (HFC-134a), and 1,1-difluoroethane (HFC-152a). Prior to 1990, the only significant emissions were of HFC-23. HFC-134a emissions are increasing due to its use as a refrigerant. HFCs are manmade for applications such as automobile air conditioners and refrigerants. No health effects are known to result from exposure to HFCs. (Urban Crossroads, 2024d, Table 2-1)

☐ **Perfluorocarbons (PFCs)**

PFCs have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above earth's surface, are able to destroy the compounds. Because of this, PFCs have exceptionally long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). The EPA estimates that concentrations of CF₄ in the atmosphere are over 70 parts per trillion (ppt). The two main sources of PFCs are primary aluminum production and semiconductor manufacture. No health effects are known to result from exposure to PFCs. (Urban Crossroads, 2024d, Table 2-1)

☐ **Sulfur Hexafluoride (SF₆)**

Sulfur Hexafluoride (SF₆) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (23,900) The EPA indicates that concentrations in the 1990s were about 4 ppt. SF₆ is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing. (Urban Crossroads, 2024d, Table 2-1)

☐ **Nitrogen Trifluoride (NF₃)**

Nitrogen Trifluoride (NF₃) is a colorless gas with a distinctly moldy odor. The World Resources Institute (WRI) indicates that NF₃ has a 100-year GWP of 17,200. NF₃ is used in industrial processes and is produced

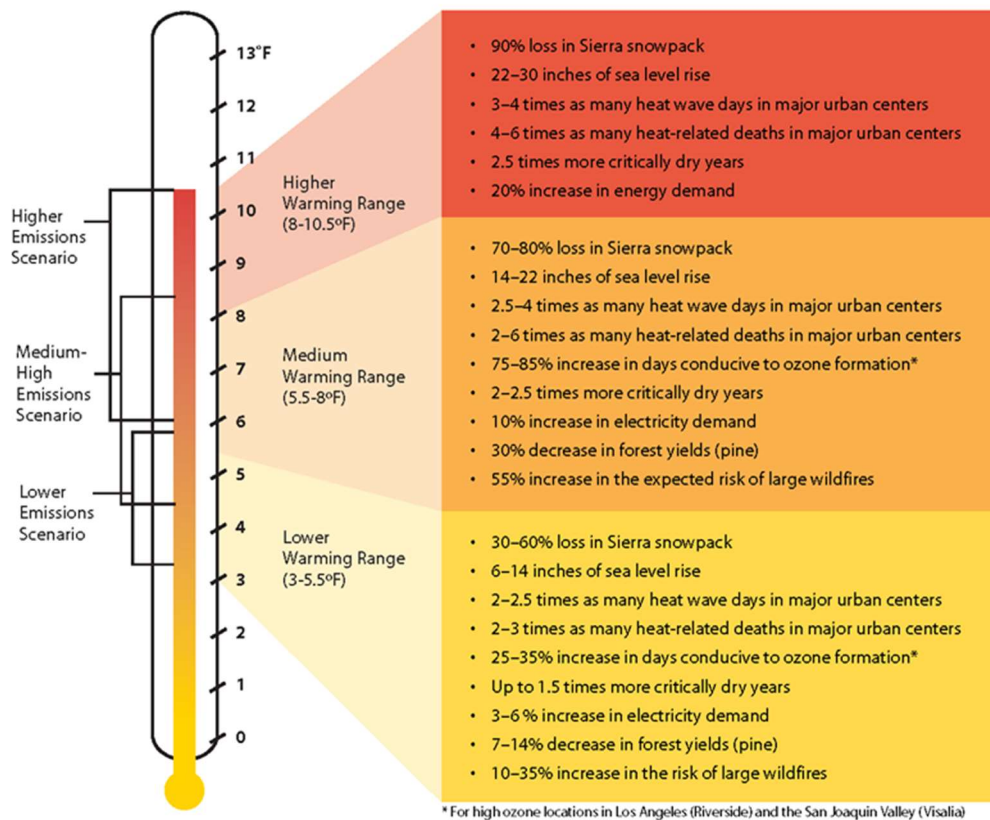


in the manufacturing of semiconductors, Liquid Crystal Display (LCD) panels, types of solar panels, and chemical lasers. Long-term or repeated exposure may affect the liver and kidneys and may cause fluorosis. (Urban Crossroads, 2024d, Table 2-1)

2. Potential Global Warming Effects

The potential health effects related directly to the emissions of CO₂, CH₄, and N₂O as they relate to development projects such as the Project are still being debated in the scientific community. Their cumulative effects to GCC have the potential to cause adverse effects to human health. Increases in Earth's ambient temperatures would result in more intense heat waves, causing more heat-related deaths. Scientists also purport those higher ambient temperatures would increase disease survival rates and result in more widespread disease. Climate change would likely cause shifts in weather patterns, potentially resulting in devastating droughts and food shortages in some areas. Figure 4.8-1, *Summary of Project Global Warming Impact 2070-2099 (As Compared with 1961-1990)* presents the impact of global warming. (Urban Crossroads, 2024d, p. 13)

Figure 4.8-1 Summary of Project Global Warming Impact 2070-2099 (As Compared with 1961-1990)



(Urban Crossroads, 2024d, Exhibit 2-A)

3. Global Warming Potential (GWP)

GHGs have varying Global Warming Potential (GWP) values. GWP of a GHG indicates the amount of warming a gas cause over a given period of time and represents the potential of a gas to trap heat in the atmosphere. CO₂ is utilized as the reference gas for GWP, and thus has a GWP of 1. CO₂ equivalent (CO₂e) is a term used for describing the difference GHGs in a common unit. CO₂e signifies the amount of CO₂ which would have the equivalent GWP. The atmospheric lifetime and GWP of selected GHGs are summarized on Table 4.8-1, *GWP and Atmospheric Lifetime of Select GHGs*. As shown in Table 4.8-1, GWP for the 6th Assessment Report, the Intergovernmental Panel on Climate Change (IPCC)'s scientific and socio-economic assessment on climate change, range from 1 for CO₂ to 25,200 for SF₆. (Urban Crossroads, 2024d, p. 15)

Table 4.8-1 GWP and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	GWP (100-year time horizon)
		6 th Assessment Report
CO ₂	Multiple	1
CH ₄	12 .4	28
N ₂ O	121	273
HFC-23	222	14,600
HFC-134a	13.4	1,526
HFC-152a	1.5	164
SF ₆	3,200	25,200

Source: IPCC Second Assessment Report, 1995 and IPCC Sixth Assessment Report, 2022 (Urban Crossroads, 2024d, Table 2-2)

C. Greenhouse Gas Inventories

1. Global

Worldwide anthropogenic GHG emissions are tracked by the IPCC for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). Human GHG emissions data for Annex I nations are available through 2020. Based on the latest available data, the sum of these emissions totaled approximately 28,026,643 gigagrams (Gg) CO₂e¹, as summarized on Table 4.8-2, *Top GHG Producing Countries and the European Union*. (Urban Crossroads, 2024d, p. 15)

2. United States

As noted in Table 4.8-2, the United States, as a single country, was the number two producer of GHG emissions in 2020. (Urban Crossroads, 2024d, p. 15)

¹ The global emissions are the sum of Annex I and non-Annex I countries, without counting Land-Use, Land-Use Change and Forestry (LULUCF). For countries without 2020 data, the United Nations' Framework Convention on Climate Change (UNFCCC) data for the most recent year were used U.N. Framework Convention on Climate Change, "Annex I Parties – GHG total without LULUCF," The most recent GHG emissions for China and India are from 2014 and 2016, respectively.



