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February 1, 2018

Via E-Mail and US Mail

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
CAssadzadeh@riversideca.gov

Re: 750 Marlborough Avenue Warehouse Initial Study and Draft Mitigated Negative Declaration

Dear Ms. Assadzadeh:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County and the City of Riverside (collectively "LIUNA" or "Commenters") regarding the Draft Mitigated Negative Declaration and Initial Study (collectively, "MND") prepared for the 750 Marlborough Avenue Warehouse aka Case numbers: P17-0506 (Design Review), P17-0507 (Grading Exception), P17-0747 (Summary Vacation), P17-0748 (Grading Exception) & P17-0749 (Variance) and the proposed construction of a 346,330 square foot industrial building on APNs: 257-060-002 and 257-030-042 located at 750 Marlborough Avenue and 1550 Research Park Drive in the City of Riverside ("Project").

After reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Riverside ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq. We reserve the right to supplement these comments during public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

We hereby request that the City send by electronic mail or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, related to the Project including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report (“EIR”) is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
 - Notice of any Final EIR prepared pursuant to CEQA.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body. Please send notice by electronic mail or U.S. Mail to:

Richard Drury
 Theresa Rettinghouse
 Lozeau Drury LLP
 410 12th Street, Suite 250
 Oakland, CA 94607
 510 836-4200
richard@lozeaudrury.com
theresa@lozeaudrury.com

Please call should you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Drury". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard Drury



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 770-6300 • Fax (951) 506-9491

February 6, 2018

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Darlene Miranda
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Richard B. Searce, III
Robert Villalobos

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

VIA E-MAIL and USPS

Candice Assadzadeh, Associate Planner
Community and Economic Development Department
Planning Division
City of Riverside
3900 Main St., 3rd Floor
Riverside, CA 92522

Re: Pechanga Tribe Comments on the Mitigated Negative Declaration for the Guthrie Industrial Project [P17-0506 and P17-0507]

Dear Ms. Assadzadeh;

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to receipt of the January 2018 Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the above named project

The Tribe is in agreement with the proposed mitigation measures for cultural resources as presented in the drafted document for this Project and request that they be incorporated into the final MND and added as conditions of approval for the Project. Riverside is a culturally significant area and the Tribe appreciates the opportunity to preserve and protect our sensitive cultural resources and to monitor earthmoving activities in the area. The Tribe thanks the City for the revision of the proposed mitigation measures which address the potential impacts to cultural resources, and for the inclusion of the Tribe in those measures.

The Pechanga Tribe looks forward to continuing to work together with the City of Riverside in protecting the invaluable Pechanga cultural resources found in the City. Please contact me at 951-770-6313 if you have any questions or comments.

Sincerely,



Ebru Ozdil
Planning Specialist

cc: Pechanga Office of the General Counsel



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

February 14, 2018

CAssadzadeh@riversideca.gov

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

**Mitigated Negative Declaration (MND) for the
Proposed Guthrie Industrial Warehouse
(Planning Cases P17-0506 (DR), P17-0507 (GE), P17-0748 (GE), and P17-0749 (VR))**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff's Summary of Project Description

The Lead Agency proposes to construct a 346,290-square-foot industrial building comprised of approximately 339,510 square feet of unrefrigerated warehouse space and 6,820 square feet of office space with unknown occupants on 22.34 acres (Proposed Project). The MND estimated that the Proposed Project would generate 1,468 total daily trips¹. Based on a review of aerial photographs and Figure 2 in the MND, SCAQMD staff found that the Proposed Project is largely surrounded by industrial uses to the north and west. In addition, "the sensitive receptors nearest to the [Proposed Project] include Highland Elementary School (700 Highlander Drive, Riverside, CA 92507) located approximately three quarters of a mile south of the site; University Heights Middle School (1155 Massachusetts Avenue, Riverside, CA 92507) located approximately three quarters of a mile southwest; single-family residences located approximately a third of a mile south' and Stahovich Mary-US Health Works Medical Group Urgent Care Center (1760 Chicago Avenue, Riverside, CA 92507) located approximately one mile west of the project site."² Construction is expected to occur over 10 months³.

SCAQMD Staff's Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project's construction and operation emissions and compared them to SCAQMD's regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project's air quality impacts would be less than significant. However, the Lead Agency did not conduct a Health Risk Assessment (HRA). Detailed comments are included in the attachment.

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

¹ MND. Page 45.

² MND. Page 17.

³ MND. Page 28.

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

RVC180126-02

Control Number

ATTACHMENT

Health Risk Assessment from Mobile and Other Sources of Air Pollution

1. The Proposed Project is a warehouse project that has the capability of generating and attracting vehicular trips, especially heavy-duty diesel-fueled vehicles. Additionally, based on the Project Description summarized above, the nearest sensitive receptor is located less than one mile south of the Proposed Project. Because of the Proposed Project's close proximity to sensitive receptors, SCAQMD recommends that the Lead Agency perform a mobile source health risk assessment in the Final MND. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included in the Final MND.

SCAQMD Staff's Recommendation for Truck Trip Rates for High Cube Warehouse Projects

2. SCAQMD staff recommends the use of truck trip rates from the Institute of Transportation Engineers (ITE) for high cube warehouse projects located in SCAQMD (i.e. 1.68 average daily vehicle trips per 1,000 square feet and 0.64 average daily truck trips per 1,000 square feet). Consistent with CEQA Guidelines, the Final MND may use a non-default trip rate if there is substantial evidence indicating another rate is more appropriate for the health risk assessment analysis.

For high cube warehouse projects, SCAQMD staff has been working on a Warehouse Truck Trip Study to better quantify trip rates associated with local warehouse and distribution projects, as truck emission represent more than 90 percent of air quality impacts from these projects. Details regarding this study can be found online here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/high-cube-warehouse>.

Guidance on Siting Sensitive Receptors Near a High-Volume Freeway and Other Sources of Air Pollution

3. SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁴. This Guidance document provides recommended policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. In addition, guidance on siting incompatible land uses (such as placing homes near rail lines) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Mitigation Measures

4. Should the Lead Agency, after conducting a HRA analysis, find that the Proposed Project would exceed SCAQMD's CEQA significance threshold of 10 in one million for cancer risk, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize the significant adverse impacts. Pursuant to

⁴ South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 of SCAQMD's CEQA Air Quality Handbook
- SCAQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Additional mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Final MND may include the following:

- Require the use of 2010 and newer haul trucks (e.g., material delivery trucks and soil import/export). In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NOx emissions requirements⁵, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Limit the daily number of trucks allowed at the facility to levels analyzed in the MND. 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 land use or higher activity level.
- Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).
- Should the Proposed Project generate significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency and project applicant.
- Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)⁶. It is important to make this electrical infrastructure available when the project is built so that it is

⁵ Based on a review of the California Air Resources Board's diesel truck regulations, 2010 model year diesel haul trucks should have already been available and can be obtained in a successful manner for the project construction California Air Resources Board, March 2016. Available at: <http://www.truckload.org/tca/files/ccLibraryFiles/Filename/000000003422/California-Clean-Truck-and-Trailer-Update.pdf> (See slide #23).

⁶ Southern California Association of Governments. <http://scagrtpsc.net/Pages/FINAL2016RTPSCS.aspx>.

ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed warehouse and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations⁷. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

- Design the warehouse/distribution center such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.
- Design the warehouse/distribution center such that any check-in point for trucks is well inside the facility property to ensure that there are no trucks queuing outside of the facility.
- Design the warehouse/distribution center to ensure that truck traffic within the facility is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- Restrict overnight parking in residential areas.
- Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.
- Establish area(s) within the facility for repair needs.
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.
- Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the warehouse/distribution center and sensitive receptors.

Additional mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Final MND may include the following:

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- Maximize the planting of trees in landscaping and parking lots.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored “cool” roofs and cool pavements.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products.

⁷ City of Los Angeles. http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf.

LAW OFFICE OF K.M. NEISWENDER
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February 27, 2018

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3d Flr.
Riverside CA 92522

Re: Comments on Mitigated Negative Declaration for
Cases P17-0506 (DR), P17-0507(GE), P17-0748(GE) and P17-0749(VR)

Dear Ms. Assadzadeh:

This office represents the Friends of Riverside Hills (hereinafter “FRH”), a 501(c)(3) organization dedicated particularly to the protection of hillside areas in and near Riverside. FRH is especially concerned with the Box Springs Mountain Reserve Park (hereinafter “Reserve”), which is threatened by the development of a 340,000 square foot warehouse and distribution center at 750 Marlborough Avenue (the “Project”), which Project is under consideration by your office.

We have reviewed the documentation in support of the Mitigated Negative Declaration (hereinafter “MND”) and are frankly puzzled as to how the consultants and your office came to the conclusion that there are no impacts from this Project that cannot be mitigated to a level of insignificance. Herein, FRH will present a fair argument that significant and potentially significant impacts will result from the construction of the Project, which impacts will not be mitigable to a level of insignificance. An EIR is required.

TRAFFIC AND AIR QUALITY: The biggest single issue in the Project analysis is traffic. Failure to properly analyze traffic volumes infects and warps the entire MND.

The traffic analysis was generated using trip generation for manufacturing facilities (Item 140). However, CARB (the California Air Resources Board) recommends using land use type 150, for warehouses. For CEQA purposes, the volume of truck traffic predicted to serve a new large warehouse project is typically derived using the Institute of Transportation Engineers Trip Generation manual. This is the same source of traffic data used in the URBEMIS air quality model. The trip rate value used in URBEMIS is 4.96 trips per 1,000 square feet (TSF) for warehouse projects (land use type 150). Using the numbers in the MND, there are 339,510 sf of warehouse space; multiplying that by 4.96 equals 1,684 trips daily, just for the warehouse. There is also 6,820 sf of office space; the MND fails to inform us how much traffic is projected from the office use. The total daily trips is therefore **at least** 1,700 trips daily, not the 1,468 trips estimated in the MND.

Of the trips generated, AQMD recommends the analysis assume that 40% are truck trips. The MND never tells us how many trips are allocated to trucks, yet the impact of a single truck on a city street is estimated to be the equivalent of five cars. Thus, more trucks means the streets will deteriorate faster and will have to be repaired more often than if the streets are used by passenger vehicles. It is disturbing that the MND never tells the public or the decision-makers how many truck trips are generated, how many vehicle trips, and what the total is with cumulative impacts (even the heavily and artificially curtailed cumulative impacts).

The MND admits that Project traffic will negatively impact local roadways, but the numbers used are misleading. The traffic generation numbers are low, and not based on warehouse (land use type 150) but the lower use of a manufacturing facility. We don't know the percentage of truck trips allocated by the traffic study, as that was not included.

Cumulative impacts are addressed in Table 22, showing existing traffic plus cumulative traffic volumes. The consultant which prepared the traffic study included only projects within 1.5 miles of the Project site. This excluded the projects listed below in the City of Riverside, and excluded the warehouse projects in the neighboring city of Moreno Valley. Obviously traffic does not stop at the City limits. Moreno Valley alone has approved over twenty large-scale warehouse projects in recent years, ranging from 283,000 to 1.81 million square feet, not including the World Logistics Center of 40.6 million square feet.

The traffic study apparently cherry-picked certain projects to be included in the analysis. The traffic study was not made available with the other environmental documents, and was only obtained by FRH pursuant to a special request, thereby precluding the public and decision-makers from proper consideration of traffic impacts. However, the Initial Study makes clear that the analysis was limited to projects within 1.5 miles of the Project site.

The Project's traffic analysis (hereinafter "TIA") falls woefully short even for the projects within that 1.5 mile radius. The TIA at page 25 states:

"CUMULATIVE PROJECT (2018) TRAFFIC ANALYSIS

"The City of Riverside's Planning Department was contacted to determine a list of cumulative projects to be included in this traffic analysis. Information on 3 projects within a 1.5 mile radius of the project, for which permits had been issued, was provided. The following projects were considered for the cumulative analysis:

- "• 925-975 Marlborough Avenue – 62,000sf of warehouse/industrial land use
- "• Northeast corner of Stacy Court and Paige Drive – 3,008sf vehicle repair facility
- "• 1080 Marlborough Avenue – 5 warehouse buildings ranging in size from 10,000sf – 13,850sf

"Trip generation was performed for each of these projects and the cumulative trips were distributed to the project area intersections and roadways based on anticipated trip distribution patterns. Trip generation and traffic assignment figures can be found in Appendix F. The cumulative traffic volumes were then

added to the existing + ambient + project traffic volumes. Exhibit 10 shows the existing + ambient + cumulative + project traffic volumes (Year 2018)."

So the TIA picked three relatively tiny projects, but ignored the very nearby vastly larger one, the Columbia Business Center ("CBC"), approved by the City in or about October 2015, about 1.5 million square feet of 24/7 warehouse space, very nearby (only about 3/8 of a mile to the northeast, at the east end of Columbia (which street is a quarter mile north of Marlborough), so using many of the same local streets to and from the freeway (at Columbia and other ramps) as would traffic from the Project. The main CBC building, Building A, is just over 1,000,000 sf of warehouse space along Michigan north and south of Columbia (this is the part of the CBC closest to the Project) has been under construction, and was recently observed to be almost complete. Thus, CBC's Building A will be in use in 2018 before any construction on the Project is complete. Yet the CBC project was excluded from the cumulative impact analysis.

CBC environmental documents, including at <https://aquarius.riversideca.gov/clerkdb/0/doc/204061/Page1.aspx> are hereby incorporated by reference. At page 118 of the CBC document is an estimate of the trip generation:

"The proposed project is anticipated to generate a total of 4,542 ADT, 239 AM peak hour trips and 251 PM peak hour trips in passenger car equivalents.

Table 13 Proposed Trip Generation	ADT	AM Peak	PM peak
Building A	2,202	147	160
Building B	815	54	62
Building C	425	38	39
Total	3,442	239	261

Given the size of the CBC warehouse buildings, those figures are probably underestimated. But for the nearly complete CBC Building A alone, coming into use in 2018, Table 13 shows that the TIA for the Project is incomplete due to the failure to include the CBC traffic.

In addition to the CBC and likely other projects within the 1.5 mile radius that the traffic study ignores, there are at least four other projects outside the 1.5 mile radius that must be considered:

The World Logistics Center (Moreno Valley): This warehouse behemoth includes 40.6 million square feet of warehouse space on 2,610 acres. It would add 68,721 vehicle trips a day, 14,006 of which would be trucks. These vehicle trips would come, in great part, down the 60 Freeway to the 91 Freeway, which means the impacts would directly and unequivocally impact the roads around the Project site. Yet this Project was not included in the cumulative impacts analysis.

Sycamore Highlands Warehouse: This 1.4 million-square-foot distribution center will abut homes in the Sycamore Highlands neighborhood. It is approximately five miles from the Project, but less than two miles from the Reserve boundary. It will add approximately 3,800 trips per day, also down the 60 Freeway to the 91 Freeway. This Project was not included in the cumulative impacts analysis.

Center Street Commercial Building: Located at Center Street and Placentia Lane, this 308,000 sf commercial building will generate 875 passenger vehicle trips and 301 truck trips (701 Passenger Car Equivalent trips) trips daily and is less than two miles from the Project site. This project has just been approved by the City's Development Review Committee.

Obviously, the trucks would ideally use the freeways, but because the freeways are so heavily impacted, traffic spills onto the surrounding surface streets. With more 75,000 vehicles – many of them trucks – from just the Project and the three projects listed above, it is incomprehensible to say that the cumulative impacts from the Project are not significant. Further, the MND's limitation on cumulative impacts to projects within 1.5 miles of the Project site has no basis in science.

As for Air Quality, the analysis must be updated once the true figures for traffic are known. In addition, the MND uses a false premise. In Section 3a, the MND concludes that there is a less than significant impact to air quality because the warehouse will not bring new residents to the area. The MND does not address the fact that the warehouse will be attracting thousands of diesel trucks to the area. **Diesel is a known carcinogen.** Diesel exhaust is one of the most dangerous of the vehicle emissions, and the MND admits that the Project is located in a non-attainment area for particulates, both PM 10 and the far more dangerous PM 2.5 (see pp. 13-15 of the MND). Particulates will be generated from the Project that have not been considered or mitigated.

The Reserve is a sensitive receptor. It should not be subject to high levels of pollutants, any more than it should be subject to high levels of noise. The numbers in the MND for air quality are not credible, due to the failure to properly identify truck and vehicle traffic. Once the true numbers are identified, the air quality analysis should be completely revised to reflect the impacts on the area as a whole, and specifically to the Reserve.

It should be noted that new large warehouse projects and distribution centers (>100,000 square feet) have become a more common project type in the past several years, especially in the western Riverside County and San Bernardino County areas. These warehouse projects are commonly associated with substantial diesel emissions due to the high volume of heavy duty trucks that serve them. Diesel Particulate Matter ("DPM") from internal combustion engines has been classified as a carcinogen by CARB. Truck trips associated with warehousing projects are a key component in determining the potential impact of DPM emissions on surrounding communities. Due to concern about these emissions, CARB, in its Air Quality and Land Use Handbook, recommended providing a 1,000 foot setback from any distribution center serving more than 100 trucks per day. Again, the Reserve is a sensitive receptor and this minimum 1,000 foot setback is an appropriate buffer to protect the Reserve.

We note that the City rejected the idea of placing solar panels on the roof of the Project. Solar panels may act as mitigation for the air quality impacts. While we cannot assess the air quality impacts until the traffic numbers are corrected, use of solar panels in this Project would be a step in the right direction.

Finally, the cumulative air quality impacts of the projects identified above, as well as others FRH may not have discovered, must also be discussed. Limiting traffic concerns to 1.5

miles from the Project site is as unfounded as saying that projects more than 1.5 miles away from the Project will not contribute to air quality issues. The airshed is already in non-attainment. This Project, in conjunction with others, may lead to potentially significant air quality impacts that cannot be mitigated to a level of insignificance.

NOISE: In the Noise Report prepared by the consultants, the Reserve is noted as a “sensitive receptor”:

“Though not included in the Riverside General Plan 2025 Noise Element as a noise sensitive receptor, Box Springs Mountain Reserve Park is considered a sensitive receptor pursuant to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards (MSHCP 2003). The southern and eastern boundaries of the project site are abutting the northern side of the Box Springs Mountain Reserve Park hills. These hills act as a natural buffer to the rest of the reserve area.”

Noise Study at Section 2.1.2. The Project is directly adjacent to the Reserve, thus any noise generated would directly affect the Reserve, as a sensitive receptor.

In the Urban/Wildlife Interface Guidelines from the MSHCP for the Reserve, it is required to protect the Reserve from noise:

Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, **wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.** (From Section 5.1.1 of the biological report from Rincon)

What we see in the Noise Study is that the Reserve will be subject to noise in excess of residential standards, and that noise cannot be mitigated to a level of insignificance.

The Study has re-printed at Table 2 the General Plan’s acceptable noise levels for sensitive receptors (residences) as 60 (acceptable) and 70 (normally acceptable). At Table 3, it shows that daytime noise is acceptable at no more than 55 dBa and nighttime noise at 45 dBa. With that in mind, we turn to Tables 5 and 6 of the Noise Study, which show that construction noise alone will vastly exceed the allowable levels, easily reaching in excess of 100 dBa, when various equipment is run simultaneously. The recommendation for “muffling” construction noise (page 13 of the Study) states that it might be possible to lower noise levels by as much as 8-10 dBa; that still leaves the Reserve suffering from an excess of 30-32 dBa above allowable levels, even with the recommended muffling of certain equipment. The Study suggests that

“new” equipment is less noisy, but there is no requirement to actually use such equipment. Back-up alarms cannot be reduced in volume to 60dBA: a typical back-up beeper runs at 97-112 dBA, and per OSHA standards, cannot be reduced to less than background noise (which, according to the Study, would be construction noise levels of 85-95 dBA).