Table 4.8-2 Top GHG Producing Countries and the European Union

Emitting Countries	GHG Emissions (Gg CO ₂ e)
China	12,300,200
United States	5,981,354
European Union (27-member countries)	3,706,110
India	2,839,420
Russian Federation	2,051,437
Japan	1,148,122
Total	28,026,643

(Urban Crossroads, 2024d, Table 2-3)

3. State of California

California has significantly slowed the rate of growth of GHG emissions due to the implementation of energy efficiency programs as well as adoption of strict emission controls but is still a substantial contributor to the United States (U.S.) emissions inventory total. The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Based upon the 2022 GHG inventory data (i.e., the latest year for which data are available) for the 2000-2020 GHG emissions period, California emitted an average 369.2 million metric tons of CO₂e per year (MMTCO₂e/yr) or 369,200 Gg CO₂e (6.17% of the total United States GHG emissions). (Urban Crossroads, 2024d, p. 16)

D. Effects of Climate Change in California

1. Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35% under the lower warming range to 75 to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. Based on *Our Changing Climate Assessing the Risks to California by the California Climate Change Center*, large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced. (Urban Crossroads, 2024d, p. 16)

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a significant increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat. (Urban Crossroads, 2024d, p. 16)



2. Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages. (Urban Crossroads, 2024d, p. 17)

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90%. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing and snowboarding. (Urban Crossroads, 2024d, p. 17)

The State's water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply. (Urban Crossroads, 2024d, p. 17)

3. Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25% of the water supply needed. Although higher CO₂ levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth. (Urban Crossroads, 2024d, p. 17)

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts. In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates. (Urban Crossroads, 2024d, p. 17)



4. *Forests and Landscapes*

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks would not be uniform throughout the state. In contrast, wildfires in northern California could increase by up to 90% due to decreased precipitation. (Urban Crossroads, 2024d, p. 18)

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the State. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests has the potential to decrease as a result of GCC. (Urban Crossroads, 2024d, p. 18)

5. *Rising Sea Levels*

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the State's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12-14 inches. (Urban Crossroads, 2024d, p. 18)

4.8.2 APPLICABLE ENVIRONMENTAL REGULATIONS

The following is a brief description of the federal, state, and local environmental laws and related regulations related to GHG emissions.

A. International Regulations

1. *Kyoto Protocol*

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets. Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities." (UNFCCC, n.d.)

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012. (UNFCCC, n.d.)

On December 8, 2012, in Doha, Qatar, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:



- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of greenhouse gases (GHG) to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period. (UNFCCC, n.d.)

On December 21, 2012, the amendment was circulated by the Secretary-General of the United Nations, acting in his capacity as Depositary, to all Parties to the Kyoto Protocol in accordance with Articles 20 and 21 of the Protocol. (UNFCCC, n.d.)

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first. (UNFCCC, n.d.)

2. *The Paris Agreement*

The Paris Agreement builds upon the Convention and – for the first time – brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort. (UNFCCC, n.d.)

The Paris Agreement’s central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework. (UNFCCC, n.d.)

The Paris Agreement requires all Parties to put forward their best efforts through “nationally determined contributions” (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts. (UNFCCC, n.d.)

In 2018, Parties will take stock of the collective efforts in relation to progress towards the goal set in the Paris Agreement and to inform the preparation of NDCs. There will also be a global stock-taking every five years to assess the collective progress towards achieving the purpose of the Agreement and to inform further individual actions by Parties. (UNFCCC, n.d.)



The Paris Agreement entered into force on November 4, 2016, thirty days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total global greenhouse gas emissions have deposited their instruments of ratification, acceptance, approval, or accession with the Depositary. (UNFCCC, n.d.)

On June 1, 2017, President Donald Trump announced he would begin the process of withdrawing the United States from the Paris Agreement. In accordance with articles within the Paris Agreement, the earliest effective date for the United States' withdrawal from the Agreement was November 4, 2020, at which time the withdraw became official. On January 20, 2021, President Biden signed the executive order for the United States to rejoin the Paris Agreement, which became official on February 19, 2021.

B. Federal Regulations

1. Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the EPA issued an Endangerment Finding under § 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs. The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them. (EPA, 2023a; DOJ, 2021)

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address Global Climate Change (GCC) and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress. (EPA, 2023a; DOJ, 2021)

C. State Regulations

1. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods. The latest revisions (2022 Building Energy Efficiency Standards) became effective on January 1, 2023. The 2019 Building Energy Efficiency Standards already were 7 percent more efficient



than the previous (2016) Building Energy Efficiency Standards for residential construction and 30 percent more efficient than the previous Standards for non-residential construction. (The 2016 Building Energy Efficiency Standards already were 28 percent more efficient for residential construction and 5 percent more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced.) (CEC, 2018)

Part 11 of Title 24 is referred to as the California Green Building Standards Code (CALGreen Code). The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” The CALGreen Code is not intended to substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code. (CEC, 2018)

2. *California Assembly Bill No. 1493 (AB 1493)*

AB 1493 required the California Air Resources Board (CARB) to adopt the nation’s first GHG emission standards for automobiles. On September 24, 2009, CARB adopted amendments to the “Pavley” regulations that reduced GHG emissions in new passenger vehicles from model year 2009 through 2016. The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. It is expected that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists’ costs. CARB has since adopted a new approach to cars and light trucks by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California. (CARB, n.d.)

3. *Executive Order S-3-05*

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies. The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050. (CA State Library, 2005)

4. *California Assembly Bill 32 – Global Warming Solutions Act of 2006*

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 required California to reduce its GHG emissions to 1990 levels by



2020, which represented a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario (CARB, 2018). Among other items, AB 32 specifically required that CARB prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020 and update the Scoping Plan every five years.

In December 2008, CARB approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. In May 2014, CARB approved the First Update to the Scoping Plan (Update), which built upon the initial Scoping Plan with new strategies and recommendations. The Update highlighted California’s progress toward meeting the near-term 2020 GHG emission reduction goals, highlighted the latest climate change science and provided direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. In December 2017, CARB adopted the Second Update to the Scoping Plan, which identified the State’s post-2020 reduction strategy. The Second Update reflected the 2030 target of a 40 percent GHG emissions reduction below 1990 levels set by SB 32. The Second Update built upon the Cap- and-Trade Regulation; the Low Carbon Fuel Standard; much cleaner cars, trucks and freight movement; cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes to reduce GHG emissions. (CARB, 2017)

In December 2022, CARB released the *Final 2022 Scoping Plan Update (2022 Scoping Plan)*, which identifies the State’s strategies to reduce GHG emissions by 85% and achieve carbon neutrality by 2045. The *2022 Scoping Plan* reflects an accelerated target of an 85% reduction in GHG emissions compared to 1990 levels by 2045. This third update relies on key programs in place, including the Cap-and-Trade Regulation and the LCFS, while stressing the need to increase their pace and scale.

In order to meet these targets, the *2022 Scoping Plan* would require contributions from all sectors of the economy and includes an enhanced focus on reducing fossil fuel demand by 94% by 2045 compared to 2022 consumption. Major elements of the *2022 Scoping Plan* framework include:

- *Maintaining progress on meeting SB 32 GHG reduction targets of at least 40% below 1990 emissions by 2030.*
- *Implementation of strategies for reducing California’s dependence on petroleum by providing consumers with clean energy options.*
- *Integrating equity and protecting California's most impacted communities.*
- *Incorporation of natural and working lands to the state’s GHG emissions, as well as their role in achieving carbon neutrality.*
- *Use of all viable tools to address climate change, including carbon capture and sequestration, as well as direct air capture.*
- *Implementing SB 350, which expands the RPS to 50% RPS and doubles energy efficiency savings by 2030.*
- *Post-2020 Cap-and-Trade Program that includes declining caps.*
- *California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.*



- *Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing CH₄ and HCF emissions by 40% and anthropogenic black carbon emissions by 50% by year 2030.*
- *Continued implementation of SB 375.*
- *20% reduction in GHG emissions from refineries by 2030.*
- *Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.*

In addition to the statewide strategies listed above, the 2022 Scoping Plan also identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the previous 2017 Scoping Plan, CARB recommended that local governments achieve a community-wide goal to achieve emissions of no more than 6 metric tons of CO₂e (MTCO₂e) or less per capita by 2030 and 2 MTCO₂e or less per capita by 2050. However, because the state is now pursuing carbon neutrality no later than 2045, CARB now recommends that local governments instead focus on developing locally appropriate, plan-level targets that align with the goal of carbon neutrality rather than focusing on a 2050 target. CARB identifies several "priority areas," including transportation electrification, Vehicle Miles Traveled (VMT) reduction, and building decarbonization, as these are the GHG reduction opportunities over which local governments have the most authority and the highest GHG reduction potential. (CARB, 2022)

5. California Senate Bill No. 1368 (SB 1368)

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities. SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria. Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand. (CEC, n.d.)

6. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020. The LCFS requires fuel providers in California to ensure that the mix of fuel they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO₂e grams per unit of fuel energy sold. (CA State Library, 2007)

7. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017 for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix. (CA Legislative Info, n.d.)



8. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. (CA Legislative Info, n.d.)

9. Executive Order S-14-08

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020. In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects would be needed. Executive Order S-14-08 sought to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issued two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and (2) the California Energy Commission (CEC) and the California Department of Fish and Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects. (CA State Library, 2008)

10. Senate Bill 97

Senate Bill 97 (SB 97) was enacted in 2007 to recognize the need to analyze GHGs as a part of the State CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the State CEQA Guidelines addressing the analysis and mitigation of GHGs. As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the State CEQA Guidelines amendments. The amendments to the State CEQA Guidelines implementing SB 97 became effective on March 18, 2010. Of note, the State CEQA Guidelines state that a lead agency has discretion to determine whether to use a quantitative model or methodology, or rely on a qualitative analysis or performance-based standards to evaluate GHGs. (CA Legislative Info, n.d.)

CEQA emphasizes that GHG effects are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. (See State CEQA Guidelines § 15130(f)). State CEQA Guidelines § 15064.4(b) provides direction for lead agencies for assessing the significance of impacts of greenhouse gas emissions:

1. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; or
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such



regulations or requirements must be adopted by the relevant public agency through a public review process and must include specific requirements that reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

The State CEQA Guideline amendments do not identify a threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses.

11. *Senate Bill 375*

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. Under the Sustainable Communities Act, CARB set regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB periodically reviews and updates the targets, as needed. (CARB, n.d.)

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets. (CARB, n.d.)

12. *Executive Order B-30-15*

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030. The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by former Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 greenhouse gas emissions levels by 2050). (CA State Library, 2015)

13. *Senate Bill 32*

On September 8, 2016, Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the state to reduce statewide GHG emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon



the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80% below 1990 levels by 2050. (CA Legislative Info, n.d.)

14. *California Climate Crisis Act (AB 1279)*

AB 1279, also known as the California Climate Crisis Act, declares that it is the policy of the State to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045; to achieve and maintain net negative greenhouse gas emissions thereafter; and to ensure that by 2045, Statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. The bill requires the California Air Resources Board (CARB) to work with relevant State agencies to ensure that updates to the CARB Scoping Plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies in California. AB 1279 also requires CARB to submit an annual report evaluating progress towards these policies. (CA Legislative Info, n.d.)

15. *Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)*

SB 1020, also known as the Clean Energy, Jobs, and Affordability Act of 2022, revised State policy to include interim targets requiring that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent of all retail sales of electricity to California end-use customers by December 31, 2040, 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035. SB 1020 also requires each State agency to ensure that zero-carbon resources and eligible renewable energy resources supply 100 percent of electricity procured to serve their agency by December 31, 2035. In addition, SB 1020 requires the State Water Project (SWP) to procure eligible renewable energy and zero-carbon resources as necessary to meet the clean energy requirements specified for all State agencies. Finally, SB 1020 requires the California Public Utilities Commission (CPUC) to develop utility affordability metrics for both electricity and gas service. (CA Legislative Info, n.d.)

16. *Carbon sequestration: Carbon Capture, Removal, Utilization, and Storage Program (Senate Bill 905)*

SB 905 requires CARB to establish a Carbon Capture, Removal, Utilization, and Storage (CCRUS) Program and adopt regulations for a model unified permit program for the construction and operation of CCRUS projects. SB 905 is intended to accelerate the deployment of carbon management technologies and ensuring they are deployed in a safe and equitable way. SB 905 requires the CCRUS Program to ensure that carbon dioxide capture, removal, and sequestration projects include specified components including, among others, certain monitoring activities. In addition, SB 905 requires that by January 1, 2025, CARB shall adopt regulations for a unified permit application for the construction and operation of carbon dioxide capture, removal, or sequestration projects to expedite the issuance of permits or other authorizations for the construction and operation of those projects. SB 905 also requires the establishment of a centralized public database to track the deployment of carbon capture, utilization, or storage (CCUS) technologies and carbon dioxide removal (CDR) technologies. (CA Legislative Info, n.d.)



17. Assembly Bill 1757

AB 1757 directs the California Natural Resources Agency (CNRA) to determine an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce GHG emissions for 2030, 2038, and 2045 to support State goals to achieve carbon neutrality and foster climate adaptation and resilience. Additionally, AB 1757 requires these targets to be integrated into the CARB Scoping Plan and other State policies. It also includes provisions to avoid double counting emission reductions, updates the Natural and Working Lands Climate Smart Strategy, develops GHG tracking protocols, and biennially post progress made in achieving the targets on CNRA's internet website. In addition, AB 1757 requires CARB to develop standard methods for State agencies to consistently track greenhouse gas emissions and reductions, carbon sequestration, and, where feasible, additional benefits from natural and working lands over time. (CA Legislative Info, n.d.)

D. Regional Regulations

1. *Connect SoCal 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles.

SCAG's *2024-2050 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS)*, also referred to as *Connect SoCal*, develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The RTP/SCS provides objectives for meeting air pollution emissions reduction targets set forth by the California Air Resources Board (CARB); these objectives were provided in direct response to Senate Bill 375 (SB 375) which was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project site as being located in an area with a "Standard Suburban" land use pattern, which is defined as auto-oriented development with a minimal mix of land uses.

The *Goods Movement Technical Report* of *Connect SoCal* recognizes that the SCAG region is the premier trade gateway for the United States. *Connect SoCal* acknowledges that the SCAG region has witnessed continued growth for warehousing, distribution, cold storage and truck terminal facilities, with a majority of the growth for national and regional distribution facilities occurring in the Inland Empire. Through *Connect SoCal*, SCAG is working on various regional strategies to maintain the SCAG region as an important trade gateway while addressing regional transportation efficiency and environmental sustainability.



E. Local Regulations

1. County of Riverside CAP

The Riverside County Climate Action Plan (CAP), was adopted in December 2015 and most recently updated in November 2019 (“CAP Update”), qualifies as a plan for the reduction of GHG emissions as defined by State CEQA Guidelines section 15183.5(b). The CAP was designed under the premise that Riverside County, and the community it represents, is uniquely capable of addressing emissions associated with sources under Riverside County’s jurisdiction, and that Riverside County’s emission reduction efforts should coordinate with the State strategies of reducing emissions in order to accomplish these reductions in an efficient and cost-effective manner. The 2019 CAP Update establishes GHG emission reduction programs and regulations that correlate with and support evolving State GHG emissions reduction goals and strategies. The CAP Update includes reduction targets for year 2030 and year 2050. These reduction targets require the County to reduce emissions by at least 525,511 MTCO₂e/yr below the Adjusted Business As Usual (ABAU) scenario by 2030 and at least 2,982,948 MTCO₂e/yr below the ABAU scenario by 2050. To evaluate consistency with the CAP Update, the County has implemented CAP Update Screening Tables (Screening Tables) to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated in development projects. To this end, the Screening Tables establish categories of GHG Implementation Measures. Under each Implementation Measure category, mitigation or project design features (collectively “features”) are assigned point values that correspond to the minimum GHG emissions reduction that would result from each feature. Projects that yield at least 100 points are considered to be consistent with the GHG emissions reduction quantities anticipated in the County’s GHG Technical Report and support the GHG emissions reduction targets established under the CAP Update. The potential for such projects to generate direct or indirect GHG emissions that would result in a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG would be considered less than significant. (Riverside County, 2019)

4.8.3 BASIS FOR DETERMINING SIGNIFICANCE

A. Thresholds of Significance

While estimated Project-related GHG emissions can be quantified, the direct impacts of such emissions on GCC and global warming cannot be determined on the basis of available science. There is no evidence at this time that would indicate that the emissions from a project the size of the proposed Project would directly or indirectly affect the global climate.