Already, the Noise Study shows unmitigated daytime impacts to the Reserve from construction, with noise of 40+ dBA in excess of allowable levels. We are assuming no construction work will occur at night. However, the operational impacts from the Project are significant and not mitigatable. The Study claims that construction noise is exempt from City noise standards. **However, this does not allow the City to ignore impacts to the Reserve.** The MND is supposed to analyze environmental impacts. Whether the City has a noise standard is immaterial. What is required under CEQA is to look at how a project will affect the natural environment. Noise levels of 100 dBA on a sensitive receptor such as the Reserve must be analyzed in an EIR. Simply saying that because there are no standards for construction noise does not mean there is no noise, and therefore no impacts.

Table 7 of the Study shows that both daytime and nighttime noise thresholds will be exceeded by operational noise. While admitting this fact, the Study goes on to state that excess daytime noise will last less than five minutes:

However, the City noise ordinance allows noise of up to 10 dBA over the 55 dBA daytime residential standard for events lasting less than five cumulative minutes over one hour. **It is presumed** that backup alarms and acceleration of the trucks at the nearest points to the sensitive receptor would occur infrequently, would be cumulatively less than five minutes in duration in any given hour, and would therefore meet the standards of the City noise ordinance. Noise reducing measures would not be necessary during daytime operation.

There is absolutely no evidence to support the conclusion that back-up alarms and truck use would be “infrequent” at a warehouse designed to be in use 24 hours a day, seven days a week. This presumption is therefore arbitrary and capricious, without any evidentiary support.

The “presumptions” with nighttime noise are much more egregious. The “presumption” is that nighttime ends at 7 am. It is easily ascertainable and verifiable that it is not “nighttime” at 7 am. By 7 am, rush-hour has begun, and the streets are full of cars and trucks. Trains are running. Workers are beginning their day. To say that ambient nighttime noise levels at the Reserve are 49.4 dBA when the measurements were taken at 6:45 am is ridiculous, and without any scientific basis.

Further, the statement that ambient noise at the Reserve is at 49.4 dBA is fallacious because the location chosen to take that measurement is not appropriate. The location for the measurement was 150 feet from the Reserve, but only 100 feet from “nearby warehouse (primary noise source)”, as listed on Table 1 of the Project’s Noise Study. As shown on Figure 2 (“Noise Measurement Locations”) of the Project’s Noise Study, that location is much closer to warehouse and street noise than most of the boundary between the Reserve and the Project; indeed the very long southeast boundary between the two is many times as far away as the site chosen for the

measurements that yielded the 49.4 dBA figure. Thus the actual ambient noise for the great bulk of the immediately adjacent part of the Reserve would be substantially less than 49.4 dBA, which, in addition to the inappropriate time used, further invalidates the analysis of noise impacts.

In order to mitigate for nighttime noise impacts, the Study recommends that the south docks should not be used between 10 pm and 7 am. However, the area that is directly adjacent to the Reserve and to the east is a parking area that will be in use during the night hours. In addition, back-up alarms, truck acceleration, and other noisy uses will impact the Reserve from use of the warehouse generally. The area to the north of the warehouse includes docks and is within 150 feet of the Reserve. There is no discussion in the Study of the nighttime operational impacts from the docks on the north side of the warehouse.

As noted in the previous section, the failure to properly include cumulative impacts renders the MND fatally defective. This is also true in connection with noise. The levels of noise from hundreds of thousands of additional vehicles will significantly impact the Reserve, not only on the side adjacent to the Project, but throughout.

AESTHETICS: The MND concludes that there would be a less than significant impact on aesthetics, using the most simple of line drawings. The conclusion is that a 45-foot high building with a footprint of 340,000 square feet would not impact views of the Reserve from Marlborough Road. The drawing in question is illegible in its printed form (Figure 4), and uses as its basis Google Earth, which is not a scientific resource for topography. The online version of the drawing can be read, and apparently (according to Google Earth) the end of Marlborough road is at 992 feet, and the entrance to the Project at 1015. The line drawing then claims the trail going to the Reserve is at 1075 feet. If you have ever been to this area, it is obvious that the trail starts at the level of the Project and goes up the side of the Reserve (see photo attached as Exhibit A-1). Where exactly was this measurement taken? At the base of the trail where it starts? Or was the measurement manipulated, such that the measurement was taken up the mountain so as to provide the desired conclusion? We cannot know from the MND.

As for aesthetics, the views both of the Reserve and from the trails that lead to the Reserve will be permanently and adversely impacted by the Project's massive height (45') and size (340,000 sf). Exhibits A-1 and A-2 show the views from the bottom of the trail leading across the north side of the Project site to Marlborough Road. Views from this trail to the mountains far to the west are clear and will obviously be blocked entirely by the 45 foot-high warehouse.

Exhibits A-3 and A-4 show the views from the same location as in A-1 and A-2, but looking towards the San Bernardino Mountains. Again, these are incredible views, and part of the value of the Reserve as open space.

Exhibit A-5 is the view looking at the Reserve from the end of Marlborough Avenue. It is beyond sound judgment and reason to say that a 45 foot-high warehouse will not impact the views of the Reserve from this location. We must remind you that running perpendicular to Marlborough is the Canal Trail, which connects the Reserve to other areas. The view from the Canal Trail will be adversely affected and the impacts cannot be mitigated.

Exhibit A-6 was also taken from the end of Marlborough. The Circumference Trail – which is partially on the Project site – runs around the base of the Reserve and provides access to the Reserve. Again, the aesthetic impact of the Project on this Trail, the Reserve and the surrounding area is significant and cannot be mitigated to a level of insignificance.

Exhibit A-7 shows the view from Marlborough towards the northeast. Clearly visible is a well-used trail that provides access to the Reserve. That trail will be eliminated by the Project.

Exhibit A-8 is a panoramic photo taken from the base of the trail leading into the Reserve, at a location similar to that shown in Exhibit A-1. The views from the Reserve are quite striking, and the loss of the views will be an impact to members of the public who use the Reserve and the trails leading to it on a regular basis.

Therefore, the shabby analysis claiming there are no significant impacts to aesthetics due to the Project is simply untrue. These photos provide evidence of the impacts, and the 45 foot-high warehouse, the massive parking areas and loading docks, will have an adverse impact on the views of the Reserve and from the Reserve, which impacts cannot be mitigated to a level of insignificance.

HYDROLOGY AND WATER QUALITY: The MND claims there will be no significant impact to hydrology or water quality. We disagree. This Project reduces the future volume of the natural potable water resources of the City. This is, by definition, an adverse environmental impact that cannot be mitigated to a level of insignificance, and must be studied in an EIR.

The Project site sits at the base of the Reserve. It is the point where the mountain slope levels off (or nearly so) and is "bench land," critical to recharge of water resources. In recent years, much of the "bench land" at the base of the Reserve has been developed; the remaining undeveloped bench lands are critically necessary to preserve as ground water recharge.

In its natural state, the adjacent Reserve supports a wide variety of plant and animal life. Water from precipitation is the life force that makes that ecosystem possible and which is critical in the "near normal" of recurring drought, due to Climate Change. The bench lands along the base of the mountain receive the excess runoff during rain events and percolate this natural uncontaminated water into the deep soil strata where this water recharges the North Riverside Ground Water Basin. This is the extremely valuable public benefit of maintaining the bench lands in natural un-paved condition.

The recent development and build out of nearby warehousing projects have required the City to construct several storm water catch basins for flood control purposes. This is not a viable or reasonable substitute for the natural percolation of rainfall into the soil. Modern construction of large buildings and their large paved parking lots remove many acres of soil surface from receiving rainfall for percolation and recharge of the ground water basin. Additionally, the building code requires the grading plan for all parcels undergoing development to be graded to capture and direct all storm water to the street and the storm water infrastructure in the streets. "Storm water" collected from the roofs of buildings, parking lots, sidewalks and streets (all paved areas) is by definition contaminated. "Storm water" is always contaminated with toxic compounds from roofing materials, asphalt, concrete, vehicle traffic (leaked fuels, oils, coolants,

brake dust and rubber dust), windblown dust, soil erosion, leaves and trash. The City's storm water collection infrastructure is designed to reduce the likely event of flooding by quickly capturing and transporting contaminated storm water to the nearest river (the federal Clean Water Act and California's Porter-Cologne Water Quality Act regulate discharges of storm water into a stream or river). The existing storm water infrastructure is not designed to percolate rain water. It is designed to control the flow of storm water and to capture debris, silt and sand. This is not a substitute for the bench lands' natural ability to recharge the ground water basin the people of Riverside rely upon for clean drinking water.

The City has taken no action or planning to preserve or create suitable lands (such as the Project site's bench land) to provide percolation zones or basins that will adequately recharge the ground water basin with natural rainfall. Yet, the City continues to promote and approve any development project in the city that is factually detrimental to the maintenance of the ground water supply, this in spite of the long term drought and state public policy to promote and fund local water storage projects. Riverside approves development projects to expand its tax base while ignoring the fact that each project approval means greater ground water extraction to support the new development project in the face of long term drought, diminished annual rainfall and the resultant diminishing ground water supply necessary to support existing demand, much less future growth. Drinking water supplies and the natural processes upon the land that ensure adequate future supply must be given priority over individual development projects.

GREENHOUSE GAS ANALYSIS: The existing GHG emissions from the Project site are zero, as the property is vacant. Consequently, it is clear that adding 340,000 sf of warehouse space will increase GHG emissions. Yet rather than evaluate the Project's significance by comparing the proposed Project to existing environmental setting, the City's thresholds of significance completely ignore this fundamental CEQA tool, instead establishing thresholds of significance based only on SQACMD's 6,000 mt threshold and compliance with applicable plans and policies. It is important to note that this SCAQMD threshold has yet to be adopted.

Section 15064.4 of the CEQA Guidelines explain how a lead agency should evaluate GHG emissions: (1) by comparing project emissions to the "existing environmental setting"; (2) by comparing project emissions to an established threshold of significance; and (3) by assessing project compliance with existing regulations or requirements adopted to implement a statewide, regional, or local plan to combat GHG pollution. None of that has been accomplished in the MND, which declares boldly that "GHGs occur naturally from human activities," and that the impact of GHGs from the Project are less than significant.

Here, there is a failure to properly state traffic volumes, leading to artificially low GHG levels. The misleading traffic volumes led to an inaccurate GHG analysis, keeping the annual impacts just under the informal AQMD thresholds. In addition, Table 7 in Section 7 of the MND gives a number to operational emissions, but less than one percent for area sources, again lowering the numbers artificially.

There was no effort whatsoever to determine whether the Project incorporates efficiencies and conservation efforts to make the Project consistent with AB 32's reduction goals. Rather, this Project will draw multiple diesel trucks into the Riverside area, with no guarantee that the

trucks will be low-emission vehicles. In fact, the Project may end up attracting older, high-emission vehicles, but there is no discussion of this in the MND.

The Air Quality and Greenhouse Gas Study for the Project says "Trip generation rates for the warehouse land use were adjusted to match rates used by Rick Engineering Company in their pending Traffic Impact Analysis (Jesus Cruz, personal communication, May 4, 2017)." However, in neither the Air Quality and Greenhouse Gas Study nor the TIA can we find any consideration of the length of truck trips to and from the Project, with the concomitant impact on air quality and greenhouse gas.

According to the SCAQMD for another warehouse distribution-type project in the Inland Empire, "[m]ost warehouses, distribution centers, and industrial land use projects would be hauling consumer goods, often from the Ports of Long Beach and Los Angeles as well as to destinations outside of SCAQMD boundaries." See <http://www.aqmd.gov/docs/defaultsource/ceqa/comment-letters/2015/january/mndwaterman.pdf> (incorporated by reference herein).

For the present Project, the approximate distances from the Project site to various destinations include:

- Project site to Port of Los Angeles/Long Beach: 70 miles
- Project site to Banning Pass: 40 miles
- Project site to downtown Los Angeles: 60 miles

There must be an analysis of average trip length to take into account the long distances that will be traveled by trucks going to and from the Project and the associated amounts of pollutants generated. The Project analysis is defective in not providing such an analysis. Without knowing these facts, the MND cannot state that air quality impacts have been mitigated to a level of insignificance.

As with the air quality impacts, GHG must be re-visited after the proper traffic volumes have been revealed and analyzed.

BIOLOGICAL IMPACTS: Obviously, the Reserve is directly adjacent to this Project and the MND does not address the impacts on the Reserve, but rather on the Project site itself. This is improper under CEQA. We understand the Project site will be lost as habitat, but what will the impacts be on the Reserve and its flora and fauna? Will nighttime light and noise drive animals away from this side of the Reserve? Will the air quality impacts affect the Reserve's suitability for life? Will the traffic result in the deaths of any of the Reserve's inhabitants? None of this is addressed.

In particular, nighttime darkness and quiet are important features of our local sage scrub ecosystem, and this is recognized in the MSHCP guidelines for the Urban/Wildlands Interface (sec 6.1.4 of the MSHCP document). For example, the dominant seed-eating rodents avoid feeding where or when there is light (for example they reduce their activity during the full moon), and they have large ears for hearing predators, a detection ability likely to be compromised by increased ambient sound. Thus, in a development such as this, bordering a core MSHCP reserve, it is required that "Shielding shall be incorporated in project designs to ensure ambient lighting in

the MSHCP Conservation Area is not increased” (sec. 6.1.4 of the MSHCP document). Mitigation MM AES-1 (Photometric Plan) states that “The project shall be designed in such a manner as to prevent light spillage from the project to the adjacent and nearby open space areas” but it has no specific criteria, adding that “Shielding shall be employed, where feasible” and that “No project lights shall blink, flash, oscillate, or be of unusually high intensity or brightness,” again without any specific criteria; for example, what is “feasible” and what is “unusually high”? Similarly, the increase in noise levels should be kept to the minimum (as noted above) and ideally avoided completely.

GENERAL PLAN INCONSISTENCY: Along with the problems in the MND, there are General Plan inconsistency issues which must also be addressed. We are concerned about the Noise Element, and how it seems to have been ignored in the MND analysis.

On GHGs, the Project is clearly in violation of Policy AQ-8.2 which is supposed to encourage actions to respond to and reduce climate change. Despite this policy, the GHGs for the Project are deemed insignificant without any attempt to analyze the impacts (see above section on GHGs).

VARIANCES: This project lists among its case numbers P17-0507 (Grading Exception), P17-0747 (Summary Vacation), P17-0748 (Grading Exception) & P17-0749 (Variance), so at least two grading exceptions and a variance. The documents we have been able to examine provide no justifications for any variance. We question whether legally adequate justifications can be made for the four findings required by the zoning code section 19.720.040 for granting of a variance.

The first of those required findings – the “hardship finding” – is that “strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.” Regarding this Finding, the general purpose and intent of the Zoning Code for this zone is to allow industrial or business park development. A variance is not required to resolve a hardship or practical difficulty to the extent that the property could still be developed consistent with zoning or land use requirements albeit with a somewhat smaller building. Case law (*see, e.g. Broadway Laguna etc. Assoc. v. Board of Permit Appeals* (1967) 66 Cal.2d 767) shows that merely using a variance to increase profitability is improper, and indeed the zoning code itself states “Financial hardship does not represent grounds on which to file a variance application.”

Regarding required variance Finding 2, that “There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification,” we found no special circumstances applicable to the property which would necessitate the granting of a variance, and the same restrictions – that is, those of the applicable land use plans and/or the Zoning Code – apply similarly to surrounding properties, so that there is nothing to say the applicant is unfairly deprived of its intended use of the property.

Regarding the Grading Exceptions, the Initial Study, in its Table 9 (at p. 40) , notes General Plan “Policy LU-4.2. Enforce the hillside grading provisions of the City’s Grading Code (Title 17) to minimize ground disturbance associated with hillside development; respect existing

land contours to maximum feasible extent." The Project Analysis there admits that "due to project design features, the retaining walls would not minimize ground disturbance or follow existing land contours as intended by Policy LU-4.2 and the City's Hillside Grading Ordinance.", but fails to consider how such an extremely high retaining wall, and grading into the base of the Mountain at the base of that wall, can be justified other than as a way to maximize the Project footprint to make it more profitable. Similarly, regarding "Policy LU-7.2. Design new development adjacent and in close proximity to native wildlife in a manner which protects and preserves habitat.", there is no consideration of how grading so far into the base of the Mountain, with concomitant extremely high retaining wall, helps protect and preserve that habitat, and indeed it appears to do the opposite.

In conclusion, once the MND has been revised or – more appropriately – an EIR has been prepared, we can address these issues in more detail.

Sincerely,

*Submitted via Email to Planner
Signed Electronically*

Kate M. Neiswender

Enclosures – Exhibits A- 1 through A-8



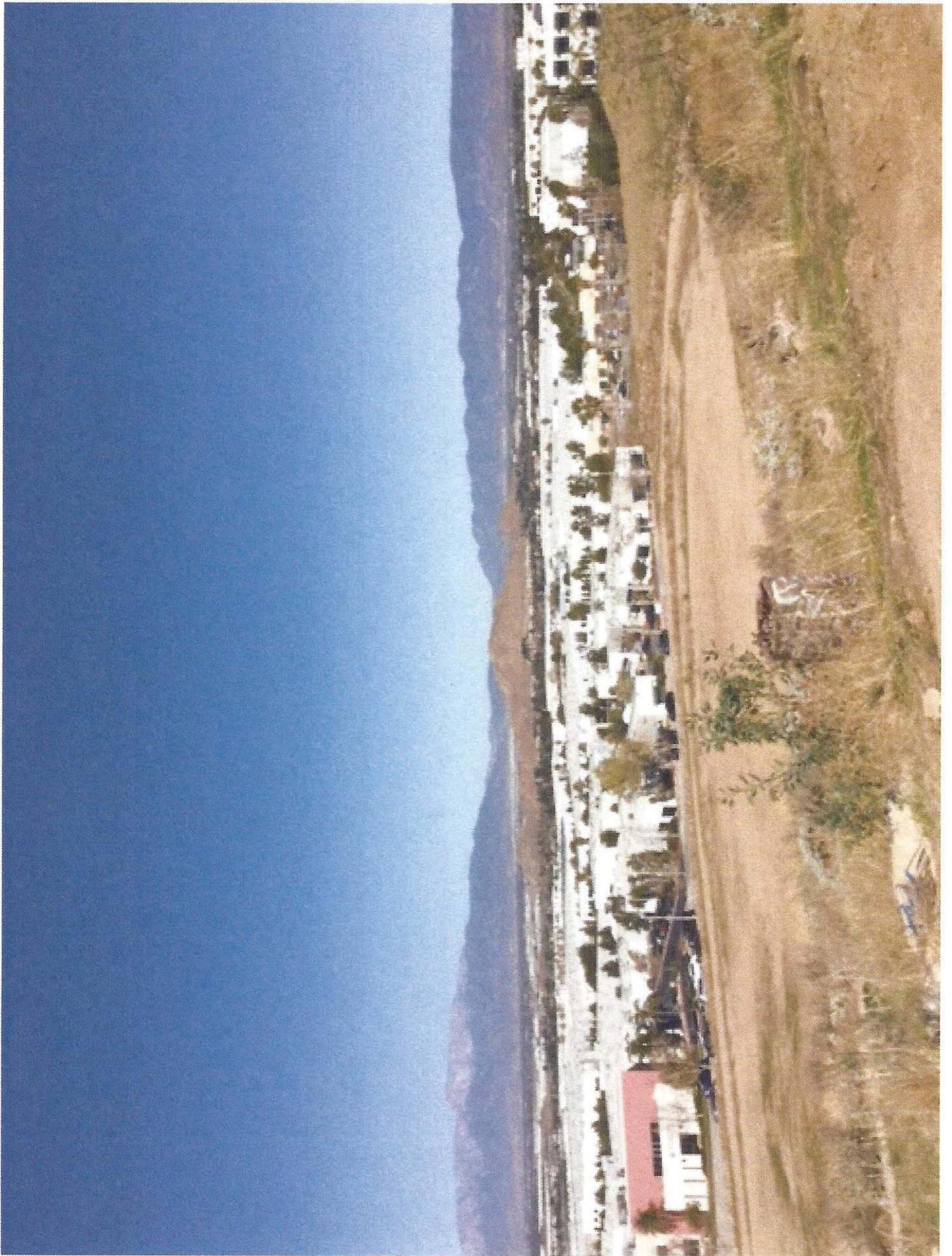
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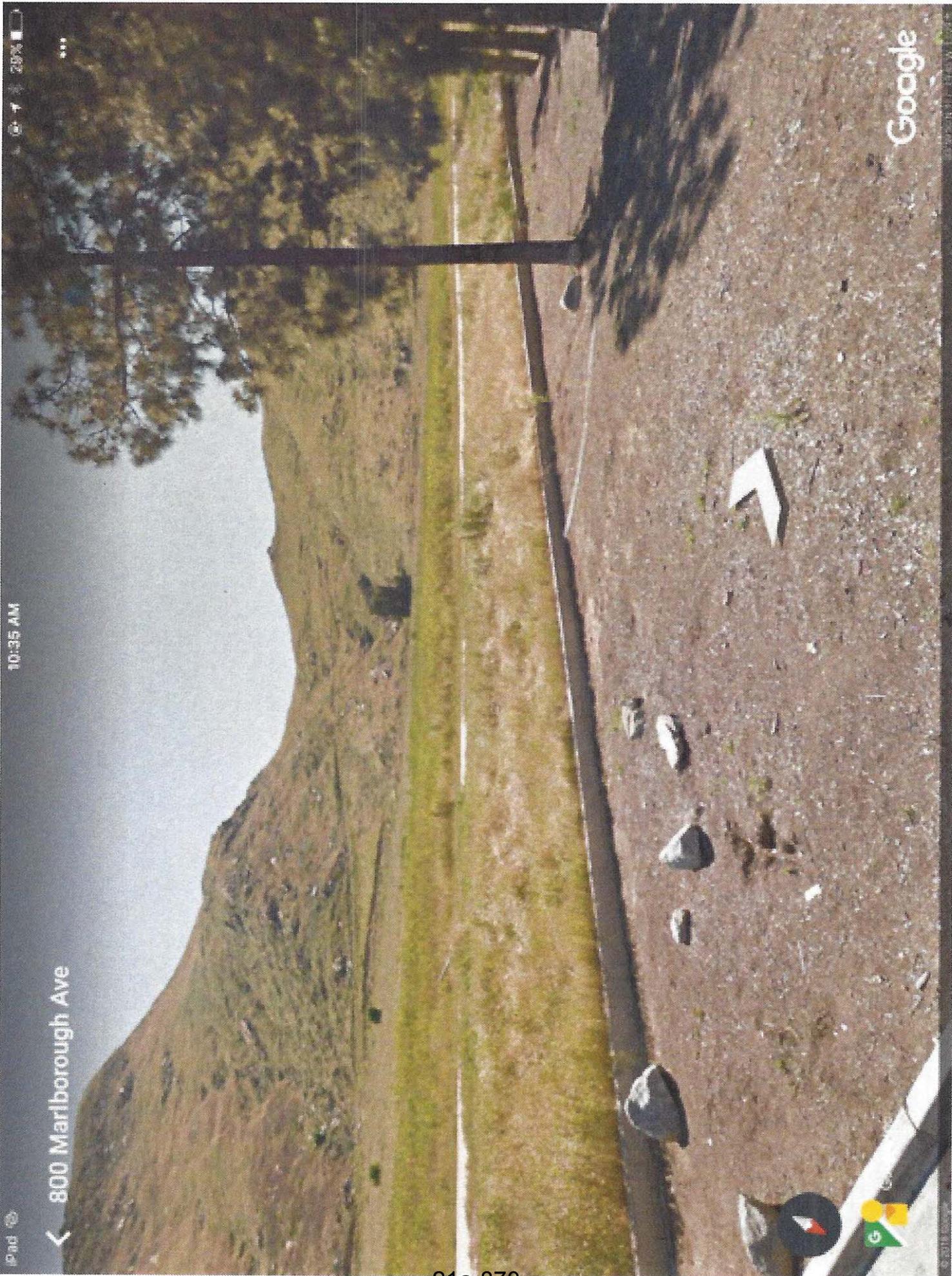
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March 26, 2018

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3d Flr.
Riverside CA 92522

By Email ONLY CAssadzadeh@riversideca.gov

Re: Comments on Mitigated Negative Declaration for
Cases P17-0506 (DR), P17-0507(GE), P17-0748(GE) and P17-0749(VR)

Dear Ms. Assadzadeh:

This office represents the Friends of Riverside Hills (hereinafter "FRH"). FRH has already provided comments to you on the Mitigated Negative Declaration associated with this Project, but we write to object to the City's exclusion of FRH from the hearing on this Project.

The City's ordinance states that the Development Review Committee ("DRC") is comprised of representatives from various City Departments having Approval Authority for certain development projects. The DRC includes the City Planner, Building Official, and City Engineer or designee(s), as well as representatives from Public Utilities, Parks and Recreation, Police and Fire Departments. According to City Code, the DRC also serves as a "recommending body" to the Planning Commission on applications for discretionary land use entitlements. The Project at issue needs discretionary land use entitlements.

However, the DRC is not merely a "recommending body," but rather the final decision-maker on projects that need approval from the City. The City's zoning ordinance, Table 19.650.020 "Approval Authority," lists the DRC as "final approval authority" (subject to appeal) for several types of decisions, including design review.

Therefore, as members of the public, the members of FRH must appeal – and pay the \$2,529.00 appeal fee – to have public review and public comment on a project. This interferes with the public process, and is anathema to public participation, as required by CEQA. Further, the regularly-scheduled DRC members appear to be meetings covered by the Brown Act and preclusion of the public would therefore be a violation of the Brown Act.

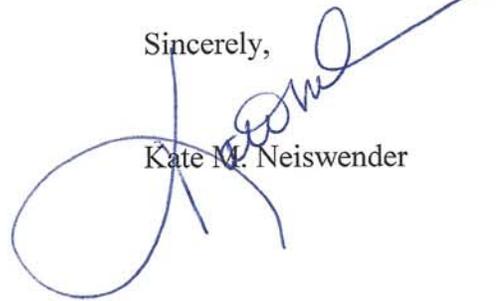
We have now learned that information received later than two weeks before a DRC meeting – including comments, staff's responses to comments, and responses from other departments – are not necessarily distributed until the time of the meeting, depending on staff action. This does not provide adequate time for DRC members to ponder that information.

Candice Assadzadeh, Associate Planner
March 26, 2018
Page Two

We understand the secret meeting of the DRC will take place on April 18, 2018. We have yet to receive Staff's analysis of our comments on the project at issue. We do not yet know if additional studies were commissioned. We intend to analyze and comment on that information before the DRC hearing on the 18th. Therefore, there appears to be no possible way for the DRC to consider (and have proper time to analyze and understand) any information submitted after April 4, 2018 prior to making a formal decision. Again, this is a final decision on the Project (even if appealable). The process does not allow the members of the DRC any time to review pertinent information bearing on that decision. This cannot be a proper way in which to analyze this Project, as well as many other projects which will have serious impacts on our community.

We require transmission of any responses to comments and any additional studies or modifications to the MND as soon as practicable. Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kate M. Neiswender', written over the printed name.

Kate M. Neiswender

From: Richard Block
To: [Assadzadeh, Candice](#); [Kate Neiswender](#)
Cc: [Gardner, Mike](#); [Melendrez, Andy](#)
Subject: Re: [External] DRC decision on 750 Marlborough warehouse project
Date: Thursday, April 26, 2018 3:41:22 PM

Candice,

Thanks for sending the DRC May 2 agenda, with its 2:30 pm item on the Guthrie Warehouse project. Of course we (Friends of Riverside's Hills and our attorney Kate Neiswender, and others, as in the Center Street warehouse case) think that the DRC meetings not being open to the public is a violation of the Brown Act, and that the DRC meets the definition in the Brown Act of a legislative body.

When will we receive the responses to comments on the Guthrie Warehouse project received during the MND comment period (which responses you said would be sent to us)? The preparation of those responses was the reason given for the continuances so far of the DRC consideration of this case. Will we or anybody else receive a copy of those response in time to point out possible errors and inadequacies in those responses, and for the DRC to consider such claims?

The absence of public participation in DRC meetings serves to prevent consideration of possible errors and inadequacies in the said responses, thus leading to potentially incorrect claims that a project won't have significant negative environmental impacts, and puts the onus on neighbors or environmental groups to come up with the highly burdensome \$2,529 fee to appeal a case, first to the planning commission, and then potentially another \$2,529 to appeal to the City Council, a system maybe helpful to some developers but that is grotesquely unfair to the City's residents.

Thanks,
Richard

On 4/26/2018 1:32 PM, Assadzadeh, Candice wrote:

Richard,

Attached is the agenda for the May 2nd DRC meeting. The Guthrie Warehouse project is scheduled to be reviewed at 2:30pm. Please note Administrative discretionary permits and activities subject to Development Review Committee (DRC) deliberation do not require a public hearing; therefore, DRC meetings are not open to the public.

Thank you,

Candice Assadzadeh | Senior Planner
City of Riverside
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April 27, 2018

Via E-Mail and US Mail

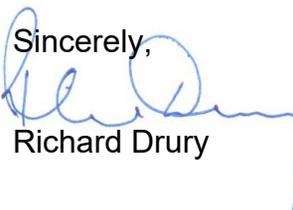
Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
CAssadzadeh@riversideca.gov

Re: 750 Marlborough Avenue Warehouse Initial Study and Draft Mitigated Negative Declaration

Dear Ms. Assadzadeh:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County and the City of Riverside (collectively "LIUNA" or "Commenters") regarding the Draft Mitigated Negative Declaration and Initial Study (collectively, "MND") prepared for the 750 Marlborough Avenue Warehouse aka Case numbers: P17-0506 (Design Review), P17-0507 (Grading Exception), P17-0747 (Summary Vacation), P17-0748 (Grading Exception) & P17-0749 (Variance) and the proposed construction of a 346,330 square foot industrial building on APNs: 257-060-002 and 257-030-042 located at 750 Marlborough Avenue and 1550 Research Park Drive in the City of Riverside ("Project").

We are in receipt of the agenda for a May 2, 2018 meeting of the City of Riverside's ("City's") Development Review Committee ("DRC"). (Attached hereto). The agenda states that the Project, and several other matters will be considered by the DRC at the May 2, 2018 meeting. The agenda further states that "DRC meetings are not open to the public." Since the DRC is a standing committee, it appears that its meetings must be open to the public pursuant to the Brown Act. Government Code §54950; see, *Frazer v. Dixon Unified Sch. Dist.*, 18 Cal. App. 4th 781, 792 (1993). We request that the City allow public access to all DRC meetings. If the City takes the position that the DRC meetings are not open to the public, please let me know the reason for this position. Thank you.

Sincerely,

Richard Drury



DEVELOPMENT REVIEW COMMITTEE AGENDA - REVISED

Administrative discretionary permits and activities subject to Development Review Committee (DRC) deliberation do not require a public hearing; therefore, DRC meetings are not open to the public.

APPLICATION

SUBMITTAL DEADLINE: April 10, 2018

MEETING DATE: May 2, 2018

Lrg. Conf. Room – 3rd Floor

Time	Case #	Applicant / Site Address / Phone # / E-mail	C/A*	Planner
9:30 – 10:00 a.m.	P18-0269 (DR)	Bryce Novak / 4444 Vine Street 619-672-2066 / bnovak@j5ip.com Proposal by Bryce Novak of J5 Infrastructure Partners to consider a Design Review of project plans for the construction of a 60-foot high wireless telecommunication facility, disguised as a monopalm, and associated ground mounted equipment. The 0.93 acre site is located at 4444 Vine Street, situated on the east side of Vine Street between Fourteenth and Fifteenth Streets, in the I – Industrial Zone, in Ward 2. Contact Planner: Danielle Harper-Scott, Planning Technician, 951-826-5933, dharper-scott@riversideca.gov	C	Danielle
10:00 – 10:30 a.m.	P18-0276 (VC-S)	Edder Gomez / 9006 California Avenue 951-525-0105 / eddergomez7@yahoo.com Proposal by Edder Gomez to consider the Summary Vacation to vacate excess right-of-way along Wheeler Street, approximately 130 feet in length and 14 feet in width and totaling approximately 1,692 square feet, located at 9006 California Avenue, situated on the southeast corner of California Avenue and Wheeler Street, in the R-1-7000 – Single Family Residential Zone, in Ward 5. Contact Planner: Alyssa Berlino, Assistant Planner, 951-826-5628, aberlino@riversideca.gov	C	Alyssa
10:30 – 11:30 a.m.	P18-0284 (CDR)	Andrew Walcker / 3466 Mission Inn Boulevard 909-227-4180 / andrew@overlanddevco.com Proposal by Atman Kadakia of Greens Group, Inc. for the Conceptual Development Review of a proposed seven-story, 161-room hotel and the adaptive reuse of the two-story, 12,000-square-foot former Fire Station No. 1. The 0.94-acre, three-parcel site is currently developed with a vacant fire station building and surface parking lots, located at 3466 Mission Inn Avenue, on the south side of Mission Inn Avenue between Lemon and Lime Streets, in the DSP-RC-CR – Downtown Specific Plan, Raincross District and Cultural Resources Overlay Zones, in Ward 1. Contact Planner:	C	Matthew

		Matthew Taylor, Assistant Planner, 951-826-5944, mtaylor@riversideca.gov		
11:30 a.m. – 12:00 p.m.	PSP18-0008 (RFP)	Kaitlyn Nguyen / 1393 University Avenue 951-826-2430 / kpnguyen@riversideca.gov Request by Kaitlyn Nguyen of the Successor to the Redevelopment Agency of the City of Riverside for preliminary review of conceptual plans for the adaptive reuse of the Farmhouse Motel, including conversion of approximately 8,000 square feet of existing buildings into multi-tenant retail space and construction of a covered outdoor dining and entertainment pavilion. The 0.97-acre project site is located at 1393 University Avenue, on the north side of University Avenue between Cranford and Iowa Avenues, in Ward 2. Contact Planner: Matthew Taylor, Assistant Planner, 951-826-5944, mtaylor@riversideca.gov	C	Matthew
12:00 – 1:30 p.m.		LUNCH		
1:30 – 2:30 p.m.	P18-0279 (RZ), P18-0280 (CUP), P18-0281 (DR), P18-0282 (VR)	Mohamad T. Younes / 4800 Palm Avenue 951-300-8268 / mohamad.y@inlandcorp.com Previously reviewed at the 11/15/17 DRC meeting, under Planning Case P17-0831 (CDR) Proposal by Mohamad Younes of Invision Palm, LLC to consider the following entitlements to construct a 51,998 square foot, two-story senior housing complex consisting of 59 dwelling units: 1) a Zoning Code Amendment to rezone a portion of the site from O – Office Zone to R-1-7000 – Single Family Residential Zone; 2) a Conditional Use Permit to permit the construction of a senior housing complex; 3) Design Review of project plans; and 4) a Grading Exception for retaining walls higher than permitted by Code along the east property line. The 1.96-acre project site consists of two contiguous vacant parcels, located at 4800 Palm Avenue, situated on the east side of Palm Avenue between Tequesquite Avenue and Beechwood Place, in the R-1-7000 – Single Family Residential Zone and O – Office Zone, in Ward 1. Contact Planner: Judy Egüez, Associate Planner, 951-826-3969, jeguez@riversideca.gov	C	Judy
1:30 – 2:30 p.m.	P18-0284 (CDR)	Andrew Walcker / 3466 Mission Inn Boulevard 909-227-4180 / andrew@overlanddevco.com Proposal by Atman Kadakia of Greens Group, Inc. for the Conceptual Development Review of a proposed seven-story, 161-room hotel and the adaptive reuse of the two-story, 12,000-square-foot former Fire Station No. 1. The 0.94-acre, three-parcel site is currently developed with a vacant fire station building and surface parking lots, located at 3466 Mission Inn Avenue, on the south side of Mission Inn Avenue between Lemon and Lime Streets, in the DSP-RC-CR – Downtown Specific Plan, Raincross District and Cultural Resources Overlay Zones, in Ward 1. Contact Planner: Matthew Taylor, Assistant Planner, 951-826-5944, mtaylor@riversideca.gov	C	Matthew

<p>2:30 – 3:00 p.m.</p>	<p>P17-0506 (DR), P17-0507 (GE), P17-0748 (GE), P17-0749 (VR)</p>	<p>Jim Guthrie / 750 Marlborough Ave & 1550 Research Park Dr 951-334-9003 / jim@guthriecompanies.com Previously reviewed at the 7/26/17 DRC meeting Proposal by Jim Guthrie of Guthrie Companies to consider the following entitlements for the construction of a 346,290 square foot industrial warehouse building, consisting of 6,820 square feet of office use and 339,470 square feet of warehouse area, on two contiguous parcels and a portion of a third parcel located north of the project site, totaling 22.34 acres: 1) Design Review of project plans; 2) a Grading Exception for retaining walls higher than permitted by Code along the east and west property lines; 3) a Grading Exception for slope heights higher than permitted by Code ; and 4) a Variance to allow a reduced landscape setback along Marlborough Avenue. The property is located at 750 Marlborough Avenue and 1550 Research Park Drive, situated at the eastern terminus of Marlborough Avenue and the southwestern terminus of Research Park Drive, in the BMP-SP – Business and Manufacturing Park and Specific Plan (Hunter Business Park) Overlay Zones, in Ward 1. Contact Planner: Candice Assadzadeh, Senior Planner, 951-826-5667, cassadzadeh@riversideca.gov</p>	<p>A</p>	<p>Candice</p>
<p>3:00 – 3:15 p.m.</p>	<p>P17-0213 (DR)</p>	<p>Vance Pomeroy / 1760 Marlborough Avenue 661-361-5619 / vpomeroy@velotera.com Previously reviewed at the 4/19/2017 DRC meeting Proposal by Vance Pomeroy on behalf of Velotera Services Inc. to consider a Design Review of project plans for the construction of a 60-foot high Wireless Telecommunication Facility disguised as a pine tree and associated ground mounted equipment. The 1.09 acre property is located at 1760 Marlborough Avenue, situated on the south side of Marlborough Avenue, between Chicago Avenue and Catania Drive, in the I-SP – General Industrial and Specific Plan (Hunter Business Park) Overlay Zones, in Ward 1. Contact Planner: Sean P. Kelleher, Associate Planner, 951-826-5712, skelleher@riversideca.gov</p>	<p>A</p>	<p>Sean</p>
<p>Miscellaneous Items</p>				

*Completeness Review (C) or Final Action Review (A)

Welcome Letter & Comments due to Applicant: May 9, 2018

Response to Comments on the Draft IS-MND

1 INTRODUCTION

1.1 PURPOSE OF THE RESPONSE TO COMMENTS ON THE DRAFT IS-MND

This document has been prepared to respond to comments received on the Draft Initial Study-Mitigated Negative Declaration (Draft IS-MND) prepared for the proposed 750 Marlborough Avenue Project (Project). The Draft IS-MND identifies the likely environmental consequences associated with development of the proposed project, and recommends mitigation measures to reduce potentially significant impacts. This Response to Comments (RTC) Document provides a response to comments on the Draft IS-MND and makes revisions to the Draft IS-MND, as necessary, in response to those comments or to make clarifications to material in the Draft IS-MND. This document, together with the Draft IS-MND, constitutes the Final IS-MND for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

Pursuant to the California Environmental Quality Act (CEQA), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the Draft IS-MND.