AB 32 states, in part, that “[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.” Because global warming is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would have no potential to result in a direct impact to global warming; rather, Project-related contributions to GCC, if any, only have potential significance on a cumulative basis. Therefore, the analysis below focuses on the Project’s potential to contribute to GCC in a cumulatively-considerable way.

Section VIII of Appendix G to the State CEQA Guidelines addresses typical adverse effects due to GHGs, and includes the following threshold questions (OPR, 2018a):



- *Would the project generate GHGs, either directly or indirectly, that may have a significant impact on the environment?*
- *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?*

The following thresholds are derived directly from Section VIII of Appendix G to the State CEQA Guidelines and the County's Environmental Assessment form, and address typical adverse effects associated with GHG emissions. The proposed Project would have a significant impact on GHG emissions if the Project or any Project-related component would:

- Generate GHGs, either directly or indirectly, that may have a significant impact on the environment; or*
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.*

The above-listed thresholds for GHGs do not prescribe specific methodologies for performing an assessment, do not establish specific thresholds of significance, and do not mandate specific mitigation measures. Rather, the State CEQA Guidelines emphasize the lead agency's discretion to determine the appropriate methodologies and thresholds of significance consistent with the manner in which other impact areas are handled in CEQA. With respect to GHG emissions, State CEQA Guidelines Section 15064.4(a) states that lead agencies "shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" GHG emissions resulting from a project. The State CEQA Guidelines note that an agency has the discretion to either quantify a project's GHG emissions or rely on a "qualitative analysis or other performance-based standards." A lead agency may use a "model or methodology" to estimate GHG emissions and has the discretion to select the model or methodology it considers "most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change." Section 15064.4(b) provides that the lead agency should consider the following when determining the significance of impacts from GHG emissions on the environment:

1. The extent a project may increase or reduce GHG emissions as compared to the existing environmental setting.
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
3. The extent to which the project complies with regulations or requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4(b)).

In addition, Section 15064.7(c) of the State CEQA Guidelines specifies that "[w]hen adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or



recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.” The State CEQA Guidelines also clarify that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA’s requirements for cumulative impact analysis. As a note, the State CEQA Guidelines were amended in response to SB 97. In particular, the State CEQA Guidelines were amended to specify that compliance with a GHG emissions reduction plan renders a cumulative impact insignificant.

Per State CEQA Guidelines Section 15064(h)(3), a project’s incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area of the project. To qualify, such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency. Examples of such programs include a “water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plans, [and] plans or regulations for the reduction of greenhouse gas emissions.” Put another way, State CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of less than significant for GHG emissions if a project complies with adopted programs, plans, policies, and/or other regulatory strategies to reduce GHG emissions.

The significance of the Project’s GHG emissions is evaluated consistent with State CEQA Guidelines Section 15064.4(b)(2) by considering whether the Project complies with applicable plans, policies, regulations, and requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

The Riverside County 2019 CAP Update aims to reduce GHG emissions from development projects under County jurisdiction. The CAP Update builds on State and regional policies aimed at reducing GHG emissions consistent with the SB 32 2030 GHG reduction target and Statewide post-2030 reduction goals. The CAP Update identifies a two-step approach in evaluating GHG emissions. First, a screening threshold of 3,000 MTCO₂e/yr is used to determine if additional analysis is required. Projects that exceed 3,000 MTCO₂e/yr will be required to quantify and disclose the anticipated GHG emissions then either 1) demonstrate GHG emissions at project buildout year levels of efficiency and include project design features and/or mitigation measures to reduce GHG emissions or 2) garner 100 points through the CAP Update Screening Tables. Projects that garner at least 100 points (equivalent to an approximate 49% reduction in GHG emissions) may be determined to be consistent with the reduction quantities anticipated in the County’s GHG Technical Report, and consequently may be considered consistent with the CAP Update. As such, projects that achieve a total of 100 points or more normally are considered to have a less-than-significant individual and cumulative impact on GHG emissions.

4.8.4 IMPACT ANALYSIS

A. Greenhouse Gas Emissions Modeling

In May 2023 the California Air Pollution Control Officers Association (CAPCOA), in conjunction with other California air districts, including SCAQMD, released the latest version of CalEEMod Version 2022.1.1.18.



The purpose of this model is to calculate construction-source and operational-source criteria pollutants and GHG emissions from direct and indirect sources, and to quantify applicable air quality and GHG reductions achieved from mitigation measures. Accordingly, the latest version of CalEEMod has been used to determine GHG emissions. Output from the model runs for construction and operational activity are provided in Appendices 3.1 through 3.3 of the Project's GHGA (*Technical Appendix G*). CalEEMod includes GHG emissions from the following source categories: construction, area, energy, mobile, waste, water, refrigerants, stationary, on-site cargo equipment and Transport Refrigeration Units (TRUs). (Urban Crossroads, 2024d, p. 44)

A full life-cycle analysis (LCA) for construction and operational activity is not included in this analysis due to the lack of consensus guidance on LCA methodology at this time. Life-cycle analysis (i.e., assessing economy-wide GHG emissions from the processes in manufacturing and transporting all raw materials used in the Project development, infrastructure, and on-going operations) depends on emission factors or econometric factors that are not well established for all processes. At this time, a LCA would be extremely speculative and thus has not been prepared. (Urban Crossroads, 2024d, p. 44)

Additionally, the SCAQMD recommends analyzing direct and indirect project GHG emissions generated within California and not life-cycle emissions because the life-cycle effects from a project could occur outside of California, might not be very well understood, or documented, and would be challenging to mitigate. Additionally, the science to calculate life cycle emissions is not yet established or well defined; therefore, SCAQMD has not recommended, and is not requiring, life-cycle emissions analysis. (Urban Crossroads, 2024d, p. 44)

B. Project Impacts due to Greenhouse Gas Emissions

Threshold a.: *Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Construction Emissions

Project construction activities would generate CO₂ and CH₄ emissions. The Project's Air Quality Impact Analysis ("AQIA", EIR *Technical Appendix B1*) contains detailed information regarding Project construction activities. Construction-related emissions are expected from the following construction activities: site preparation, grading, substation construction, building construction, off-site utility improvements, off-site infrastructure improvements, paving, and architectural coating. (Urban Crossroads, 2024d, p. 45)

The anticipated construction durations previously were summarized in EIR Table 3-2, and anticipated construction equipment by construction phase previously was summarized in EIR Table 3-3. The construction schedule utilized in the analysis represents a "worst-case" analysis scenario should construction occur any time after the respective dates since emission factors for construction decrease as time passes and the analysis year increases due to emission regulations becoming more stringent. The duration of construction activity and associated equipment represents a reasonable approximation of the expected construction fleet and durations. (Urban Crossroads, 2024d, p. 45)



For construction phase Project emissions, GHGs are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year Project life then adding that number to the annual operational phase GHG emissions. As such, construction emissions were amortized over a 30-year period and added to the annual operational phase GHG emissions. The amortized construction emissions are presented in Table 4.8-3, *Amortized Annual Construction Emissions*. (Urban Crossroads, 2024d, pp. 46-47)

□ **Operational Emissions**

Operational activities associated with the Project would result in emissions of CO₂, CH₄, and N₂O from the following primary sources: area source emissions; energy source emissions; mobile source emissions; on-site cargo handling equipment emissions; transportation refrigeration (TRU) emissions; water supply, treatment, and distribution; solid waste; refrigerants; and stationary emissions. (Urban Crossroads, 2024d, p. 47)

Table 4.8-3 Amortized Annual Construction Emissions

Year	Emissions (MT/yr)				
	CO ₂	CH ₄	N ₂ O	Refrigerants	Total CO ₂ e
2024	2,184.00	0.07	0.15	1.99	2,231.00
2025	1,018.00	0.04	0.05	1.18	1,035.00
Total GHG Emissions	3,202.00	0.11	0.20	3.17	3,266.00
Amortized Construction Emissions	106.73	0.00	0.01	0.11	108.87

1. CalEEMod annual construction-source emissions are presented in Appendix 3.1 to the Project's GHGA (*Technical Appendix G*).