The Draft IS-MND was circulated for a 20-day public review period that began on January 26, 2018 and ended on February 27, 2018. The Notice of Intent was posted in the newspaper and sent to local and state agencies, as well as interested parties. A separate request for public comment for the project was sent to property owners and residential and commercial occupants adjacent to the boundaries of the project site. The Draft IS-MND was posted electronically on the City's website, and a paper copy was available for public review at the City of Riverside Community and Economic Department - Planning Division.

The 20-day Draft IS-MND public comment period began on January 26, 2018 and ended on February 27, 2018. The City received four comment letters on the Draft IS-MND. Copies of written comments received during the comment period are included in Chapter 2 of this document.

1.3 DOCUMENT ORGANIZATION

This Response to Comments (RTC) Document consists of the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the purpose and organization of this RTC Document and the Final IS-MND, and summarizes the environmental review process for the project.
- **Chapter 2: Comments and Responses.** This chapter contains reproductions of the comment letters received on the Draft IS-MND. A written response for each CEQA-related comment received during the public review period is provided. Each response is keyed to the corresponding comment.

- **Chapter 3: Draft IS-MND Revisions.** Corrections to the Draft IS-MND that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft IS-MND, are contained in this chapter. Underlined text represents language that has been added to the Draft IS-MND; text with ~~strikeout~~ has been deleted from the Draft IS-MND.

2 COMMENTS AND RESPONSES

This section includes comments received during the circulation of the Draft IS-MND for the proposed 750 Marlborough Avenue Warehouse Project.

The City of Riverside received four comment letters on the Draft IS-MND. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter	Page No.
1 Richard Drury, Lozeau Drury LLP	1
2 Ebru Ozdil, Planning Specialist, Pechanga Band of Luiseno Indians	8
3 Lijin Sun, J.D., Program Supervisor, South Coast Air Quality Management District	10
4 Kate M. Neiswender, Law Office of K.M. Neiswender	18

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

Revisions to the Draft IS-MND necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the Draft IS-MND, are included in the responses. Underlined text represents language that has been added to the Draft IS-MND; text with ~~strikeout~~ has been deleted from the Draft IS-MND. All revisions are then compiled in the order in which they would appear in the Draft IS-MND (by page number) in Chapter 3, Text Revisions, of this document.

Letter 1



T 510.836.4200
F 510.836.4205

410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
rebecca@lozeaudrury.com

February 1, 2018

Via E-Mail and US Mail

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
CAssadzadeh@riversideca.gov

Re: 750 Marlborough Avenue Warehouse Initial Study and Draft Mitigated Negative Declaration

Dear Ms. Assadzadeh:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County and the City of Riverside (collectively "LIUNA" or "Commenters") regarding the Draft Mitigated Negative Declaration and Initial Study (collectively, "MND") prepared for the 750 Marlborough Avenue Warehouse aka Case numbers: P17-0506 (Design Review), P17-0507 (Grading Exception), P17-0747 (Summary Vacation), P17-0748 (Grading Exception) & P17-0749 (Variance) and the proposed construction of a 346,330 square foot industrial building on APNs: 257-060-002 and 257-030-042 located at 750 Marlborough Avenue and 1550 Research Park Drive in the City of Riverside ("Project").

After reviewing the IS/MND, we conclude the IS/MND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Riverside ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq. We reserve the right to supplement these comments during public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

1-1

We hereby request that the City send by electronic mail or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, related to the Project including, but not limited to the following:

1-2

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report (“EIR”) is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
 - Notice of any Final EIR prepared pursuant to CEQA.

1-2
(cont.)

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body. Please send notice by electronic mail or U.S. Mail to:

Richard Drury
 Theresa Rettinghouse
 Lozeau Drury LLP
 410 12th Street, Suite 250
 Oakland, CA 94607
 510 836-4200
richard@lozeaudrury.com
theresa@lozeaudrury.com

Please call should you have any questions. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Drury". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard Drury

Letter 1

COMMENTER: Richard Drury, Lozeau Drury LLP

DATE: February 1, 2018

Response 1-1

The commenter requests preparation of an Environmental Impact Report (EIR).

This information is acknowledged. The City of Riverside finds that although the proposed project would have potentially significant effects on the environment, such effects can be reduced to a less than significant level with revisions to the project made by or agreed to by the project proponent. Measures will be implemented to mitigate potential impacts to aesthetics, biological resources, cultural and tribal resources, transportation and traffic, and noise. Therefore, the City has determined that a Mitigated Negative Declaration (MND) is the appropriate California Environmental Quality Act (CEQA) document for this project and the commenter has not provided any substantial evidence to suggest that any Project impacts cannot be reduced to below a level of significance (CEQA Guidelines § 15064).

Response 1-2

The commenter requests that they be sent any and all notices prepared for the Project pursuant to CEQA if an EIR is prepared.

As discussed in Response 1-1, it has been determined that an EIR is not warranted for this project. The commenter will be notified of any public hearings for the project and MND.

Letter 2



PECHANGA CULTURAL RESOURCES *Temecula Band of Luiseño Mission Indians*

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 770-6300 • Fax (951) 506-9491

February 6, 2018

Chairperson:
Neal Ibanez

Vice Chairperson:
Bridgett Barcello

Committee Members:
Andrew Masiel, Sr.
Darlene Miranda
Evie Gerber
Richard B. Scearce, III
Robert Villalobos

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

VIA E-MAIL and USPS

Candice Assadzadeh, Associate Planner
Community and Economic Development Department
Planning Division
City of Riverside
3900 Main St., 3rd Floor
Riverside, CA 92522

Re: Pechanga Tribe Comments on the Mitigated Negative Declaration for the Guthrie Industrial Project [P17-0506 and P17-0507]

Dear Ms. Assadzadeh;

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government, in response to receipt of the January 2018 Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the above named project

The Tribe is in agreement with the proposed mitigation measures for cultural resources as presented in the drafted document for this Project and request that they be incorporated into the final MND and added as conditions of approval for the Project. Riverside is a culturally significant area and the Tribe appreciates the opportunity to preserve and protect our sensitive cultural resources and to monitor earthmoving activities in the area. The Tribe thanks the City for the revision of the proposed mitigation measures which address the potential impacts to cultural resources, and for the inclusion of the Tribe in those measures.

2-1

The Pechanga Tribe looks forward to continuing to work together with the City of Riverside in protecting the invaluable Pechanga cultural resources found in the City. Please contact me at 951-770-6313 if you have any questions or comments.

Sincerely,

Ebru Ozdil
Planning Specialist

cc: Pechanga Office of the General Counsel

Letter 2

COMMENTER: Ebru Ozdil, Planning Specialist, Pechanga Band of Luiseno Indians

DATE: February 6, 2018

Response 2-1

The commenter states that the Pechanga Tribe is in agreement with the proposed mitigation measures for cultural and tribal resources.

This agreement is acknowledged. Mitigation Measures CR-1 through CR-6 will be incorporated into the Final MND and will be implemented as part of the project's conditions of approval.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:

February 14, 2018

CAssadzadeh@riversideca.gov

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

**Mitigated Negative Declaration (MND) for the
Proposed Guthrie Industrial Warehouse
(Planning Cases P17-0506 (DR), P17-0507 (GE), P17-0748 (GE), and P17-0749 (VR))**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final MND.

SCAQMD Staff’s Summary of Project Description

The Lead Agency proposes to construct a 346,290-square-foot industrial building comprised of approximately 339,510 square feet of unrefrigerated warehouse space and 6,820 square feet of office space with unknown occupants on 22.34 acres (Proposed Project). The MND estimated that the Proposed Project would generate 1,468 total daily trips¹. Based on a review of aerial photographs and Figure 2 in the MND, SCAQMD staff found that the Proposed Project is largely surrounded by industrial uses to the north and west. In addition, “the sensitive receptors nearest to the [Proposed Project] include Highland Elementary School (700 Highlander Drive, Riverside, CA 92507) located approximately three quarters of a mile south of the site; University Heights Middle School (1155 Massachusetts Avenue, Riverside, CA 92507) located approximately three quarters of a mile southwest; single-family residences located approximately a third of a mile south’ and Stahovich Mary-US Health Works Medical Group Urgent Care Center (1760 Chicago Avenue, Riverside, CA 92507) located approximately one mile west of the project site.”² Construction is expected to occur over 10 months³.

3-1

SCAQMD Staff’s Summary of Air Quality Analysis

In the Air Quality Analysis Section, the Lead Agency quantified the Proposed Project’s construction and operation emissions and compared them to SCAQMD’s regional and localized air quality CEQA significance thresholds. The Lead Agency found that the Proposed Project’s air quality impacts would be less than significant. However, the Lead Agency did not conduct a Health Risk Assessment (HRA). Detailed comments are included in the attachment.

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. When responding to issues raised in the comments, response should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to decision makers and to the public who are interested in the Proposed Project.

¹ MND. Page 45.

² MND. Page 17.

³ MND. Page 28.

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final MND. SCAQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov if you have any questions.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

Attachment

LS

RVC180126-02

Control Number

ATTACHMENT

Health Risk Assessment from Mobile and Other Sources of Air Pollution

1. The Proposed Project is a warehouse project that has the capability of generating and attracting vehicular trips, especially heavy-duty diesel-fueled vehicles. Additionally, based on the Project Description summarized above, the nearest sensitive receptor is located less than one mile south of the Proposed Project. Because of the Proposed Project's close proximity to sensitive receptors, SCAQMD recommends that the Lead Agency perform a mobile source health risk assessment in the Final MND. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included in the Final MND.

3-2

SCAQMD Staff's Recommendation for Truck Trip Rates for High Cube Warehouse Projects

2. SCAQMD staff recommends the use of truck trip rates from the Institute of Transportation Engineers (ITE) for high cube warehouse projects located in SCAQMD (i.e. 1.68 average daily vehicle trips per 1,000 square feet and 0.64 average daily truck trips per 1,000 square feet). Consistent with CEQA Guidelines, the Final MND may use a non-default trip rate if there is substantial evidence indicating another rate is more appropriate for the health risk assessment analysis.

3-3

For high cube warehouse projects, SCAQMD staff has been working on a Warehouse Truck Trip Study to better quantify trip rates associated with local warehouse and distribution projects, as truck emission represent more than 90 percent of air quality impacts from these projects. Details regarding this study can be found online here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/high-cube-warehouse>.

Guidance on Siting Sensitive Receptors Near a High-Volume Freeway and Other Sources of Air Pollution

3. SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, SCAQMD adopted the *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* in 2005⁴. This Guidance document provides recommended policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. In addition, guidance on siting incompatible land uses (such as placing homes near rail lines) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

3-4

Mitigation Measures

4. Should the Lead Agency, after conducting a HRA analysis, find that the Proposed Project would exceed SCAQMD's CEQA significance threshold of 10 in one million for cancer risk, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize the significant adverse impacts. Pursuant to

3-5

⁴ South Coast Air Quality Management District. May 2005. "Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning" Accessed at: <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document>.

CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 of SCAQMD's CEQA Air Quality Handbook
- SCAQMD's CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

Additional mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Final MND may include the following:

- Require the use of 2010 and newer haul trucks (e.g., material delivery trucks and soil import/export). In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NOx emissions requirements⁵, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Limit the daily number of trucks allowed at the facility to levels analyzed in the MND. 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 land use or higher activity level.
- Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).
- Should the Proposed Project generate significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency and project applicant.
- Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS)⁶. It is important to make this electrical infrastructure available when the project is built so that it is

⁵ Based on a review of the California Air Resources Board's diesel truck regulations, 2010 model year diesel haul trucks should have already been available and can be obtained in a successful manner for the project construction California Air Resources Board, March 2016. Available at: <http://www.truckload.org/tca/files/ccLibraryFiles/Filename/000000003422/California-Clean-Truck-and-Trailer-Update.pdf> (See slide #23).

⁶ Southern California Association of Governments. <http://scagrtpsc.net/Pages/FINAL2016RTPSCS.aspx>.

ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed warehouse and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations⁷. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

- Design the warehouse/distribution center such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.
- Design the warehouse/distribution center such that any check-in point for trucks is well inside the facility property to ensure that there are no trucks queuing outside of the facility.
- Design the warehouse/distribution center to ensure that truck traffic within the facility is located away from the property line(s) closest to its residential or sensitive receptor neighbors.
- Restrict overnight parking in residential areas.
- Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.
- Establish area(s) within the facility for repair needs.
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.
- Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the warehouse/distribution center and sensitive receptors.

Additional mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Final MND may include the following:

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the Project site to generate solar energy for the facility.
- Maximize the planting of trees in landscaping and parking lots.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Install light colored “cool” roofs and cool pavements.
- Require use of electric or alternatively fueled sweepers with HEPA filters.
- Use of water-based or low VOC cleaning products.

**3-5
(cont.)**

⁷ City of Los Angeles. http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf.

Letter 3

COMMENTER: Lijin Sun, J.D.; Program Supervisor, South Coast Air Quality Management District

DATE: February 14, 2018

Response 3-1

The commenter re-states the project description, traffic estimates, and distances to sensitive receptors, all of which match that indicated in the Draft IS-MND except for the total building square footage. The commentator states “the proposed project involves construction of a 346,290 square-foot industrial building...” The commenter also states that the Lead Agency found air quality impacts would be less than significant and did not conduct a Health Risk Assessment for the project.

This information is acknowledged and matches what is indicated in the Draft IS-MND in Section 3, *Air Quality* (p. 12-17), with the exception of the proposed building size, which is 346,330 square feet, as indicated in the Draft IS-MND in the Description of Project (p.1) and on the Site Plan (Figure 2, p. 6) (See also Response 3-2).

Response 3-2

The commenter recommends that “the Lead Agency perform a mobile source health risk assessment in the Final MND”. This recommendation is based on the fact the proposed warehouse project “has the capability of generating and attracting vehicular trips, especially heavy-duty diesel-fueled vehicles.” There are no sensitive receptors in proximity to the project site. SCAQMD’s Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions recommends providing a minimum buffer zone of 300 meters between truck traffic and sensitive receptors; (e.g., schools, day-care centers, hospitals, residences, etc.). This project provides more than the minimum buffer and is uniquely situated among other similar industrial and office park uses. The commenter also recommends inclusion of an “analysis of all toxic air contaminant impacts due to the use of equipment generating such air pollutants” in the Final MND.

Based on the Air Resources Board (ARB) and the South Coast Air Quality Management District (SCAQMD) emissions and modeling analyses, it is estimated that pollutant concentrations drop-off 80 percent at approximately 1,000 feet from a distribution center. The nearest sensitive receptors are approximately 1,700 feet to the south and are separated from the project site by a mountain with an average elevation of 1,201 feet. Diesel emissions from the proposed project would be substantially obstructed by this physical barrier. Furthermore, none of the anticipated truck trips would be driving near these homes.

According to the City of Riverside Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities (2008), on-site truck idling is restricted to less than 5 minutes and signage is required to ensure cooperation. This restriction is based on a State-mandated *Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling* (California Air Resources Board 2005). Compliance with this truck idling restriction would substantially reduce on-site emissions of diesel particulate matter.

Given the applicable idling regulations as well as the lack of sensitive receptors in the proximity, and the presence of a physical barrier between the project site and the nearest sensitive receptor approximately 1,700 feet away, preparation of a mobile source health risk assessment is not

warranted. Furthermore, the project would not involve the use of any equipment, such as a diesel generator or operational equipment, which generates toxic air contaminants.

Response 3-3

The commenter recommends that any health risk assessment conducted for the project should use truck trip rates from the Institution of Transportation Engineers (ITE) for “high cube warehouse” projects (p. 3), or another trip rate supported by substantial evidence.

As indicated in Response 3-2, a health risk assessment is not warranted for this project. A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW.

The project was modeled based on the Manufacturing rate used in the traffic study, but at the request of SCAQMD, the project was remodeled using a High Cube Warehouse rate. The project was remodeled assuming construction of 336,330 square feet of unrefrigerated warehouse space, 10,000 square feet of office space, and approximately 86,700 square feet of surface vehicular parking to allow for consistency in comparisons to the original model. CalEEMod defaults were used with the exception of the trip generation rate for the proposed office space, which was set at 25.1 daily trips per 1,000 square feet based on the numbers provided in the TIA. Default “General Office” trip generation in CalEEMod is 11.03 trips per 1,000 square feet for weekdays and 2.46 and 1.05 trips per 1,000 square feet on Saturdays and Sunday, respectively. The fleet mix was adjusted to 68 percent passenger vehicles and 32 percent truck vehicles; truck trip percentages were attributed to different vehicle classes based on the High-Cube Warehouse Vehicle Generation Analysis conducted in 2016 for SCAQMD and the National Association of Industrial and Office Properties (Institute of Transportation Engineers); passenger vehicle percentages were attributed to different vehicle classes based on CalEEMod default percentages, weighted to a total of 68 percent. Accordingly, the default approach was revised to utilize a set of more conservative and accurate metrics as requested by SCAQMD.

Operational Air Pollutant Emissions

Table 1 summarizes estimated emissions associated with operations of the proposed project given the specifications of the SCAQMD request. The majority of project-related operational emissions would be due to area emissions and vehicle trips to and from the site.

Table 1 Project Operational Emissions (lbs/day)

Emissions Source	Estimated Emissions (lbs/day)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	7.3	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	0.2	0.2	<0.1	<0.1	<0.1
SCAQMD Mobile	2.1	31.0	24.6	0.1	7.4	2.2

SCAQMD Project Total	9.5	31.2	24.8	0.3	7.5	2.2
<i>SCAQMD Thresholds</i>	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

See Appendix A for CalEEMod computer model output. Note: Numbers may not add up due to rounding.

Project-generated emissions would not exceed SCAQMD regional air quality thresholds under the project analysis or the requested SCAQMD modeling after utilizing rates for high-cube warehouse. Conducting the additional air quality modeling pursuant to the SCAQMD request resulted in no new significant impacts.

Response 3-4

The commenter suggests use of the SCAQMD’s *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*, to facilitate stronger collaboration between the Lead Agency (City of Riverside) and the SCAQMD and ultimately reduce community exposure to air pollution impacts. This recommendation is not applicable to specific projects or the applicant. The Guidance provides recommended policies that local governments can use in their General plans or through local planning.

The commenter also notes the existence of guidance for siting incompatible land uses (such as placing homes near rail lines). This project does not include the siting of incompatible land uses. As with the SCAQMD’s Health Risk Assessment Guidance, the CARB Air Quality and Land Use Handbook provides guidance is for siting incompatible uses within 1,000 feet of sensitive receptors. Here, there are no sensitive receptors in the proximity of the project and the nearest sensitive receptor is approximately 1,700 feet away. The City acknowledges the existence of these guidance documents and acknowledges these guidance documents should be considered in relation to projects for which the guidance is specifically applicable. Notably, the project is consistent with the recommendations provided in the CARB Air Quality and Land Use Handbook with respect to evaluating and reducing air pollution.