(Urban Crossroads, 2024d, Table 3-3)

Area Source Emissions

Landscape Maintenance Equipment

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the Project. It should be noted that as October 9, 2021, Governor Gavin Newsom signed AB 1346. The bill aims to ban the sale of new gasoline-powered equipment under 25 gross horsepower (known as small off-road engines [SOREs]) by 2024. For purposes of analysis, the emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod. (Urban Crossroads, 2024d, pp. 47-48)

Energy Source Emissions

Combustion Emissions Associated with Natural Gas and Electricity

GHGs are emitted from buildings as a result of activities for which electricity and natural gas are typically used as energy sources. Combustion of any type of fuel emits CO₂ and other GHGs directly into the atmosphere; these emissions are considered direct emissions associated with a building. The building energy use emissions do not include street lighting. Based on information provided by the Project Applicant, the Project is also not expected to utilize natural gas for the building envelope, and therefore would not generate



any emissions from direct consumption of natural gas. GHGs are also emitted during the generation of electricity from fossil fuels; these emissions are considered to be indirect emissions. Electricity usage associated with the Project was calculated based on data provided by the Project Applicant and includes 20% of the building user's electric power from on-site renewable sources. (Urban Crossroads, 2024d, p. 48)

Mobile Source Emissions

The Project-related GHG emissions derive primarily from vehicle trips generated by the Project, including employee trips to and from the site and truck trips associated with the proposed uses. Trip characteristics available from the Project's Traffic Analysis ("TA"; *Technical Appendix K1*) were utilized in the analysis. (Urban Crossroads, 2024d, p. 48)

Approach for Analysis of the Project

In order to determine emissions from passenger car vehicles, CalEEMod defaults for trip length and trip purpose were utilized. Based on the Project's Supplemental Truck Vehicle Miles Traveled (VMT) Analysis ("Supplemental VMT Analysis"; EIR *Technical Appendix K3*), a passenger vehicle trip length of 15.6 miles was utilized. This analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT1² and LDT2³), Medium-Duty-Vehicles (MDV), and Motorcycles (MCY) vehicle types. In order to account for emissions generated by passenger cars, the fleet mix shown in Table 3-4 of the Project's GHGA (*Technical Appendix G*) was utilized. (Urban Crossroads, 2024d, p. 48)

To determine emissions from trucks for the proposed industrial uses, the analysis incorporated a truck trip length of 92.8 miles based on the Project's Supplemental VMT Analysis (EIR *Technical Appendix K2*) and an assumption of 100% primary trips. This trip length assumption is higher than the CalEEMod defaults for trucks. In order to be consistent with the Project's TA (EIR *Technical Appendix K1*), trucks are broken down by truck type. The truck fleet mix is estimated by rationing the trip rates for each truck type based on information provided by the SCAQMD recommended truck mix, by axle type. Heavy trucks are broken down by truck type (or axle type) and are categorized as either Light-Heavy-Duty Trucks (LHDT1⁴ and LHDT2⁵)/2 axle, Medium-Heavy-Duty Trucks (MHDT)/3-axle, and Heavy-Heavy-Duty Trucks (HHDT)/4+-axle. To account for emissions generated by trucks, the fleet mix in Table 3-5 of the Project-specific GHGA (EIR *Technical Appendix G*). (Urban Crossroads, 2024d, p. 49)

On-Site Cargo Handling Equipment Emissions

It is common for industrial buildings to require the operation of exterior cargo handling equipment in the building's truck court areas. For this Project, on-site modeled operational equipment includes up to four 175

² Vehicles under the LDT1 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and equivalent test weight (ETW) of less than or equal to 3,750 lbs.

³ Vehicles under the LDT2 category have a gross vehicle weight rating (GVWR) of less than 6,000 lbs. and ETW of between 3,751 lbs and 5,750 lbs.

⁴ Vehicles under the LHDT1 category have a GVWR of 8,501 to 10,000 lbs.

⁵ Vehicles under the LHDT2 category have a GVWR of 10,001 to 14,000 lbs.



horsepower (hp), natural gas-powered cargo handling equipment – port tractor operating four hours a day for 365 days of the year. (Urban Crossroads, 2024d, p. 49)

TRU Emissions

In order to account for the possibility of refrigerated uses, trucks associated with the cold-storage land use are assumed to also have TRUs. For modeling purposes, 186 two-way truck trips during have been estimated to include TRUs (e.g., all truck trips that would be associated with up to 150,526-sf of high-cube cold storage use, as summarized in the Project-specific TA (EIR *Technical Appendix K1*). TRUs are accounted for during on-site and off-site travel. The TRU calculations are based on EMISSIONS FACTOR Model version 2021 (EMFAC2021), developed by the CARB. EMFAC2021 does not provide emission rates per hour or mile as with the on-road emission model and only provides emission inventories. Emission results are produced in tons per day while all activity, fuel consumption and horsepower hours were reported at annual levels. The emission inventory is based on specific assumptions including the average horsepower rating of specific types of equipment and the hours of operation annually. These assumptions are not always consistent with assumptions used in the modeling of project level emissions. Therefore, the emissions inventory was converted into emission rates to accurately calculate emissions from TRU operation associated with Project-level details. This was accomplished by converting the annual horsepower hours to daily operational characteristics and converting the daily emission levels into hourly emission rates based on the total emission of each criteria pollutant by equipment type and the average daily hours of operations. (Urban Crossroads, 2024d, pp. 49-50)

Water Supply, Treatment, and Distribution

Indirect GHG emissions result from the production of electricity used to convey, treat, and distribute water and wastewater. The amount of electricity required to convey, treat, and distribute water depends on the volume of water as well as the sources of the water. Unless otherwise noted, CalEEMod default parameters were used. (Urban Crossroads, 2024d, p. 50)

Solid Waste

Industrial land uses would result in the generation and disposal of solid waste. A percentage of this waste would be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted would be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the proposed Project were calculated by CalEEMod using default parameters. (Urban Crossroads, 2024d, p. 50)

Refrigerants

Air conditioning (A/C) and refrigeration equipment associated with the building are anticipated to generate GHG emissions. CalEEMod automatically generates a default A/C and refrigeration equipment inventory for each project land use subtype based on industry data from the USEPA. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime and then derives average annual emissions from the lifetime estimate. Note that CalEEMod does not quantify emissions from the disposal of refrigeration and A/C equipment at the end of its lifetime. Per 17 CCR 95371, new



facilities with refrigeration equipment containing more than 50 pounds of refrigerant are prohibited from utilizing refrigerants with a GWP of 150 or greater as of January 1, 2022. GHG emissions associated with refrigerants were calculated by CalEEMod using default parameters. (Urban Crossroads, 2024d, p. 50)

☐ **Emissions Summary and Analysis**

As previously indicated, Riverside County adopted CAP in December 2015, which was most recently updated in November 2019 (“CAP Update”). The purpose of the CAP Update is to provide guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County. To address the State’s requirement to reduce GHG emissions, the County prepared its CAP Update with the goal of reducing GHG emissions within the County by 49% below “existing” 2008 levels by the year 2030. The County’s target is consistent with the AB 32 target and ensures that the County will be providing GHG reductions locally that will complement State efforts to reduce GHG emissions. The County’s target also is consistent with the SB 32 target that expands on AB 32 to reduce GHG emissions to 40% below the 1990 levels by 2030. Because the County’s CAP Update addresses GHG emissions reductions and is consistent with the requirements of AB 32, SB 32, and international efforts to reduce GHG emissions, compliance with the CAP Update fulfills the description of mitigation found in the State CEQA Guidelines. (Urban Crossroads, 2024d, p. 51)