Response 3-5

The commenter recommends a set of mitigation measures to be implemented if the health risk assessment indicates an exceedance of the SCAQMD’s threshold of 10 in one million for cancer risk. As discussed in Response 3-2, the proposed project does not warrant a health risk assessment and additional mitigation measures are not necessary. Page 16 of the Draft IS-MND describes applicable mitigation measures for short-term diesel emissions.

References:

Institute of Transportation Engineers. 2016. High-Cube Warehouse Vehicle Trip Generation Analysis. October 2016. Washington D.C. <http://library.ite.org/pub/a3e6679a-e3a8-bf38-7f29-2961becdd498>. Accessed March 2018

Letter 4

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February 27, 2018

Candice Assadzadeh, Associate Planner
City of Riverside, Planning Division
3900 Main Street, 3d Flr.
Riverside CA 92522

Re: Comments on Mitigated Negative Declaration for
Cases P17-0506 (DR), P17-0507(GE), P17-0748(GE) and P17-0749(VR)

Dear Ms. Assadzadeh:

This office represents the Friends of Riverside Hills (hereinafter “FRH”), a 501(c)(3) organization dedicated particularly to the protection of hillside areas in and near Riverside. FRH is especially concerned with the Box Springs Mountain Reserve Park (hereinafter “Reserve”), which is threatened by the development of a 340,000 square foot warehouse and distribution center at 750 Marlborough Avenue (the “Project”), which Project is under consideration by your office.

We have reviewed the documentation in support of the Mitigated Negative Declaration (hereinafter “MND”) and are frankly puzzled as to how the consultants and your office came to the conclusion that there are no impacts from this Project that cannot be mitigated to a level of insignificance. Herein, FRH will present a fair argument that significant and potentially significant impacts will result from the construction of the Project, which impacts will not be mitigable to a level of insignificance. An EIR is required.

4-1

TRAFFIC AND AIR QUALITY: The biggest single issue in the Project analysis is traffic. Failure to properly analyze traffic volumes infects and warps the entire MND.

The traffic analysis was generated using trip generation for manufacturing facilities (Item 140). However, CARB (the California Air Resources Board) recommends using land use type 150, for warehouses. For CEQA purposes, the volume of truck traffic predicted to serve a new large warehouse project is typically derived using the Institute of Transportation Engineers Trip Generation manual. This is the same source of traffic data used in the URBEMIS air quality model. The trip rate value used in URBEMIS is 4.96 trips per 1,000 square feet (TSF) for warehouse projects (land use type 150). Using the numbers in the MND, there are 339,510 sf of warehouse space; multiplying that by 4.96 equals 1,684 trips daily, just for the warehouse. There is also 6,820 sf of office space; the MND fails to inform us how much traffic is projected from the office use. The total daily trips is therefore **at least** 1,700 trips daily, not the 1,468 trips estimated in the MND.

4-2

Of the trips generated, AQMD recommends the analysis assume that 40% are truck trips. The MND never tells us how many trips are allocated to trucks, yet the impact of a single truck on a city street is estimated to be the equivalent of five cars. Thus, more trucks means the streets will deteriorate faster and will have to be repaired more often than if the streets are used by passenger vehicles. It is disturbing that the MND never tells the public or the decision-makers how many truck trips are generated, how many vehicle trips, and what the total is with cumulative impacts (even the heavily and artificially curtailed cumulative impacts).

4-3

The MND admits that Project traffic will negatively impact local roadways, but the numbers used are misleading. The traffic generation numbers are low, and not based on warehouse (land use type 150) but the lower use of a manufacturing facility. We don't know the percentage of truck trips allocated by the traffic study, as that was not included.

Cumulative impacts are addressed in Table 22, showing existing traffic plus cumulative traffic volumes. The consultant which prepared the traffic study included only projects within 1.5 miles of the Project site. This excluded the projects listed below in the City of Riverside, and excluded the warehouse projects in the neighboring city of Moreno Valley. Obviously traffic does not stop at the City limits. Moreno Valley alone has approved over twenty large-scale warehouse projects in recent years, ranging from 283,000 to 1.81 million square feet, not including the World Logistics Center of 40.6 million square feet.

The traffic study apparently cherry-picked certain projects to be included in the analysis. The traffic study was not made available with the other environmental documents, and was only obtained by FRH pursuant to a special request, thereby precluding the public and decision-makers from proper consideration of traffic impacts. However, the Initial Study makes clear that the analysis was limited to projects within 1.5 miles of the Project site.

The Project's traffic analysis (hereinafter "TIA") falls woefully short even for the projects within that 1.5 mile radius. The TIA at page 25 states:

4-4

"CUMULATIVE PROJECT (2018) TRAFFIC ANALYSIS

"The City of Riverside's Planning Department was contacted to determine a list of cumulative projects to be included in this traffic analysis. Information on 3 projects within a 1.5 mile radius of the project, for which permits had been issued, was provided. The following projects were considered for the cumulative analysis:

- "• 925-975 Marlborough Avenue – 62,000sf of warehouse/industrial land use
- "• Northeast corner of Stacy Court and Paige Drive – 3,008sf vehicle repair facility
- "• 1080 Marlborough Avenue – 5 warehouse buildings ranging in size from 10,000sf – 13,850sf

"Trip generation was performed for each of these projects and the cumulative trips were distributed to the project area intersections and roadways based on anticipated trip distribution patterns. Trip generation and traffic assignment figures can be found in Appendix F. The cumulative traffic volumes were then

added to the existing + ambient + project traffic volumes. Exhibit 10 shows the existing + ambient + cumulative + project traffic volumes (Year 2018)."

So the TIA picked three relatively tiny projects, but ignored the very nearby vastly larger one, the Columbia Business Center ("CBC"), approved by the City in or about October 2015, about 1.5 million square feet of 24/7 warehouse space, very nearby (only about 3/8 of a mile to the northeast, at the east end of Columbia (which street is a quarter mile north of Marlborough), so using many of the same local streets to and from the freeway (at Columbia and other ramps) as would traffic from the Project. The main CBC building, Building A, is just over 1,000,000 sf of warehouse space along Michigan north and south of Columbia (this is the part of the CBC closest to the Project) has been under construction, and was recently observed to be almost complete. Thus, CBC's Building A will be in use in 2018 before any construction on the Project is complete. Yet the CBC project was excluded from the cumulative impact analysis.

CBC environmental documents, including at <https://aquarius.riversideca.gov/clerkdb/0/doc/204061/Page1.aspx> are hereby incorporated by reference. At page 118 of the CBC document is an estimate of the trip generation:

"The proposed project is anticipated to generate a total of 4,542 ADT, 239 AM peak hour trips and 251 PM peak hour trips in passenger car equivalents.

Table 13 Proposed Trip Generation	ADT	AM Peak	PM peak
Building A	2,202	147	160
Building B	815	54	62
Building C	425	38	39
Total	3,442	239	261

Given the size of the CBC warehouse buildings, those figures are probably underestimated. But for the nearly complete CBC Building A alone, coming into use in 2018, Table 13 shows that the TIA for the Project is incomplete due to the failure to include the CBC traffic.

In addition to the CBC and likely other projects within the 1.5 mile radius that the traffic study ignores, there are at least four other projects outside the 1.5 mile radius that must be considered:

The World Logistics Center (Moreno Valley): This warehouse behemoth includes 40.6 million square feet of warehouse space on 2,610 acres. It would add 68,721 vehicle trips a day, 14,006 of which would be trucks. These vehicle trips would come, in great part, down the 60 Freeway to the 91 Freeway, which means the impacts would directly and unequivocally impact the roads around the Project site. Yet this Project was not included in the cumulative impacts analysis.

Sycamore Highlands Warehouse: This 1.4 million-square-foot distribution center will abut homes in the Sycamore Highlands neighborhood. It is approximately five miles from the Project, but less than two miles from the Reserve boundary. It will add approximately 3,800 trips per day, also down the 60 Freeway to the 91 Freeway. This Project was not included in the cumulative impacts analysis.

4-4
(cont.)

4-5

Center Street Commercial Building: Located at Center Street and Placentia Lane, this 308,000 sf commercial building will generate 875 passenger vehicle trips and 301 truck trips (701 Passenger Car Equivalent trips) trips daily and is less than two miles from the Project site. This project has just been approved by the City's Development Review Committee.

Obviously, the trucks would ideally use the freeways, but because the freeways are so heavily impacted, traffic spills onto the surrounding surface streets. With more 75,000 vehicles – many of them trucks – from just the Project and the three projects listed above, it is incomprehensible to say that the cumulative impacts from the Project are not significant. Further, the MND's limitation on cumulative impacts to projects within 1.5 miles of the Project site has no basis in science.

4-5
(cont.)

As for Air Quality, the analysis must be updated once the true figures for traffic are known. In addition, the MND uses a false premise. In Section 3a, the MND concludes that there is a less than significant impact to air quality because the warehouse will not bring new residents to the area. The MND does not address the fact that the warehouse will be attracting thousands of diesel trucks to the area. **Diesel is a known carcinogen.** Diesel exhaust is one of the most dangerous of the vehicle emissions, and the MND admits that the Project is located in a non-attainment area for particulates, both PM 10 and the far more dangerous PM 2.5 (see pp. 13-15 of the MND). Particulates will be generated from the Project that have not been considered or mitigated.

The Reserve is a sensitive receptor. It should not be subject to high levels of pollutants, any more than it should be subject to high levels of noise. The numbers in the MND for air quality are not credible, due to the failure to properly identify truck and vehicle traffic. Once the true numbers are identified, the air quality analysis should be completely revised to reflect the impacts on the area as a whole, and specifically to the Reserve.

4-6

It should be noted that new large warehouse projects and distribution centers (>100,000 square feet) have become a more common project type in the past several years, especially in the western Riverside County and San Bernardino County areas. These warehouse projects are commonly associated with substantial diesel emissions due to the high volume of heavy duty trucks that serve them. Diesel Particulate Matter ("DPM") from internal combustion engines has been classified as a carcinogen by CARB. Truck trips associated with warehousing projects are a key component in determining the potential impact of DPM emissions on surrounding communities. Due to concern about these emissions, CARB, in its Air Quality and Land Use Handbook, recommended providing a 1,000 foot setback from any distribution center serving more than 100 trucks per day. Again, the Reserve is a sensitive receptor and this minimum 1,000 foot setback is an appropriate buffer to protect the Reserve.

We note that the City rejected the idea of placing solar panels on the roof of the Project. Solar panels may act as mitigation for the air quality impacts. While we cannot assess the air quality impacts until the traffic numbers are corrected, use of solar panels in this Project would be a step in the right direction.

4-7

Finally, the cumulative air quality impacts of the projects identified above, as well as others FRH may not have discovered, must also be discussed. Limiting traffic concerns to 1.5

4-8

miles from the Project site is as unfounded as saying that projects more than 1.5 miles away from the Project will not contribute to air quality issues. The airshed is already in non-attainment. This Project, in conjunction with others, may lead to potentially significant air quality impacts that cannot be mitigated to a level of insignificance.

4-8
(cont.)

NOISE: In the Noise Report prepared by the consultants, the Reserve is noted as a “sensitive receptor”:

“Though not included in the Riverside General Plan 2025 Noise Element as a noise sensitive receptor, Box Springs Mountain Reserve Park is considered a sensitive receptor pursuant to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards (MSHCP 2003). The southern and eastern boundaries of the project site are abutting the northern side of the Box Springs Mountain Reserve Park hills. These hills act as a natural buffer to the rest of the reserve area.”

4-9

Noise Study at Section 2.1.2. The Project is directly adjacent to the Reserve, thus any noise generated would directly affect the Reserve, as a sensitive receptor.

In the Urban/Wildlife Interface Guidelines from the MSHCP for the Reserve, it is required to protect the Reserve from noise:

Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, **wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.** (From Section 5.1.1 of the biological report from Rincon)

What we see in the Noise Study is that the Reserve will be subject to noise in excess of residential standards, and that noise cannot be mitigated to a level of insignificance.

The Study has re-printed at Table 2 the General Plan’s acceptable noise levels for sensitive receptors (residences) as 60 (acceptable) and 70 (normally acceptable). At Table 3, it shows that daytime noise is acceptable at no more than 55 dBa and nighttime noise at 45 dBa. With that in mind, we turn to Tables 5 and 6 of the Noise Study, which show that construction noise alone will vastly exceed the allowable levels, easily reaching in excess of 100 dBa, when various equipment is run simultaneously. The recommendation for “muffling” construction noise (page 13 of the Study) states that it might be possible to lower noise levels by as much as 8-10 dBa; that still leaves the Reserve suffering from an excess of 30-32 dBa above allowable levels, even with the recommended muffling of certain equipment. The Study suggests that

4-10

“new” equipment is less noisy, but there is no requirement to actually use such equipment. Back-up alarms cannot be reduced in volume to 60dBa: a typical back-up beeper runs at 97-112 dBa, and per OSHA standards, cannot be reduced to less than background noise (which, according to the Study, would be construction noise levels of 85-95 dBa).

4-10
(cont.)

Already, the Noise Study shows unmitigated daytime impacts to the Reserve from construction, with noise of 40+ dBa in excess of allowable levels. We are assuming no construction work will occur at night. However, the operational impacts from the Project are significant and not mitigatable. The Study claims that construction noise is exempt from City noise standards. **However, this does not allow the City to ignore impacts to the Reserve.** The MND is supposed to analyze environmental impacts. Whether the City has a noise standard is immaterial. What is required under CEQA is to look at how a project will affect the natural environment. Noise levels of 100 dBa on a sensitive receptor such as the Reserve must be analyzed in an EIR. Simply saying that because there are no standards for construction noise does not mean there is no noise, and therefore no impacts.

4-11

Table 7 of the Study shows that both daytime and nighttime noise thresholds will be exceeded by operational noise. While admitting this fact, the Study goes onto to state that excess daytime noise will last less than five minutes:

However, the City noise ordinance allows noise of up to 10 dBA over the 55 dBA daytime residential standard for events lasting less than five cumulative minutes over one hour. **It is presumed** that backup alarms and acceleration of the trucks at the nearest points to the sensitive receptor would occur infrequently, would be cumulatively less than five minutes in duration in any given hour, and would therefore meet the standards of the City noise ordinance. Noise reducing measures would not be necessary during daytime operation.

4-12

There is absolutely no evidence to support the conclusion that back-up alarms and truck use would be “infrequent” at a warehouse designed to be in use 24 hours a day, seven days a week. This presumption is therefore arbitrary and capricious, without any evidentiary support.

The “presumptions” with nighttime noise are much more egregious. The “presumption” is that nighttime ends at 7 am. It is easily ascertainable and verifiable that it is not “nighttime” at 7 am. By 7 am, rush-hour has begun, and the streets are full of cars and trucks. Trains are running. Workers are beginning their day. To say that ambient nighttime noise levels at the Reserve are 49.4 dBa when the measurements were taken at 6:45 am is ridiculous, and without any scientific basis.

Further, the statement that ambient noise at the Reserve is at 49.4 dBa is fallacious because the location chosen to take that measurement is not appropriate. The location for the measurement was 150 feet from the Reserve, but only 100 feet from “nearby warehouse (primary noise source)”, as listed on Table 1 of the Project’s Noise Study. As shown on Figure 2 (“Noise Measurement Locations”) of the Project’s Noise Study, that location is much closer to warehouse and street noise than most of the boundary between the Reserve and the Project; indeed the very long southeast boundary between the two is many times as far away as the site chosen for the

4-13

measurements that yielded the 49.4 dBA figure. Thus the actual ambient noise for the great bulk of the immediately adjacent part of the Reserve would be substantially less than 49.4 dBA, which, in addition to the inappropriate time used, further invalidates the analysis of noise impacts.

4-13
(cont.)

In order to mitigate for nighttime noise impacts, the Study recommends that the south docks should not be used between 10 pm and 7 am. However, the area that is directly adjacent to the Reserve and to the east is a parking area that will be in use during the night hours. In addition, back-up alarms, truck acceleration, and other noisy uses will impact the Reserve from use of the warehouse generally. The area to the north of the warehouse includes docks and is within 150 feet of the Reserve. There is no discussion in the Study of the nighttime operational impacts from the docks on the north side of the warehouse.

4-14

As noted in the previous section, the failure to properly include cumulative impacts renders the MND fatally defective. This is also true in connection with noise. The levels of noise from hundreds of thousands of additional vehicles will significantly impact the Reserve, not only only the side adjacent to the Project, but throughout.

4-15

AESTHETICS: The MND concludes that there would be a less than significant impact on aesthetics, using the most simple of line drawings. The conclusion is that a 45-foot high building with a footprint of 340,000 square feet would not impact views of the Reserve from Marlborough Road. The drawing in question is illegible in its printed form (Figure 4), and uses as its basis Google Earth, which is not a scientific resource for topography. The online version of the drawing can be read, and apparently (according to Google Earth) the end of Marlborough road is at 992 feet, and the entrance to the Project at 1015. The line drawing then claims the trail going to the Reserve is at 1075 feet. If you have ever been to this area, it is obvious that the trail starts at the level of the Project and goes up the side of the Reserve (see photo attached as Exhibit A-1). Where exactly was this measurement taken? At the base of the trail where it starts? Or was the measurement manipulated, such that the measurement was taken up the mountain so as to provide the desired conclusion? We cannot know from the MND.

4-16

As for aesthetics, the views both of the Reserve and from the trails that lead to the Reserve will be permanently and adversely impacted by the Project's massive height (45') and size (340,000 sf). Exhibits A-1 and A-2 show the views from the bottom of the trail leading across the north side of the Project site to Marlborough Road. Views from this trail to the mountains far to the west are clear and will obviously be blocked entirely by the 45 foot-high warehouse.

Exhibits A-3 and A-4 show the views from the same location as in A-1 and A-2, but looking towards the San Bernardino Mountains. Again, these are incredible views, and part of the value of the Reserve as open space.

4-17

Exhibit A-5 is the view looking at the Reserve from the end of Marlborough Avenue. It is beyond sound judgment and reason to say that a 45 foot-high warehouse will not impact the views of the Reserve from this location. We must remind you that running perpendicular to Marlborough is the Canal Trail, which connects the Reserve to other areas. The view from the Canal Trail will be adversely affected and the impacts cannot be mitigated.

Exhibit A-6 was also taken from the end of Marlborough. The Circumference Trail – which is partially on the Project site – runs around the base of the Reserve and provides access to the Reserve. Again, the aesthetic impact of the Project on this Trail, the Reserve and the surrounding area is significant and cannot be mitigated to a level of insignificance.

Exhibit A-7 shows the view from Marlborough towards the northeast. Clearly visible is a well-used trail that provides access to the Reserve. That trail will be eliminated by the Project.

Exhibit A-8 is a panoramic photo taken from the base of the trail leading into the Reserve, at a location similar to that shown in Exhibit A-1. The views from the Reserve are quite striking, and the loss of the views will be an impact to members of the public who use the Reserve and the trails leading to it on a regular basis.

Therefore, the shabby analysis claiming there are no significant impacts to aesthetics due to the Project is simply untrue. These photos provide evidence of the impacts, and the 45 foot-high warehouse, the massive parking areas and loading docks, will have an adverse impact on the views of the Reserve and from the Reserve, which impacts cannot be mitigated to a level of insignificance.

4-17
(cont.)

HYDROLOGY AND WATER QUALITY: The MND claims there will be no significant impact to hydrology or water quality. We disagree. This Project reduces the future volume of the natural potable water resources of the City. This is, by definition, an adverse environmental impact that cannot be mitigated to a level of insignificance, and must be studied in an EIR.

The Project site sits at the base of the Reserve. It is the point where the mountain slope levels off (or nearly so) and is "bench land," critical to recharge of water resources. In recent years, much of the "bench land" at the base of the Reserve has been developed; the remaining undeveloped bench lands are critically necessary to preserve as ground water recharge.

In its natural state, the adjacent Reserve supports a wide variety of plant and animal life. Water from precipitation is the life force that makes that ecosystem possible and which is critical in the "near normal" of recurring drought, due to Climate Change. The bench lands along the base of the mountain receive the excess runoff during rain events and percolate this natural uncontaminated water into the deep soil strata where this water recharges the North Riverside Ground Water Basin. This is the extremely valuable public benefit of maintaining the bench lands in natural un-paved condition.

The recent development and build out of nearby warehousing projects have required the City to construct several storm water catch basins for flood control purposes. This is not a viable or reasonable substitute for the natural percolation of rainfall into the soil. Modern construction of large buildings and their large paved parking lots remove many acres of soil surface from receiving rainfall for percolation and recharge of the ground water basin. Additionally, the building code requires the grading plan for all parcels undergoing development to be graded to capture and direct all storm water to the street and the storm water infrastructure in the streets. "Storm water" collected from the roofs of buildings, parking lots, sidewalks and streets (all paved areas) is by definition contaminated. "Storm water" is always contaminated with toxic compounds from roofing materials, asphalt, concrete, vehicle traffic (leaked fuels, oils, coolants,

4-18

brake dust and rubber dust), windblown dust, soil erosion, leaves and trash. The City's storm water collection infrastructure is designed to reduce the likely event of flooding by quickly capturing and transporting contaminated storm water to the nearest river (the federal Clean Water Act and California's Porter-Cologne Water Quality Act regulate discharges of storm water into a stream or river). The existing storm water infrastructure is not designed to percolate rain water. It is designed to control the flow of storm water and to capture debris, silt and sand. This is not a substitute for the bench lands' natural ability to recharge the ground water basin the people of Riverside rely upon for clean drinking water.

The City has taken no action or planning to preserve or create suitable lands (such as the Project site's bench land) to provide percolation zones or basins that will adequately recharge the ground water basin with natural rainfall. Yet, the City continues to promote and approve any development project in the city that is factually detrimental to the maintenance of the ground water supply, this in spite of the long term drought and state public policy to promote and fund local water storage projects. Riverside approves development projects to expand its tax base while ignoring the fact that each project approval means greater ground water extraction to support the new development project in the face of long term drought, diminished annual rainfall and the resultant diminishing ground water supply necessary to support existing demand, much less future growth. Drinking water supplies and the natural processes upon the land that ensure adequate future supply must be given priority over individual development projects.

**4-18
(cont.)**

GREENHOUSE GAS ANALYSIS: The existing GHG emissions from the Project site are zero, as the property is vacant. Consequently, it is clear that adding 340,000 sf of warehouse space will increase GHG emissions. Yet rather than evaluate the Project's significance by comparing the proposed Project to existing environmental setting, the City's thresholds of significance completely ignore this fundamental CEQA tool, instead establishing thresholds of significance based only on SQACMD's 6,000 mt threshold and compliance with applicable plans and policies. It is important to note that this SCAQMD threshold has yet to be adopted.

4-19

Section 15064.4 of the CEQA Guidelines explain how a lead agency should evaluate GHG emissions: (1) by comparing project emissions to the "existing environmental setting"; (2) by comparing project emissions to an established threshold of significance; and (3) by assessing project compliance with existing regulations or requirements adopted to implement a statewide, regional, or local plan to combat GHG pollution. None of that has been accomplished in the MND, which declares boldly that "GHGs occur naturally from human activities," and that the impact of GHGs from the Project are less than significant.

Here, there is a failure to properly state traffic volumes, leading to artificially low GHG levels. The misleading traffic volumes led to an inaccurate GHG analysis, keeping the annual impacts just under the informal AQMD thresholds. In addition, Table 7 in Section 7 of the MND gives a number to operational emissions, but less than one percent for area sources, again lowering the numbers artificially.

4-20

There was no effort whatsoever to determine whether the Project incorporates efficiencies and conservation efforts to make the Project consistent with AB 32's reduction goals. Rather, this Project will draw multiple diesel trucks into the Riverside area, with no guarantee that the

4-21

trucks will be low-emission vehicles. In fact, the Project may end up attracting older, high-emission vehicles, but there is no discussion of this in the MND.

4-21
(cont.)

The Air Quality and Greenhouse Gas Study for the Project says "Trip generation rates for the warehouse land use were adjusted to match rates used by Rick Engineering Company in their pending Traffic Impact Analysis (Jesus Cruz, personal communication, May 4, 2017)." However, in neither the Air Quality and Greenhouse Gas Study nor the TIA can we find any consideration of the length of truck trips to and from the Project, with the concomitant impact on air quality and greenhouse gas.

According to the SCAQMD for another warehouse distribution-type project in the Inland Empire, "[m]ost warehouses, distribution centers, and industrial land use projects would be hauling consumer goods, often from the Ports of Long Beach and Los Angeles as well as to destinations outside of SCAQMD boundaries." See <http://www.aqmd.gov/docs/defaultsource/ceqa/comment-letters/2015/january/mndwaterman.pdf> (incorporated by reference herein).

For the present Project, the approximate distances from the Project site to various destinations include:

- Project site to Port of Los Angeles/Long Beach: 70 miles
- Project site to Banning Pass: 40 miles
- Project site to downtown Los Angeles: 60 miles

There must be an analysis of average trip length to take into account the long distances that will be traveled by trucks going to and from the Project and the associated amounts of pollutants generated. The Project analysis is defective in not providing such an analysis. Without knowing these facts, the MND cannot state that air quality impacts have been mitigated to a level of insignificance.

As with the air quality impacts, GHG must be re-visited after the proper traffic volumes have been revealed and analyzed.

4-22

BIOLOGICAL IMPACTS: Obviously, the Reserve is directly adjacent to this Project and the MND does not address the impacts on the Reserve, but rather on the Project site itself. This is improper under CEQA. We understand the Project site will be lost as habitat, but what will the impacts be on the Reserve and its flora and fauna? Will nighttime light and noise drive animals away from this side of the Reserve? Will the air quality impacts affect the Reserve's suitability for life? Will the traffic result in the deaths of any of the Reserve's inhabitants? None of this is addressed.

In particular, nighttime darkness and quiet are important features of our local sage scrub ecosystem, and this is recognized in the MSHCP guidelines for the Urban/Wildlands Interface (sec 6.1.4 of the MSHCP document). For example, the dominant seed-eating rodents avoid feeding where or when there is light (for example they reduce their activity during the full moon), and they have large ears for hearing predators, a detection ability likely to be compromised by increased ambient sound. Thus, in a development such as this, bordering a core MSHCP reserve, it is required that "Shielding shall be incorporated in project designs to ensure ambient lighting in

4-23

the MSHCP Conservation Area is not increased” (sec. 6.1.4 of the MSHCP document). Mitigation MM AES-1 (Photometric Plan) states that “The project shall be designed in such a manner as to prevent light spillage from the project to the adjacent and nearby open space areas” but it has no specific criteria, adding that “Shielding shall be employed, where feasible” and that “No project lights shall blink, flash, oscillate, or be of unusually high intensity or brightness,” again without any specific criteria; for example, what is “feasible” and what is “unusually high”? Similarly, the increase in noise levels should be kept to the minimum (as noted above) and ideally avoided completely.

4-23
(cont.)

GENERAL PLAN INCONSISTENCY: Along with the problems in the MND, there are General Plan inconsistency issues which must also be addressed. We are concerned about the Noise Element, and how it seems to have been ignored in the MND analysis.

4-24

On GHGs, the Project is clearly in violation of Policy AQ-8.2 which is supposed to encourage actions to respond to and reduce climate change. Despite this policy, the GHGs for the Project are deemed insignificant without any attempt to analyze the impacts (see above section on GHGs).

VARIANCES: This project lists among its case numbers P17-0507 (Grading Exception), P17-0747 (Summary Vacation), P17-0748 (Grading Exception) & P17-0749 (Variance), so at least two grading exceptions and a variance. The documents we have been able to examine provide no justifications for any variance. We question whether legally adequate justifications can be made for the four findings required by the zoning code section 19.720.040 for granting of a variance.

4-25

The first of those required findings – the “hardship finding” – is that “strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.” Regarding this Finding, the general purpose and intent of the Zoning Code for this zone is to allow industrial or business park development. A variance is not required to resolve a hardship or practical difficulty to the extent that the property could still be developed consistent with zoning or land use requirements albeit with a somewhat smaller building. Case law (*see, e.g. Broadway Laguna etc. Assoc. v. Board of Permit Appeals* (1967) 66 Cal.2d 767) shows that merely using a variance to increase profitability is improper, and indeed the zoning code itself states “Financial hardship does not represent grounds on which to file a variance application.”

4-26

Regarding required variance Finding 2, that “There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification,” we found no special circumstances applicable to the property which would necessitate the granting of a variance, and the same restrictions – that is, those of the applicable land use plans and/or the Zoning Code – apply similarly to surrounding properties, so that there is nothing to say the applicant is unfairly deprived of its intended use of the property.

4-27

Regarding the Grading Exceptions, the Initial Study, in its Table 9 (at p. 40) , notes General Plan “Policy LU-4.2. Enforce the hillside grading provisions of the City’s Grading Code (Title 17) to minimize ground disturbance associated with hillside development; respect existing

4-28

land contours to maximum feasible extent." The Project Analysis there admits that "due to project design features, the retaining walls would not minimize ground disturbance or follow existing land contours as intended by Policy LU-4.2 and the City's Hillside Grading Ordinance.", but fails to consider how such an extremely high retaining wall, and grading into the base of the Mountain at the base of that wall, can be justified other than as a way to maximize the Project footprint to make it more profitable. Similarly, regarding "Policy LU-7.2. Design new development adjacent and in close proximity to native wildlife in a manner which protects and preserves habitat.", there is no consideration of how grading so far into the base of the Mountain, with concomitant extremely high retaining wall, helps protect and preserve that habitat, and indeed it appears to do the opposite.

**4-28
(cont.)**

In conclusion, once the MND has been revised or – more appropriately – an EIR has been prepared, we can address these issues in more detail.

Sincerely,

*Submitted via Email to Planner
Signed Electronically*

Kate M. Neiswender

Enclosures – Exhibits A- 1 through A-8

Letter 4

COMMENTER: Kate M. Neiswender, Law Office of K.M. Neiswender

DATE: February 27, 2018

Response 4-1

The commenter requests preparation of an EIR.

As discussed in Response 1-1, the City of Riverside finds that although the proposed project would have potentially significant effects on the environment, such effects can be reduced to a less than significant level with revisions to the project made by or agreed to by the project proponent. Measures will be implemented to mitigate potential impacts to aesthetics, biological resources, cultural and tribal resources, transportation and traffic, and noise. Therefore, the City has determined that an MND is the appropriate CEQA document for this project (See CEQA Guidelines § 15064).

Response 4-2

The commenter states that the Draft IS-MND fails to properly address traffic volumes and that trip generation rates for warehouses, rather than manufacturing facilities, should have been used in the Traffic Impact Analysis (TIA).

In coordination with the City of Riverside Traffic Engineering staff, Rick Engineering used the “manufacturing” ITE category (Land Use Code [LUC] 140) rather than the “high cube warehouse” or “warehouse” ITE category (LUC 152 and 150, respectively) in the project traffic analysis. Although the “warehouse” classification does give a higher Average Daily Traffic count, the “manufacturing” land use has higher peak hour volumes. The peak hourly volume was used for the traffic design analysis because it represents the most critical period for operations and has the highest capacity requirements for the roads and traffic signals. This is consistent with the City’s approach for this type of facility.

Response 4-3

The commenter states that the SCAQMD recommends the analysis assume that 40 percent of the trips generated by the project would be truck trips. The commenter further states that the Draft IS-MND does not indicate the percentage of truck to passenger vehicles.

As discussed in Response 3-3 above, SCAQMD requested calculation of the project’s emissions based on a “High Cube Warehouse” classification, which required a fleet mix of 68 percent passenger vehicles to 32 percent truck vehicles pursuant to the High-Cube Warehouse Vehicle Generation Analysis conducted in 2016 (Institute of Transportation Engineers). The comment letter received by SCAQMD (Comment Letter 3) did not specify a 40 percent truck to 60 percent passenger vehicle requirement. This information has been incorporated in to the Air Quality Section of the IS-MND.

Response 4-4

The commenter suggests that the TIA’s cumulative impact analysis fails to include all projects located within a 1.5 mile radius of the project site, specifically the Columbia Business Center project.

At the request of the commenter, the Columbia Business Center project has been added. The traffic impact analysis and Section 16, *Transportation and Traffic*, of the Draft IS-MND have been revised to include the Columbia Business Center project. Under the original traffic analysis, the intersection of Interchange Street/W La Cadena Drive/I-215 SB Ramps was found to have significant impacts during PM peak hours. Under the revised calculations with Columbia Business Center incorporated in the cumulative analysis, this intersection is shown to have a significant cumulative impact during AM peak hours as well. Mitigation Measures T-1 and T-2 will require fair share contributions to be paid prior to occupancy, towards improvement of the intersection of Interchange Street/W La Cadena Drive/I-215 SB Ramps. This mitigation would address both AM and PM peak hour impacts and result in less than a significant impact after mitigation.

Response 4-5

The commenter states that in addition to the Columbia Business Center, there are likely other projects within the 1.5 mile radius of the project site and at least four additional projects located outside the 1.5-mile radius that should have been included in the cumulative impact analysis. Projects beyond the 1.5-mile radius include the World Logistics Center located in Moreno Valley, and the Sycamore Highlands Warehouse and Center Street Commercial Building, both located in the City of Riverside.

The selection and assessment area of the geographic scope of a cumulative impact analysis is left to the City's expertise, and absent a showing of arbitrary action, it must be assumed that the City has exercised this discretion appropriately. These three projects were not included because it is not reasonable and practical to include these projects based on several factors, including geographic scope and the potential of these projects being built. Furthermore, the traffic to the abovementioned projects would not use the same streets/routes as the proposed warehouse¹. The cumulative analysis accurately reflects the severity and significance of the cumulative impacts that can be anticipated.

Response 4-6

The commenter states that the MND uses a false premise in Section 3a. The commenter requests that the air quality analysis be revised to address requested revisions to the TIA and to treat the nearby Box Springs Mountain Reserve ("Reserve") as a sensitive receptor.

Section 3a of the MND analyzes whether or not the project with conflict with or obstruct implementation of the applicable air quality plan. In order to analyses whether an impact exists, and if so, to what extent, the MND correctly analyzed whether the project is consistent with the City's General Plan and the AQMP. The MND does not conclude that the "there is a less than significant impact to air quality because the warehouse will not bring new residents to the area." The MND does, in fact, address truck trips anticipated to be generated from the site and the impacts of such impacts.

As detailed in Response 3-2, air quality impacts were remodeled at the request of SCAQMD. The results found the project to be below air quality thresholds and no mitigation is required. Although

¹ See Figures 16 through 19 of the Center Street Warehouse Project Traffic Impact Analysis, dated January 19, 2016 (Kunzman Associates, Inc.); See Figures 4-A through 4-D of the Sycamore Canyon Industrial Buildings 1&2 Revised Traffic Impact Analysis, dated May 2016 (Albert A. Webb and Associates); See Pages 4.15-48 through 4.15-50 of the World Logistics Center Final Programmatic Environmental Impact Report, dated May 2015 (LSA Associates, Inc.).

the Reserve may be considered a “sensitive receptor” pursuant to the Multiple Species Habitat Conservation Plan (MSHCP), SCAQMD describes a sensitive receptor as a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant. *Air Quality* Item 3d analyzes this concern and finds the impacts of the project to be less than significant.

Furthermore, as described in Draft IS-MND, Section 6.1.4 of the MSHCP contains Urban/Wildland Interface Guidelines which are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area, including the Reserve (p. 20). The provisions of the guidelines that apply to the project cover impacts related to drainage, toxics, lighting, noise, invasive plant species, barriers, and grading/land development. *Biological Resources* Item 4e of the Draft IS-MND describes how each of these areas of concern has been addressed in the Draft IS-MND. The project has been found to be in compliance with the MSHCP and therefore, there are no significant impacts.

Response 4-7

The commenter requests that the project consider including rooftop solar panels to mitigate for potential air quality impacts.

The City of Riverside does not have any policies in place that require projects to include solar panels. Moreover, CEQA does not require mitigation measures to offset impacts that are less than significant. *Air Quality* Item 3b demonstrates that the project would not generate emissions exceeding SCAQMD thresholds for operational emissions and, therefore, would not violate any air quality standard.

Response 4-8

The commenter states that limiting traffic concerns to 1.5 mile radius of the project site is as unfounded as saying that projects more than 1.5 miles away from the Project will not contribute to air quality issues. The commenter states that this project in conjunction with others, may lead to potentially significant air quality impacts that cannot be mitigated to a level of insignificance.

Air Quality Item 3b demonstrates that the project would not generate emissions exceeding SCAQMD thresholds for operational emissions and, therefore, would not violate any air quality standard.

The South Coast Air Basin is in a non-attainment area for the federal standards for ozone, PM_{2.5} and lead and the state standards for ozone, PM₁₀, PM_{2.5}, NO₂ and lead. Any growth within the Los Angeles metropolitan area would contribute to existing exceedances of ambient air quality standards when taken as a whole with existing development. SCAQMD’s approach to determining cumulative air quality impacts for criteria air pollutants is to first determine whether the proposed project would result in a significant project-level impact to regional air quality based on SCAQMD significance thresholds. If the project does not exceed SCAQMD thresholds, then the lead agency needs to consider the additive effects of related projects *only if* the proposed project is part of an ongoing regulatory program or is contemplated in a Program EIR, *and* the related projects are located within an approximately one mile of the proposed project site. If there are related projects within the vicinity (one-mile radius) of the project site, that are part of an ongoing regulatory program or are contemplated in a Program EIR, then the additive effect of the related projects should be considered. The proposed project is not part of a Program EIR nor are there any projects within 1 mile of the project site that are regulated by a Program EIR.

As discussed in Response 4-4, the Columbia Business Center project was added as a cumulative project at the request of the commenter that has since been included in both the TIA and Section 16 *Transportation and Traffic* of the Draft IS-MND. Three other cumulative projects were already assessed in the TIA, 925-975 Marlborough Avenue, 1080 Marlborough Avenue, and the Northeast Corner of Stacy Court and Paige Drive. Neither the proposed project nor the related projects are part of an ongoing regulatory program or are contemplated in a Program EIR. The SCAQMD therefore recommends that project-specific air quality impacts be used to determine the potential cumulative impacts to regional air quality. As discussed in Section 3 *Air Quality*, the proposed project would result in an increase in daily operational emissions (currently the site is vacant); however, emissions would not exceed the SCAQMD thresholds. Therefore, the proposed project would not generate emissions that exceed the SCAQMD's operational thresholds and therefore the project is consistent with the AQMP. Accordingly, the project's contribution to cumulative regional long term air quality impacts would not be cumulatively considerable.