As previously noted, the CAP Update identifies a two-step approach in evaluating GHG emissions. First, a screening threshold of 3,000 MTCO₂e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO₂e/yr are required to quantify and disclose the anticipated GHG emissions then either: 1) demonstrate GHG emissions at project buildout year levels of efficiency and includes project design features and/or mitigation measures to reduce GHG emissions; or 2) garner 100 points through the Screening Tables. (Urban Crossroads, 2024d, p. 51)

The estimated Project-related GHG emissions are summarized on Table 4.8-4, *Project GHG Emissions*. Detailed operation model outputs for the Project are presented in Appendix 3.2 of the Project’s GHGA (*Technical Appendix G*). As shown on Table 4.8-4, construction and operation of the Project would generate approximately 33,130.16 MTCO₂e/yr. Accordingly, the proposed Project would exceed the County’s screening threshold of 3,000 MTCO₂e/yr, resulting in a cumulatively-considerable impact prior to mitigation. (Urban Crossroads, 2024d, p. 52)

Threshold b: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As previously stated, pursuant to Section 15604.4 of the State CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the Project’s consistency with AB 32, SB 32, and the County’s CAP are discussed below. It should be noted that the Project’s consistency with SB 32 (as identified through compliance with the 2022 Scoping Plan) also satisfies consistency with AB 32 since the 2022 Scoping Plan is based on the overall targets established by AB 32 and SB 32. Consistency with the 2008 and 2017 Scoping Plans is not necessary, since both of these plans have been superseded by the 2022 Scoping Plan. Project consistency with the 2022 Scoping Plan and County’s CAP Update is evaluated in the following discussion. (Urban Crossroads, 2024d, p. 52)



Table 4.8-4 Project GHG Emissions

Emission Source	Emissions (MT/yr)				
	CO ₂	CH ₄	N ₂ O	Refrigerants	Total CO ₂ e
Annual construction-related emissions amortized over 30 years	106.73	0.00	0.01	0.11	108.87
Mobile Source	27,184.00	0.26	3.53	35.20	28,278.00
Area Source	18.10	< 0.005	< 0.005	0	18.20
Energy Source	865.00	0.13	0.02	0	873.00
Water Usage	232.00	9.34	0.22	0	533.00
Waste	104.00	10.40	0	0	364.00
Refrigerants	0	0	0	41.80	41.80
Stationary Source	11.40	< 0.005	< 0.005	0	11.50
On-Site Equipment Source					1,471.05
TRUs Source					1,430.74
Total CO₂e (All Sources)	33,130.16				

(Urban Crossroads, 2024d, Table 3-6)

☐ **2022 Scoping Plan Consistency**

The Project would not impede the State’s progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Some of the current transportation sector policies the Project will comply with (through vehicle manufacturer compliance) include: Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard. Additionally, the Project includes design features related to water and solid conservation that would further reduce Project GHG emissions. As such, the Project would be consistent with the 2022 Scoping Plan, and impacts would therefore be less than significant. (Urban Crossroads, 2024d, pp. 52-53)

☐ **County of Riverside CAP Consistency**

The County of Riverside approved the CAP Update on December 17, 2019. The CAP Update was designed under the premise that the County, and the community it represents, is uniquely capable of addressing emissions associated with sources under Riverside County’s jurisdiction, and that Riverside County’s emission reduction efforts should coordinate with the state strategies of reducing emissions in order to accomplish these reductions in an efficient and cost-effective manner.

In order to evaluate consistency with the CAP Update, the County provided Screening Tables to aid in measuring the reduction of GHG emissions attributable to certain design and construction measures incorporated into development projects. The County’s CAP currently evaluates and quantifies reductions out to Year 2030. The CAP states that “[t]hrough 2050, Riverside County would continue implementation of the Screening Tables. During this time, the reduction measures implemented through the Screening Tables would



continue to reduce GHG missions from new development. Additionally, it is assumed that the State measures would keep being updated and reinforced to further reduce emissions. With these assumptions, Riverside County's emissions would decrease to a level below the reduction target by 2050." Thus, compliance with the CAP Update would serve to meet and support the reduction targets established Senate Bill 32 and the CARB 2022 Scoping Plan. (Urban Crossroads, 2024d, pp. 53-54)

Pursuant to the CAP Update and associated Screening Tables, projects that garner at least 100 points (equivalent to an approximate 49% reduction in GHG emissions below 2008 baseline levels) are determined to be consistent with the reduction quantities anticipated in the County's GHG Technical Report, and consequently would be consistent with the CAP. Absent implementation of Screening Table Measures, the Project could be considered inconsistent with the County CAP Update. This is a potentially significant impact for which mitigation is required. (Urban Crossroads, 2024d, pp. 53-54)

The CAP Update also includes measure R2-CE1, which requires on-site renewable energy production. This measure is required for any tentative tract map, plot plan, or conditional use permit that proposes to add more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development. Renewable energy production shall be onsite generation of at least 20% of energy demand for commercial, office, industrial or manufacturing development. Although it is anticipated that Riverside County would condition the proposed Project to ensure Project consistency with CAP measure R2-CE1, and although the PPT 220022 Site Plan already includes a note requiring the proposed warehouse building to be designed to support solar panels (as shown on EIR Figure 3-5), a significant impact due to a conflict with CAP measure R2-CE1 is conservatively identified and mitigation requiring compliance with measure R2-CE1 would be required. (Urban Crossroads, 2024d, pp. 53-54)

SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

According to SCAG's 2024-2050 RTP/SCS (also known as "Connect SoCal"), employment within unincorporated Riverside County in 2019 was approximately 87,100 jobs with an anticipated increase to approximately 148,800 jobs by 2050, a growth of approximately 61,700 jobs. The jobs created by the proposed Project represent a nominal percentage of the anticipated increase in jobs, and therefore, would not result in long-term operational employment growth that exceeds planned growth projections in the 2024-2050 RTP/SCS, or result in employment growth that would substantially add to traffic congestion. Additionally, EIR Table 4.11-1 and the analysis of Project consistency with Connect SoCal as previously presented under the analysis of Threshold a. in EIR Subsection 4.11, *Land Use and Planning*, demonstrate that the Project would not conflict with any Connect SoCal goals. Accordingly, Project impacts due to a conflict with the 2024-2050 RTP/SCS would be less than significant.

4.8.5 CUMULATIVE IMPACT ANALYSIS

As discussed in Subsection 4.8.1, there is no evidence at this time that would indicate that the emissions from a project the size of the Project would directly or indirectly affect the global climate. As such, Project impacts due to GHG emissions are inherently cumulative in nature.



As discussed under the analysis of Threshold a., the Project would result in approximately 33,130.1 MTCO₂e/yr, which would exceed the CAP Update screening threshold of 3,000 MTCO₂e/yr. Accordingly, GHG emissions associated with construction and long-term operation of the Project represents a cumulatively-considerable impact for which mitigation would be required.

As discussed under the analysis of Threshold b., the Project would be consistent with or otherwise would not conflict with the CARB 2022 Scoping Plan and the SCAG 2024-2050 RTP/SCS. However, the Project has the potential to conflict with the Riverside County CAP Update if the Project were unable to achieve 100 points pursuant to the CAP Screening Tables or if the Project were to fail to comply with CAP Update Measure R2-CE1. This is evaluated as a cumulatively-considerable impact of the proposed Project for which mitigation would be required.

4.8.6 SIGNIFICANCE OF IMPACTS BEFORE MITIGATION

Threshold a: Significant Cumulatively-Considerable Impact. The Project would result in the emissions of approximately 33,130.16 MTCO₂e/yr of GHGs, which would exceed the CAP Update screening threshold of 3,000 MTCO₂e/yr. Accordingly, prior to mitigation, the Project's GHG emissions would represent a significant cumulatively-considerable impact on the environment.