Response 4-9

The commenter states that the Reserve would be subject to noise in excess of City standards for residential developments and that this noise cannot be mitigated to a level of insignificance.

As discussed throughout Section 12 *Noise*, of the Draft IS-MND, the Reserve is considered a sensitive receptor pursuant to the MSHCP. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards. The portion of the Box Springs Mountain Reserve Park that is adjacent to the subject project does not provide picnicking or camping facilities, nor does it allow for nighttime access. Access to the Reserve by people would be limited to the hiking trail that traverses the southern and eastern property line. Noise impacts to people would be infrequent and limited in duration and therefore, would be less than significant. Therefore, the noise analysis, focused on potential wildlife noise exposure to a permanent increase in ambient noise levels.

In regard to daytime noise impacts, the nearest noise inducing operational activity (accelerating from a stop) would be located a minimum 95 feet from the Reserve. The majority of operational activities (noise associated with loading/unloading activities) would take place 200 feet or more from the Reserve. The proposed building would include 34 loading docks on the western side of the warehouse and 15 loading docks on the southern side of the warehouse. Noise from the western docks would be attenuated by the warehouse building itself and would not result in any impacts to the Reserve. The southern and eastern boundaries of the project site are abutting the northern side of the Reserve. The elevation of the hillside begins to climb on the subject property and will act as a natural buffer to the rest of the Reserve area. Furthermore, the project would incorporate a 6- to 21-foot tall retaining wall along the eastern property boundary that will reduce the noise from the warehouse operations.

Daytime operational noise involving backup alarms and general acceleration of trucks on the south side of the building will still exceed noise levels of 55 dBA at the adjacent Reserve. However, as described in greater detail in Response 4-12 below, the City's noise standards allow for a sliding scale of exterior noise generation (p.44-45), including allowing back up alarms and acceleration noise for up to five minutes any given hour.

Enterprises generally seek efficiency (or productivity) of freight transport operations, including dealing with traffic congestion and loading and unloading delays, in order to reduce costs. Research conducted in 2013 found that the execution of steps from arrival to departure for a semi-truck being

unloaded was 146 minutes (2 hours, 26 minutes), while the arrival to departure time for a truck being loaded was 173 minutes (2 hours, 53 minutes)². The proposed project includes 15 docking bays on the south facing side of the building. This would allow for a maximum of 15 trucks at any given time to be located along this portion of the building. However, generally, urban delivery trucks across many sectors must aim to arrive at stops for loading and unloading during scheduled time windows that are 15 minutes to 2 hours in length³.

Accordingly, at a typical warehouse facility, four or five trucks would be arriving in any given hour, while four or five may be leaving. Therefore, at peak, approximately 10 trucks may be creating noise from backup alarms or acceleration during any given hour. Using the five minute limitation on these noise sources, this equates to 30 seconds per truck. Backup alarms for the five arriving trucks would be less than 30 seconds in duration each due to the short back up distance required to dock (approximately 100 feet). Acceleration noise, as conservatively calculated at 62.5 dBA, would occur when the truck speed hit around 12.4 miles per hour⁴. The departing trucks would only be traveling approximately 250 feet, and given typical speed restrictions on warehouse parking lots (5 to 10 miles per hour), the five existing trucks would not likely even get up to speed that result in the most conservative noise estimates. However, if the trucks were to accelerate quickly enough to reach 12.4 miles per hour, they would be to the exit gate within 15 seconds.

Therefore, it is anticipated that backup alarms and the acceleration of trucks along the south facing loading docks would be intermittent and not exceed a total of 5 minutes in any given hour given typical operational logistics for a warehouse facility. The result is a less than significant impact and no noise reducing measure would be necessary during daytime operations. However, a new mitigation measure (Mitigation Measure N-3) will be implemented to further ensure backup alarm noise would be reduced to the extent feasible by requiring either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms on all equipment in use on the project site that requires a backup alarm.

In regard to nighttime noise impacts, the noise produced from backup alarms and truck acceleration at locations nearest to Box Springs Mountain Reserve would produce noise at more than 20 decibels above the applicable threshold (60+ dBA), which is prohibited for any duration. Accelerating truck noise falls below maximum allowed noise levels (60 dBA) at 125 feet from the source. Backup alarms fall below maximum allowed noise levels (60 dBA) at 270 feet from the source. In order to reduce nighttime noise impacts to below maximum allowed noise levels, nighttime operations along the south-facing loading docks would have to be significantly limited, with only one or two of the westernmost south-facing bays in operation. In addition, the noise produced cumulatively from the backup alarms and truck acceleration would be limited to no more than one minute per hour ("Plus 15 decibels for a cumulative period of up to one minute in any hour"). Construction of a barrier (i.e. solid wall) to mitigate noise impacts would be infeasible due to the clearance required for truck movement which, in turn, would place the barrier too far from the noise source to effectively capture the impact. Therefore, in order to avoid potential nighttime noise impacts to wildlife in the

² Burdzik, Rafal, M. Cieřla, A. Sładkowski. 2014. "Cargo Loading and Unloading Efficiency Analysis in Multimodal Transport." *Promet – Traffic & Transportation*, Vol. 26, No. 4, pp. 323-331. Zagreb, Croatia. July 2014. <http://www.fpz.unizg.hr/traffic/index.php/PROMTT/article/view/1356>

³ Mineta Transportation Institute (MTI). 2003. *Trucks, Traffic, and Timely Transport: A Regional Freight Logistics Profile*. San Jose, CA. June 2003. <https://transweb.sjsu.edu/sites/default/files/02-04.pdf>

⁴ Babu, Y. Sudheer, S.B. Pattnaik. 1997. "Acceleration Noise and Level of Service of Urban Roads - A Case Study." *Journal of Advanced Transportation*, Vol. 31, No. 3, pp. 325-342. Durham, NC. 1997. <https://onlinelibrary.wiley.com/doi/pdf/10.1002/atr.5670310307>

Box Springs Mountain Reserve Park, Mitigation Measure NOI-2 (note new number), Restricted Loading Dock Use, would be implemented to reduce potential noise impacts to a level of less than significant. In addition, since the ultimate location of rooftop equipment is undetermined at this time, Mitigation Measure NOI-3 (note new number), Rooftop Mechanical Equipment Shielding, would be implemented to reduce potential rooftop equipment noise impacts to a level of less than significant.

Response 4-10

The commenter provides noise level data from the City of Riverside General Plan and states that construction noise levels on the project site would exceed City standards.

The MSHCP states that wildlife in the Reserve Area should not be subject to noise that would exceed noise standards established for residential land uses, including construction noise regulations. As discussed in *Noise* Item 12d of the Draft IS-MND (p. 50-51), the City does not have quantitative standards for construction noise and rather noise sources associated with permitted construction, repair, remodeling, or grading activities that comply with Municipal Code construction hour restrictions are exempt from City noise standards pursuant to Riverside Municipal Code (RMC) Section 7.35.020.G. As this is the standard for protection of residential land uses, the City is applying this standard to the Reserve as well. Mitigation measures will be implemented to further ensure temporary construction noise would be reduced to the extent feasible.

Response 4-11

The commenter states that the Reserve, a sensitive receptor pursuant to the MSHCP, will be subject to noise levels in excess of City standards and therefore should be analyzed in an EIR.

As discussed in Response 4-9, all potential noise impacts associated with the project have been discussed in Section 12 *Noise* of the Draft IS-MND. The implementation of Mitigation Measures N-1 through N-4 would reduce the noise impacts to a level of less than significant (p. 43-52). The statement that the City is ignoring impacts to the Reserve is not accurate.

Response 4-12

The commenter states that both daytime and nighttime thresholds would be exceeded by operational noise. The commenter goes on to question Noise Study assumptions regarding back-up alarms and truck usage, and the timing of the ambient nighttime noise levels presented in the study.

As discussed in in Section 12 *Noise* of the MND, Section 7.25.010 of the RMC defines the night time period as 10 PM to 7 AM and the day time period as 7 AM to 10 PM (p. 44). These are the time periods for which thresholds are established. The City noise standards allow for a sliding scale of exterior noise generation (p.44-45). RMC Section 7.25.010 indicates noise levels may exceed the base standard in incremental amounts over shortening amounts of time each hour. Table 18, Noise from Loading/Unloading Operations (p. 48) details the sound level for backup alarms and acceleration at 62.5 dBA and 62.4 dBA respectively. Pursuant to City noise standards, those noise sources can exceed the base noise standard of 55 dBA for up to 5 minutes in any hour. As thoroughly described in Response 4-9 above, backup alarms and the acceleration of trucks along the south facing loading docks would be intermittent and not exceed a total of 5 minutes in any given hour given typical operational logistics for a warehouse facility. Mitigation Measure NOI-1 will be implemented to further ensure back up alarm noise would be reduced to the extent feasible.

Response 4-13

The commenter questions ambient noise readings and measurement locations presented in the Noise Study as being too close to the adjacent industrial buildings and too far away from the Reserve to warrant an accurate reading of ambient noise. Specifically, the commenter questions the ambient noise reading of 49.4 dBA at Noise Measurement Location 5 as being an accurate reading for ambient noise at the Reserve.

Noise impacts were correctly analyzed for the locations indicated in Figure 2 of the Noise Study. Figure 2 of the Noise Study has now been included in the IS-MND for clarity (MND Figure 5). The description of distance to the nearest noise source for each measurement location was presented in order to disclose the existing conditions under which the noise measurements were taken. The ambient noise reading at 100 feet from the nearest noise identifiable noise source for Measurement 5 was 49.4 dBA.

In response to the commenter's concern of whether or not the 49.4 dBA reading was true to the ambient noise at the Reserve, an additional noise measurement was taken along the project site boundary, immediately adjacent to the Reserve. Noise Measurement 7 was conducted between 6:39 and 6:54 AM on April 5, 2018. Primary existing noise sources nearest the measurement location included the chirping of birds within approximately 100 feet to the east and south and background traffic noise from local roadways approximately 1,000 feet to the west. The ambient noise reading at Location 7 was 43.6 dBA Leq. This reading therefore confirms the adequacy of the discussion of Nighttime Operational Noise of the Draft IS-MND, as the project was analyzed from the base threshold of 45 dBA (p. 48). The requirement to restrict the use of the south facing docks during nighttime hours (now Mitigation Measure NOI-2) is still the most appropriate approach. No new mitigation measures or revisions are necessary.

Response 4-14

The commenter states that the eastern parking area, located directly adjacent to the Reserve, would impact the Reserve during nighttime hours. The commenter also states that the Noise Study fails to address nighttime operation impacts from the loading docks located on the north side of the warehouse.

The parking area to the east of the building would be for passenger vehicles only and the design of the facility would not allow the use of this drive aisle for trucks that would be accessing the loading bays, which would be the dominant source of noise during the nighttime hours. Furthermore, the project would have a 6- to 21-foot tall retaining wall along the eastern property boundary that would reduce noise from this parking area (p. 47).

There are no loading docks proposed for the north side of the building. There would be loading docks on the southern and western faces of the building. Nighttime noise sources from the western docks would be over 500 feet away from the Reserve and attenuated by the building itself which is located between the loading docks and the Reserve (p. 47). The commenter is directed to the Nighttime Operational Noise discussion of the Draft IS-MND.

Response 4-15

The commenter states that the Noise Study fails to address cumulative impacts correctly due to the omission of certain projects in the area in the cumulative traffic analysis.

Cumulative noise impacts primarily result from the increase in traffic over time. As addressed in Response 4-4, the Columbia Business Center project was included in the cumulative project list at the request of the commenter. The traffic analysis by Rick Engineering has been revised to include the Columbia Business Center project as has Section 16 *Transportation and Traffic* of the IS-MND. The increase in ambient noise due to cumulative traffic is analyzed in *Noise* Item 12c (p. 49-50). The traffic volume increase of 3.6 percent along Columbia and the increase of 3 percent along Iowa Avenue would increase the overall noise level on those streets by 0.4 dBA, and the increase of 15.6 percent along Research Business Park would increase the overall noise level by 0.7 dBA. These noise levels increases would be below perceivable increases in noise levels. Therefore, impacts to sensitive receptors along area roadways related to an increase traffic levels would be less than significant.

Response 4-16

The commenter questions measurements provided in Figure 4 of Section 1 *Aesthetics* of the Draft IS-MND, specifically the elevation of the trail abutting the Reserve.

Figure 4 of the Draft IS-MND has been moved to an individual page to allow for better observation. The section image is intended to show the elevation of the trail on the far eastern side of the project site in relation to the building, as that is the point along the trail that would offer the greatest views from an area abutting the Reserve back to the west towards the City. It also demonstrates the area of greatest visual impact – the view east from along the Marlborough Avenue corridor.

Response 4-17

The commenter states that views of the Reserve, as well as views from the Reserve, would be blocked by the proposed warehouse building, and that these impacts cannot be mitigated to a level of significance.

At a maximum of 42 feet in height, the building would be in compliance with the development standards of the underlying land use designation and compatible in height to the surrounding industrial buildings (p. 41). As described on page 9 of the Draft IS-MND, the ridgelines of the Reserve are considered scenic viewpoints. The ridgeline of this portion of the Reserve is nearly 300 feet higher in elevation than the proposed building. The 42 foot high building would not block views of the Reserve ridgelines from the drive east along Marlborough Avenue, the only east-west view corridor of the Reserve near the project site. Furthermore, the improved trail along the southern and eastern portion of the property would be equal in elevation to the building. This would allow for continued views to the west from the Reserve. The analysis of aesthetics impacts was performed in compliance with CEQA. No evidence, including substantial evidence, is offered to support the claim that the analysis insufficient. Without more information of the alleged defects of the study, the City is unable to further respond.

Response 4-18

The commenter states that the project would reduce the future volume of the natural potable water resources, which should trigger preparation of an EIR. The commenter describes the site conditions at the Reserve and asserts that runoff of storm water from the Reserve currently percolates through the existing vacant project site, or “bench land,” to recharge the North Riverside Ground Water Basin. Further, the commenter states that in its natural state, the adjacent Reserve supports a wide variety of plant and animal life and that water from precipitation is what makes

that ecosystem possible and which is critical in the “near normal” of recurring drought, due to Climate Change. The commenter opines on the City’s existing storm water infrastructure and regulations for capturing storm water runoff. The commenter states that the City has taken no action or planning to preserve or create suitable land to provide percolation zones or basins that will adequately recharge the ground water basin with natural rainfall.

The project site is situated at the base of the Reserve on private property. Water absorption on the adjacent hillside and the natural state of Reserve land will not be impacted by development of the project site. The existing condition of the project site has limited infiltration capacity. It has an average natural slope of approximately 10 percent across the site, which limits the infiltration capacity and promotes sheet flow across the site. Artificial fill is another existing characteristic that not conducive to storm water infiltration. Based on geotechnical investigations completed at the site, the results indicate that the natural soils generally consisted of silty sands and sands; however there is one significant location and three minor locations that have dense artificial fill. Storm water cannot infiltrate into the ground at areas with artificial fill because the ground is too compacted. Groundwater was not found at any test location on the site.

Flood control and water quality basins can help infiltrate water by allowing water to remain in a flat area where infiltration can be achieved. The proposed bio-filtration basin at the south end of the project is designed to promote infiltration as a feature of the basin design. Infiltration testing performed at the proposed bio-retention basin location indicates favorable infiltration rates. The proposed basin will allow for water to infiltrate into the earth, thus promoting ground water replenishment. This project proposes to install bio-retention facilities to collect storm water and filter it through a soil media with specified plants to assist in the natural uptake of pollutants. Current storm water requirements from the State Regional Water Quality Control Board (Santa Ana Region) require that all storm water is treated to remove pollutants to a high level of efficiency, before any water is released from the site into a public owned storm drain system, street right of way, or natural conveyance channel. This includes all paved areas, rooftops, parking lots, and sidewalks. Storm Water from these areas will be collected onsite and directed to a bio-filtration system. Water that cannot infiltrate into the ground at the proposed basin will be cleaned and released to the city owned storm drain system for flood control conveyance. The details of this system are identified in the Preliminary Water Quality Management Plan.

Response 4-19

The commenter suggests evaluation related to significance of the project’s GHG emissions by comparing the project to the existing environmental setting, rather than utilizing established SCAQMD thresholds.

GHG emissions calculations were provided in Section 7, Greenhouse Gas Emissions, for informational purposes, but significance was determined based on the project’s consistency with all applicable Riverside Restorative Growthprint – Climate Action Plan (RRG-CAP) strategies. SCAQMD recommends a tiered approach assessing potential impacts related to GHG emission (p. 28-29). Tier 2 was chosen as the appropriate approach for this project, which requires an evaluation of the project against the regionally adopted and qualified Climate Action Plan. Table 8 of the Draft IS-MND assessed the project consistency with the RRG-CAP. The project was found to be consistent with all applicable strategies designed to reduce GHG emissions. Compliance with a climate action plan is an appropriate and authorized method to analyze GHG emissions impacts of a project, irrespective of SCAQMD’s tiered approach.

Response 4-20

The commenter states that the failure to properly calculate trip generation rates in the TIA has led to the analysis of artificially low GHG levels.

As detailed in Response 3-3, SCAQMD requested that the project be evaluated with traffic generation numbers calculated based on a “High Cube Warehouse” classification. The greenhouse gas emissions analysis detailed below summarizes operational GHG emissions for the project and the SCAQMD’s request.

Table 2 Project Combined Annual Emissions MT CO₂e/year

Emission Source	Project Emissions (MT of CO ₂ e)	SCAQMD LUC 152 Emissions (MT of Co ₂ e)
Construction	18.4	18.4
Operational		
Area	<0.1	<0.1
Energy	593.7	593.7
Solid Waste	163.7	163.7
Water	739.6	739.6
Mobile		
CO ₂ and CH ₄	2689.9	3824.7
N ₂ O	120.2	67.6
Total	4325.5	5407.7

Source: Calculations were made in CalEEMod; see Appendix A for full model output. Values have been rounded.

As shown in Table 8 of the Draft IS-MND (p. 29-34), the project would be consistent with all applicable GHG reduction strategies of the RRG-CAP, a qualified GHG reduction plan. Furthermore, the project would be consistent with applicable land use and zoning designations (further discussed in Section 10, *Land Use and Planning*), would not conflict with any state regulations intended to reduce GHG emissions statewide, and would be consistent with applicable strategies designed to reduce GHG emissions. Therefore, the project would have a less than significant impact related to GHG emissions.

Response 4-21

The commenter recommends the IS-MND include additional discussions regarding the project’s consistency with AB 32 reduction goals.

In the absence of more specifics regarding what the commenter believes should be included, a further detailed response is not possible. However, as discussed above, Table 8 of the Draft IS-MND (p. 29-34) details how the project would be consistent with all applicable GHG reduction strategies of the RRG-CAP, a qualified GHG reduction plan. The commenter is directed to the RRG-CAP which addresses its relation to AB 32 and that the RRG-CAP is implemented to fulfill the requirements of AB 32.

Response 4-22

The commenter states that the Air Quality, Greenhouse Gas Study and TIA fail to analyze the pollutants generated from longer distance truck trips to and from the project site. The commenter requests this analysis and revisions to the MND's Greenhouse Gas Analysis following the analysis.

As detailed in Responses 3-3 and 4-20, the air quality and greenhouse gas modeling was revised to reflect the High Cube Warehouse classification. The CalEEMod default trip lengths were used. The commenter does not provide any substantial evidence to support deviation from the CalEEMod default trip lengths. Under the High Cube Warehouse classification, the project would result in an anticipated 3.2 million vehicle miles traveled per year. As shown in Table 8 of the Draft IS-MND (p. 29-34), the project would be consistent with all applicable GHG reduction strategies of the RRG-CAP, a qualified GHG reduction plan. Therefore, the project would have a less than significant impact related to GHG emissions.