Threshold b: Significant Cumulatively-Considerable Impact. The Project would be consistent with or otherwise would not conflict with the CARB 2022 Scoping Plan and the SCAG 2024-2050 RTP/SCS. However, the Project has the potential to conflict with the Riverside County CAP Update if the Project were unable to achieve 100 points pursuant to the CAP Screening Tables or if the Project were to fail to comply with CAP Update Measure R2-CE1. This is evaluated as a cumulatively-considerable impact of the proposed Project.

4.8.7 APPLICABLE REGULATIONS, DESIGN REQUIREMENTS, AND MITIGATION

Applicable Regulations and Design Requirements

The Project would be required to comply with all mandates imposed by the State of California and SCAQMD aimed at the reduction of GHG emissions. Those that are applicable to the Project and that would assist in the reduction of greenhouse gas emissions are listed below:

- Global Warming Solutions Act of 2006 (AB32).
- Pavley Fuel Efficiency Standards (AB1493). Establishes fuel efficiency ratings for new vehicles.
- Title 17 California Code of Regulations (Low Carbon Fuel Standard). Requires carbon content of fuel sold in California to be 10% less by 2020.
- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions.
- Renewable Portfolio Standards (SB 100). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to achieve a target of 50% renewable resources by December 31, 2026, and to achieve a 60% target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of



electricity products from eligible renewable energy resources so that the total kilowatt hours (kWh) of those products sold to their retail end-use customers achieve 44% of retail sales by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030.

- Senate Bill 32 (SB 32). Requires the state to reduce statewide greenhouse gas emissions to 40% below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15.

Mitigation

MM 4.8-1 Prior to issuance of building permits, the Project Applicant shall demonstrate that appropriate building construction measures apply to achieve a minimum of 100 points per Appendix D to the Riverside County 2019 Climate Action Plan (CAP) Update. The conceptual measures anticipated for the Project are listed in Table 3-7 of the Project's Greenhouse Gas Analysis (GHGA) technical reports (appended to the Project's EIR as *Technical Appendix G*). The conceptual measures may be replaced with other measures as listed in Appendix D to the 2019 Riverside County CAP Update, as long as they are replaced at the same time with other measures that in total achieve a minimum of 100 points per Appendix D to the 2019 Riverside County CAP Update. The County shall verify implementation of the identified measures prior to final building inspection.

MM 4.8-2 ~~Pursuant to In accordance with~~ Riverside County Climate Action Plan (CAP) Update Measure R2-CE1, the Project shall offset its energy demand by at least 20 percent through the provision of renewable energy generation. This is anticipated to be accommodated by calculating 20 percent of the total Kilovolt-Amperes (kVA) used to service the Project by the electric utility purveyor's final approved drawing showing the transformer size and installing solar panels mounted on the building rooftop sized to generate the same output as 20 percent of the total transformer capacity. The size of the transformer shall be determined by the electric utility purveyor in their final engineered drawings for construction of the Project. If the transformer size cannot be determined during the shell building permit issuance, then this requirement shall be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as the tenant's transformer load and panel size may change. Utilizing the transformer capacity and panel size, the appropriate number of solar panels shall be included with the related building permits to ensure their installation and operation. As it relates to the shell building permit, building code requirements shall be met and the roof shall be designed to accommodate the maximum amount of rooftop solar that is feasible given applicable Building Code requirements, Fire Code requirements, clearance requirements around roof-mounted equipment and skylights, transformer capacity, the electric utility purveyor's interconnection regulations, and other code compliance constraints. ~~prior to issuance of building permits, future implementing building permits that involve more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development shall be required to offset the energy demand through renewable energy production. Renewable energy production shall be onsite generation of at least 20% of energy demand for commercial, office, industrial or manufacturing development. Prior to issuance of each building permit, the Project Applicant shall provide documentation to the County of Riverside Building & Safety~~



~~Department demonstrating compliance with CAP measure R2-CE1, which shall include calculations of the building's estimated energy demands as well as calculations showing that the on-site renewable energy production would achieve at least 20% of the building's energy demands.~~

MM 4.8-3 The use of natural gas as part of the operation of the Project's warehouse building is prohibited. Prior to issuance of building permits, Riverside County shall review the Project's building plans to ensure that the Project's building does not include any connections to natural gas lines in the local area, and the prohibition against the use of natural gas other than for electricity generation also shall be specified in any future sales agreements. If natural gas is proposed to be used other than for electricity generation, it may be permitted but only upon the submission and County approval of air quality and greenhouse gas emission calculations demonstrating that the use of natural gas will not result in air pollutant or greenhouse gas emissions above those reported in the Majestic Thousand Palms EIR.

MM 4.8-4 Prior to issuance of shell building permits, the Riverside County Building & Safety Department shall review the plans to determine if at least 1% of the building roof area is designed to include skylights. In the event that skylights are not accommodated in at least 1% of the roof area, then the Riverside Building & Safety Department shall subsequently review the electrical plans for tenant improvement building permits to ensure that interior lighting consists of Light-Emitting Diode (LED) lighting, or a combination of skylights and LED lighting, that is equivalent to skylights on 1% of the total roof area.

4.8.8 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold a.: Significant and Unavoidable Cumulatively-Considerable Impact. The Riverside County CAP Update (November 2019) qualifies as a "Plan for the Reduction of Greenhouse Gas Emissions," pursuant to State CEQA Guidelines Section 15183.5(b). Pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program. Additionally, Tier 2 of the SCAQMD interim thresholds for GHG emissions indicates that if a project is consistent with a qualifying local GHG reduction plan, it would not result in a significant impact due to GHG emissions. The CAP Update evaluates and quantifies reductions out to Year 2030. The CAP Update states that "Through 2050, Riverside County would continue implementation of the Screening Tables. During this time, the reduction measures implemented through the Screening Tables would continue to reduce GHG missions from new development. Additionally, it is assumed that the State measures would keep being updated and reinforced to further reduce emissions. With these assumptions, Riverside County's emissions would decrease to a level below the reduction target by 2050." Implementation of Mitigation Measures MM 4.8-1 and MM 4.8-2 through MM 4.8-4 would ensure that the proposed Project is fully consistent with the Riverside County CAP Update (November 2019) by requiring the Project Applicant to demonstrate that implementing building permit applications have incorporated measures to achieve a minimum of 100 points pursuant to the CAP Update Screening Tables, ~~and~~ by requiring future that future building permit applications demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand



has been accommodated on site pursuant to CAP measure R2-CE1, and by ensuring that any use of natural gas associated with the Project's warehouse building would not exceed the level of air quality and GHG emissions reported by this EIR. Thus, and pursuant to State CEQA Guidelines Sections 15064(h)(3) and 15130(d), because the Project would comply with Riverside County CAP Update (November 2019), and because the CAP Update qualifies as a "Plan for the Reduction of Greenhouse Gas Emissions," it could be concluded that the Project's GHG emissions would be reduced to less-than-significant levels pursuant to State CEQA Guidelines Section 15183.5(b). However, the Project prior to mitigation would emit 33,130.16 MTCO₂e/yr of GHGs, which is more than 10 times the screening threshold identified by the CAP Update of 3,000 MTCO₂e/yr. Thus, although implementation of Mitigation Measures MM 4.8-1 through MM 4.8-4 and ~~MM 4.8-2~~ would serve to reduce the Project's GHG emissions and would assist the County in meeting its GHG reduction targets through 2050, the Project's level of GHG emissions following mitigation still would be substantial and still would have the potential to have a significant impact on the environment. Accordingly, and despite the Project's compliance with the CAP Update, the Project's GHG emissions conservatively are evaluated as a significant and unavoidable impact for which additional mitigation is not currently available.

Threshold b.: Less- Than-Significant Impact with Mitigation Incorporated. Projects that garner at least 100 points through application of the CAP Update Screening Table measures are determined to be consistent with the reduction quantities anticipated in the County's GHG Technical Report, and consequently would be consistent with the CAP Update. Pursuant to Mitigation Measure MM 4.8-1, the Project Applicant would be required to implement Screening Table Measures that would provide a minimum of 100 points pursuant to the CAP Update Screening Tables (Appendix D to the CAP Update). In addition, pursuant to Mitigation Measure MM 4.8-2, future building permit applications would be required to demonstrate that on site renewable energy production equal to at least 20% of the building's energy demand has been accommodated on site as required by CAP measure R2-CE1. Implementation of Mitigation Measure MM 4.8-4 would ensure that any natural gas used in the Project's warehouse building would not result in air quality or GHG emissions that exceed what has been evaluated and disclosed herein and in the Project's GHGA. With implementation of Mitigation Measures MM 4.8-1 through MM 4.8-4 and ~~MM 4.8-2~~, the Project would be fully consistent with the 2019 CAP Update. The CAP Update evaluates and quantifies reductions out to Year 2030. The CAP Update states that "Through 2050, Riverside County would continue implementation of the Screening Tables. During this time, the reduction measures implemented through the Screening Tables would continue to reduce GHG missions from new development. Additionally, it is assumed that the State measures would keep being updated and reinforced to further reduce emissions. With these assumptions, Riverside County's emissions would decrease to a level below the reduction target by 2050." Thus, compliance with the CAP Update would serve to meet and support the reduction targets established Senate Bill 32 and the CARB 2022 Scoping Plan. As such, with implementation of the required mitigation, Project impacts due to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs would be reduced to less-than-significant levels.



4.9 HAZARDS AND HAZARDOUS MATERIALS

The information and analysis presented in this Subsection 4.9 is based in part on a technical study that was prepared to determine the presence or absence of hazardous materials on the Project site under existing conditions. This report was prepared by Nova Group (herein, “Nova”), is entitled, “Phase I Environmental Site Assessment, Majestic Thousand Palms” (herein, “Phase I ESA”), is dated June 18, 2021, and is included as *Technical Appendix H* to this EIR (Nova, 2021). Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

4.9.1 EXISTING CONDITIONS

A. Definition of Toxic Substances and Hazardous Waste

For purposes of this EIR, the term “toxic substance” is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include: chemical, biological, flammable, explosive, and radioactive substances.

“Hazardous material” is defined as a substance which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, § 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency [USEPA] as capable of inducing systemic damage to humans or animals).

Certain wastes are called “Listed Wastes” and are found in the California Code of Regulations, Title 22, §§ 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

A “Recognized Environmental Condition (REC)” means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term is not intended to include de minimis conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

“Controlled Recognized Environmental Condition (CREC)” is defined as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable



regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

“Historical Recognized Environmental Condition (HREC)” is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls.

B. Historical Review, Regulatory Review, and Field Reconnaissance

1. Historical Review

Based on a historical review conducted by Nova, no evidence was found indicating the Project site had been subject to past development. As such, the historical research did not identify prior uses that may have resulted in an RECs in connection with the Project site. Additionally, the historical research did not identify prior adjacent/adjoining property uses such that are expected to have resulted in RECs that could affect the Project site. Although the existing recycling facility to the north of the Project site has multiple listings in federal, State and local databases, none of the listings pertain to releases of hazardous materials or wastes. (Nova, 2021, pp. 16-17)

2. Regulatory Records Review

Nova Group researched federal, State, and local environmental records databases to identify properties with reported environmental issues. The records review identified one facility that appears to be mapped on the Project site by Environmental Risk Information Services (ERIS). This facility was registered as a sand and gravel quarry in 2002. Nova did not observe evidence of past quarrying operations on the Project site (i.e., changes in gradient or topography, residual infrastructure, changes in age/type of vegetation, etc.). Review of historical aerial imagery also did not show any substantial changes to the Project site from before or after 2002. The ERIS listing appears to be miss-plotted as there is no evidence of any past quarry activities on the Project site. Additionally, while several properties in the Project vicinity have been identified as containing potential RECs, based on a review of regulatory status conducted by Nova, a review of relative distance from the Project site, and/or due to topographic considerations, the identified facilities are not considered RECs that could adversely affect the Project site. (Nova, 2021, pp. 12-13)

3. Field Reconnaissance

Nova conducted a field reconnaissance of the Project site on June 16, 2021. Based on the field reconnaissance, Nova concluded the following (Nova, 2021, pp. 18-22):

- There is no evidence of past storage of hazardous substances or petroleum produces on site;
- There is no evidence of past management or disposal of hazardous substances or petroleum products on site;



- There is no evidence that the Project site contained operations or equipment/materials involving the use of hazardous substances or petroleum products;
- No drums were observed on site;
- Unidentified substance containers suspected of containing hazardous substances or petroleum products were not observed during the field reconnaissance;
- No evidence of aboveground storage tanks (ASTs) or underground storage tanks (USTs) were observed on site;
- No strong, pungent, or noxious odors were not noted at the time of the field reconnaissance;
- No evidence of sumps or catch basins was observed, and no pools of liquids/standing surface water containing liquid likely to be a hazardous substance or petroleum product were observed;
- No electrical or hydraulic equipment with the potential to contain PCBs was observed;
- No signs of dumping, filling, or other earthmoving activities were observed;
- No obvious indication of hazardous material or petroleum product or hazardous waste releases, such as stained areas or stressed vegetation, was observed during the field reconnaissance;
- No solid waste, pits, ponds, or lagoons were observed on site;
- No indication of industrial wastewater disposal or treatment systems were observed on site;
- No wells were observed on site;
- No septic systems were observed on site; and
- No evidence of on-Property landfilling was observed or reported during the Property reconnaissance.

Based on the results of the field reconnaissance, no RECs, CRECs, or HRECs were identified in association with the Project site.

4. *Vapor Migration*

Based on Nova's field reconnaissance, review of historical sources, and review of regulatory databases, no current or historical usage of chemicals of concern at the Project site or reported release or other indication of subsurface contamination from on-site sources was evident. Additionally, no release or material threat of a release to the subsurface from off-site sources was identified. As such, a vapor migration concern was not identified for the Project site during the course of the Phase I ESA (Nova, 2021, p. 14).

C. Airport Hazards

The Project site is not located within two miles of a public airport or within an airport land use plan. The closest airport to the Project site is the Palm Springs International Airport (PSIA), which is located approximately 5.2 miles west of the Project site. According to Map PS-1 of the Airport Land Use Compatibility Plan (ALUCP) for the PSIA, the Project site is located outside of the compatibility zones for the



PSIA (ALUC, 2005, Map PS-1). Additionally, there are no private airports or heliports within two miles of the Project site (Google Earth, 2021).

4.9.2 APPLICABLE ENVIRONMENTAL REGULATIONS

The following is a brief description of the federal, State, and local environmental laws and related regulations related to hazards and hazardous materials.

A. Hazardous Materials Regulations and Plans

1. Federal Regulations

☐ Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed. (EPA, 2023f)

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. (EPA, 2023f)

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). (EPA, 2023f)

☐ Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. (EPA, 2023g)

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more



stringent hazardous waste management standards, and a comprehensive underground storage tank program. (EPA, 2023g)

☐ **Hazardous Materials Transportation Act (HMTA)**

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.)

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177 (OSHA, n.d.)

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement. (OSHA, n.d.)

☐ **Hazardous Materials Transportation Uniform Safety Act of 1990**

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. (OSHA, n.d.)

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials. (OSHA, n.d.)

☐ **Occupational Safety and Health Act (OSHA)**

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. (EPA, 2023c)

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. (EPA, 2023c)



☐ **Toxic Substances Control Act**

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. (EPA, 2023h)

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law, but are submitted by industry and public interest groups for a variety of reasons. (EPA, 2023h)

2. *State Regulations*

☐ **Cal/OSHA and the California State Plan**

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards, and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace. (OSHA, n.d.)