Response 4-23

The commenter states that the Draft IS-MND fails to address biological impacts to the Reserve resulting from project lighting, noise, air quality, and traffic impacts.

Section 4, *Biological Resources*, Item 4e directs readers to the specific mitigation that is to be implemented to protect biological resources from the impacts of light and noise. Light impacts would be reduced to a level of less than significant by adhering to Riverside Municipal Code standards. The Project would be required to obtain approval of a photometric plan prior the issuance of building permits to demonstrate compliance with the RMC policies regarding lighting. Noise impacts and the required mitigation are discussed in Section 12, *Noise*, of the Draft MND and described in Response 4-9 above.

As discussed in Response 4-6 above, the provisions of the MSHCP Urban/Wildland Interface Guidelines that apply to the project cover impacts related to drainage, toxics, lighting, noise, invasive plant species, barriers, and grading/land development. Air quality and traffic impacts to the Reserve are not listed as areas of concern. However, the project would be consistent with all applicable GHG reduction strategies of the RRG-CAP, thereby demonstrating the ability to have reduced GHG impacts. In regards to potential animal fatalities related to increase traffic in the project area, Item 4d of the Draft IS-MND describes the lack of use of the site as a wildlife movement corridor. It further discusses that the site is bordered on the north and west by existing industrial land uses and road which do not offer any means of movement through or between natural areas or areas of abundant high-quality habitat. Though it is possible that the increase in traffic in the project area may result in the occasional death of wildlife, such incidents would not threaten the population of any species or rise to the level of a significant impact.

Response 4-24

The commenter states in a conclusory manner that the project is inconsistent with the Noise Element of the General Plan, as well as Policy AQ-8.2, which encourages actions designed to reduce climate change. Without additional information, the City is unable to provide any further information than is included in these responses.

Section 12, *Noise*, Item 12a, discusses the project's consistency with the applicable policies of the General Plan Noise Element. Under General Plan Policy AQ-8.2, the City is to support appropriate initiatives, legislation, and actions for reducing and responding to climate change. This policy is not

meant to be implemented by individual projects. However, Section 7, *Greenhouse Gas Emissions*, and specifically Table 8 of the Draft IS-MND (p. 29-34), details how the project would be consistent with applicable GHG reduction strategies of the RRG-CAP, a qualified GHG reduction plan, which would contribute to the City's efforts to fulfill Policy AQ-8.2.

Response 4-25

The commenter questions whether legally adequate justifications can be made for the four variances requested by the project applicant, as required by the City Municipal Code Section 19.720.040.

Section 19.720.040 of the Municipal Code states that the Development Review Committee, Planning Commission or the City Council may approve a variance if it can make all four of the required findings. This comment does not pertain to the IS-MND analysis or findings.

Response 4-26

The commenter quotes Section 19.720.040(A)(1) of the City's Municipal Code and suggests that the proposed project does not satisfy this finding.

This opinion is noted. See Response 4-25.

Response 4-27

The commenter quotes Section 19.720.040(A)(2) of the City's Municipal Code and suggests that the proposed project does not satisfy this finding.

This opinion is noted. See Response 4-25.

Response 4-28

The commenter restates Policies LU-4.2 and LU-7.2 of the General Plan, and suggests that the Project Analysis included in the Draft IS-MND does not adequately address impacts resulting from the project retaining walls.

This opinion is noted. Section 6, *Geology and Soils*, Item 6a.iv. of the Draft IS-MND describes the project as incorporating a retaining wall along the eastern boundary of the project site, adjacent to the northwestern foothill of Box Springs Mountain Reserve. The retaining wall would serve as a structural barrier to potential landslides and rock falls (p.25). Furthermore, Table 9 General Plan 2025 Consistency Analysis details that the installation of such retaining walls limits the extent of development that can occur on the site and ensures proper buffering from hillsides and existing contours.

Due to project design features, the retaining walls would result in ground disturbance and would not directly follow existing land contours. Therefore, the proposed project includes a request for a Grading Exception to allow for a deviation to this policy. The requested Grading Exception would need to be obtained in conjunction with the other project permits in order for the project to be consistent with Policy LU-4.2. The retaining walls would prevent development from encroaching on wildlife habitat and ensure proper buffering. All proposed walls would be located on the property site. Approval of the requested Grading Exception would allow for the height of the retaining walls, which in turn, would mean the project would be in compliance with the Municipal Code.

3 DRAFT IS-MND TEXT REVISIONS

Section 3 presents specific changes to the text of the Draft IS-MND that are being made to correct errors or omissions or clarify information presented in the Draft IS-MND in response to comments received during the public review period. In no case do these revisions result in a greater number of impacts or impacts of a substantially greater severity than those set forth in the Draft IS-MND. Where revisions to the main text are called for, the page and paragraph are set forth, followed by the appropriate revision. Added text is indicated with underlined text. Text deleted from the Draft IS-MND is shown in ~~strikeout~~. Page numbers correspond to the page numbers of the Draft IS-MND.

Section 1 Aesthetics – Response 1a.

Draft IS-MND Page 9

Less Than Significant Impact. The proposed warehouse consists of an infill project in a developed area, surrounded by existing office and light industrial development. General Plan 2025 (GP 2025) Figure CCM-4 labels Marlborough Avenue as a special boulevard between Chicago Avenue and Rustin Avenue, approximately 0.3 miles west of the project site. There are no view restrictions or regulations associated with the special boulevard designation. However, according to the GP 2025 Open Space and Conservation Element, the ridgelines of Box Springs Mountain Reserve Park, directly east and south of the project site, are scenic view points from the City.

The proposed building is anticipated to be a maximum of ~~45-42~~ feet, 8 inches in height, which is comparable to existing buildings in the project site vicinity. Marlborough Avenue has a slight eastward incline, starting at approximately 990 feet above mean sea level (msl) at the intersection with Northgate Street, to approximately 1,030 feet above msl at the proposed Marlborough Avenue entrance to the project site. The project site is located at the foothill of Box Springs Mountain Reserve Park, which incurs a steep elevation climb from approximately 1,120 feet at its base (eastern boundary of the project site), to approximately 1,400 feet at the ridgeline peak nearest to the project site (Figure 4). At a maximum of 42 feet, 8 inches in height, the building would be in compliance with the development standards of the underlying land use designation and compatible in height to the surrounding industrial buildings. The ridgeline of this portion of the Reserve is nearly 300 feet higher in elevation than the proposed building. The 42-foot, 8-inch high building would not block views of the Reserve ridgelines from the drive east along Marlborough Avenue, the only east-west view corridor of the Reserve near the project site. Furthermore, the improved trail along the southern and eastern portion of the property would be equal in elevation to the building. This would allow for continued views to the west from the Reserve.

Therefore, the new building would not detract from views of Box Springs Mountain Reserve from Marlborough Avenue. Portions of Mount Rubidoux, approximately four miles southwest, and the San Gabriel and San Bernardino Mountains, approximately 23 miles northeast, are also partially visible from the project site. However, Box Springs Mountain Reserve Park as well as existing surrounding buildings and natural elevation changes, obstruct much of these views already. Therefore, the project would have **less than significant impacts** on scenic vistas. No mitigation is required.

Section 3 Air Quality – Response 3b.

Draft IS-MND Page 13

Less Than Significant Impact. The project area is within the South Coast Air Basin (SCAB), which is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Geronio Pass area in Riverside County. The South Coast Air Quality Management District (SCAQMD) is the designated air quality control agency for the SCAB. The SCAB is designated a nonattainment area for the federal and state one-hour and eight-hour ozone standards, the state suspended particulate matter (PM₁₀) standard, the federal 24-hour PM_{2.5} standard, and the state and federal annual PM_{2.5} standard (SCAQMD 2016). The SCAB is designated unclassifiable or in attainment for all other federal and state standards. The health effects associated with criteria pollutants upon which attainment of state and federal air quality standards is measured are described in Table 2.

Any growth within the Los Angeles metropolitan area would contribute to existing exceedances of ambient air quality standards when taken as a whole with existing development. SCAQMD's approach to determining cumulative air quality impacts for criteria air pollutants is to first determine whether the proposed project would result in a significant project-level impact to regional air quality based on SCAQMD significance thresholds. If the project does not exceed SCAQMD thresholds, then the lead agency needs to consider the additive effects of related projects only if the proposed project is part of an ongoing regulatory program or is contemplated in a Program EIR, and the related projects are located within an approximately one mile of the proposed project site. If there are related projects within the vicinity (one-mile radius) of the project site, that are part of an ongoing regulatory program or are contemplated in a Program EIR, then the additive effect of the related projects should be considered. The proposed project is not part of a Program EIR nor are there any projects within 1 mile of the project site that are regulated by a Program EIR.

Draft IS-MND Page 15

At the request of SCAQMD, the project was modeled using a High Cube Warehouse rate. A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses. A typical HCW has a high level of on-site automation and logistics management. The automation and logistics enable highly-efficient processing of goods through the HCW.

The model assumed construction of 336,330 square feet of unrefrigerated warehouse space, 10,000 square feet of office space, and approximately 86,700 square feet of surface vehicular parking. CalEEMod defaults were used, with trip generation rates set at 25.1 daily trips per 1,000 square feet of office space and 1.68 daily trips per 1,000 square feet of high cube warehouse space. The fleet mix was also adjusted to 68 percent passenger vehicles and 32 percent truck vehicles; truck trip percentages were attributed to different vehicle classes based on the High-Cube Warehouse Vehicle Generation Analysis conducted in 2016 for SCAQMD and the National Association of Industrial and Office Properties (Institute of Transportation Engineers); passenger vehicle percentages were attributed to different vehicle classes based on CalEEMod default percentages, weighted to a total of 68 percent. The proposed project was modeled assuming construction of a 339,510 square foot unrefrigerated warehouse space, 6,820 square feet of office space, and 86,698 square feet of

vehicular parking. In addition to project details, a construction schedule was provided by the applicant and used for construction phase lengths. The CalEEMod defaults were used for the number and type of equipment used during each phase of construction. Trip generation rates for the warehouse land use were adjusted to match rates used in the Traffic Impact Analysis completed for the project (Rick Engineering 2017b). In addition, it was assumed the project would comply with all applicable regulatory standards, such as SCAQMD Rule 1113, which limits reactive organic gas (ROG) content in flat and non-flat coatings to 50 grams per liter and Rule 403, which requires watering of disturbed ground surfaces to maintain soils in a damp condition during earth-moving activities; it was assumed watering would occur three times a day.

Section 3 Air Quality – Response 3d.

Draft IS-MND Page 17

Less Than Significant Impact. Certain population groups, such as children, the elderly, and people with health problems, are particularly sensitive to air pollution. Sensitive receptors are defined as land uses that are more likely to be used by these population groups and include health care facilities, retirement homes, school and playground facilities, and residential areas. The nearest sensitive receptors are approximately 1,700 feet to the south and are separated from the project site by a mountain with an average elevation of 1,201 feet. Diesel emissions from the proposed project would be substantially obstructed by this physical barrier. Furthermore, none of the anticipated truck trips would be driving near these homes. Other sensitive receptors nearest to the project include Highland Elementary School (700 Highlander Drive, Riverside, CA 92507) located approximately three quarters of a mile south of the site, University Heights Middle School (1155 Massachusetts Avenue, Riverside, CA 92507) located approximately three quarters of a mile southwest, single-family residences located approximately a third of a mile south, and Stahovich Mary-US Health Works Medical Group Urgent Care Center (1760 Chicago Avenue, Riverside, CA 92507) located approximately one mile west of the project site.

According to the City of Riverside Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities (2008), on-site truck idling is restricted to less than 5 minutes and signage is required to ensure cooperation. This restriction is based on a State-mandated *Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling* (California Air Resources Board 2005). Compliance with this truck idling restriction would substantially reduce on-site emissions of diesel particulate matter.

Given the applicable idling regulations as well as the lack of sensitive receptors in the proximity, and the presence of a physical barrier between the project site and the nearest sensitive receptor approximately 1,700 feet away, preparation of a mobile source health risk assessment is not warranted. Furthermore, the project would not involve the use of any equipment, such as a diesel generator or operational equipment, which generates toxic air contaminants. The sensitive receptors nearest to the project include Highland Elementary School (700 Highlander Drive, Riverside, CA 92507) located approximately three quarters of a mile south of the site, University Heights Middle School (1155 Massachusetts Avenue, Riverside, CA 92507) located approximately three quarters of a mile southwest, single-family residences located approximately a third of a mile south, and Stahovich Mary-US Health Works Medical Group Urgent Care Center (1760 Chicago Avenue, Riverside, CA 92507) located approximately one mile west of the project site. The proposed project would not exceed SCAQMD thresholds for pollutants as discussed above under construction

and operational emissions. Therefore, impacts to sensitive receptors from pollutant concentrations would be **less than significant**.

Section 4 Biological Resources – Response 4e.

Draft IS-MND Page 20

- **Noise:** “...wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.” Further discussed in Section 12, *Noise*, several mitigation measures would be implemented to ensure temporary construction noise and operational noise would not exceed residential noise standards. Such measures to reduce construction noise impacts (mitigation measures ~~NOI-3~~ NOI-4 and ~~NOI-54~~) entail restricted hours for construction activities, implementation of temporary sound attenuation barriers, and the use of mufflers on all equipment. Measures to reduce operational noise impacts (mitigation measures ~~NOI-1~~, ~~NOI-2~~, and ~~NOI-23~~) include restricted operations during nighttime hours and the installation of noise-attenuating barriers around any rooftop mechanical equipment.

Section 7 Greenhouse Gas Emissions – Response 7a and 7b.

Draft IS-MND Page 29 Operational Emissions

Table 7 combines the operational and mobile GHG emissions associated with development of the project. SCAQMD requested that the project be evaluated with traffic generation numbers calculated based on a “High Cube Warehouse” classification. The project was estimated to total 816 average daily trips and approximately 3.2 million annual vehicle miles travelled through CalEEMod. Sixty-eight (68) percent of the trips were assumed to be from passenger vehicles, while 32 percent of the trips were assumed to be from trucks. The annual emissions would total approximately 4,307,389 MT of CO₂e.

Table 7 Estimated GHG Emissions: Operational

Operational Emissions Source	GHG Emissions (MTCO ₂ e)/year)*
Operational (Mobile) Sources	<u>2,810.13,892.3</u>
Area Sources	<0.1
Energy	593.7
Solid Waste	163.7
Water	739.6
Total	<u>4,307.15,389.3</u>

Source: Rincon Consultants 2017c.

*MT=Metric Tons

As mentioned above, the project would result in total annual GHG emissions of 4,325.55,407.7 MT CO₂e (30-year amortized construction emissions of 18.4 MT CO₂e, combined with annual operational emissions of 4,307.25,389.3 MT CO₂e).

Section 9 Hydrology and Water Quality – Response 9a, c-f.

Draft IS-MND Page 37

Less Than Significant Impact. The project site is located within the Santa Ana River Watershed. Surface drainage in the Santa Ana River Watershed generally flows in a northerly direction into the Santa Ana River and to the Pacific Ocean. A hydrologic analysis was completed by Rick Engineering (Rick Engineering 2017a). There are no detention requirements for the project site. The existing condition of the project site has limited infiltration capacity. It has an average natural slope of approximately ten percent across the site, which limits the infiltration capacity and promotes sheet flow across the site. Artificial fill is another existing characteristic that not conducive to storm water infiltration. Based on geotechnical investigations completed at the site, the results indicate that the natural soils generally consisted of silty sands and sands; however there is one significant location and three minor locations that have dense artificial fill. Storm water cannot infiltrate into the ground at areas with artificial fill because the ground is too compacted. Water from the entire site currently enters into the existing Riverside County Flood Control 36-inch storm drain on Marlborough Avenue.

Flood control and water quality basins can help infiltrate water by allowing water to remain in a flat area where infiltration can be achieved. The proposed bio-filtration basin at the south end of the project is designed to promote infiltration as a feature of the basin design. Infiltration testing performed at the proposed bio-retention basin location indicates favorable infiltration rates. The proposed basin will allow for water to infiltrate into the earth, thus promoting ground water replenishment. This project proposes to install bio-retention facilities to collect storm water and filter it through a soil media with specified plants to assist in the natural uptake of pollutants. Current storm water requirements from the State Regional Water Quality Control Board (Santa Ana Region) require that all storm water is treated to remove pollutants to a high level of efficiency, before any water is released from the site into a public owned storm drain system, street right of way, or natural conveyance channel. This includes all paved areas, rooftops, parking lots, and sidewalks. Storm Water from these areas will be collected onsite and directed to a bio-filtration system. Therefore, the project would maintain the existing overall drainage pattern while collecting all run-on and diverting flows around the proposed building before ultimately connecting to the existing storm drain, before ultimately conveying flows to Lake Evans. Flow analysis concluded that the project would be able to discharge into the existing pipe without needing to increase the capacity of the existing storm drain.

Section 9 Hydrology and Water Quality – Response 9b.

Draft IS-MND Page 38

Less Than Significant Impact. The project site is located within the Riverside South Water Basin, at the base of the Box Springs Mountain Reserve. Water absorption on the adjacent hillside and the natural state of Reserve land will not be impacted by development of the project site. Groundwater was not found at any test location on the site. The project site plans indicate paved parking areas around the building, with pervious surfaces maintained in the sloped area to the northeast and east of the site. According to the hydrologic analysis conducted for the project, the project would be able to discharge into the existing storm drain pipe on Marlborough Avenue (Rick Engineering 2017a).

Section 10 Land Use and Planning – Response 10c.

Draft IS-MND Page 42

Less Than Significant Impact with Mitigation Incorporated. As discussed in Section 4, *Biological Resources* above, the project is consistent with the SKR-HCP (Stephens’ Kangaroo Rat - Habitat Conservation Plan) and with GP 2025 Policy OS-5.3. The project would be mostly consistent with the guidelines of the MSHCP, including Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlife Interface) and related policies in the GP 2025, including Policy LU-7.4. However, as further discussed in Section 1, *Aesthetics*, and Section 12, *Noise*, several mitigation measures would be implemented to ensure new sources of light and temporary construction noise and operational noise would not significantly impact the surrounding natural open space area. Such measures include limiting glare from new light sources (AES-1), and reducing construction noise impacts (mitigation measures NOI-34 and NOI-45) by restricting hours for construction activities, implementing temporary sound attenuation barriers, and the use of mufflers on all equipment. Measures to reduce operational noise impacts (mitigation measures NOI-1, NOI-2 and NOI-23) include restricted operations during nighttime hours and the installation of noise-attenuating barriers around any rooftop mechanical equipment. Therefore, the project would have a **less than significant impact with mitigation incorporated** associated with potential inconsistencies with the MSHCP and/or SKR-HCP to the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Section 12 Noise – Response 12c.

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A noise study was prepared by Rincon Consultants in November 2017 to determine whether the project would result in a permanent increase in ambient noise levels. Noise measurements, shown in the Table 17 below, were taken on May 4, 2017 during evening peak traffic hour to represent the ambient noise levels at the project site. Two additional noise measurements (5 and 6) were taken on August 16, 2017, ~~adjacent to Box Springs Mountain Reserve Park on the project site~~ and along Research Park Drive to estimate the ambient nighttime noise levels at both locations. Noise measurement 7 was conducted on April 5, 2018 along the southeastern property line, adjacent Box Springs Mountain Reserve Park to estimate the ambient nighttime noise level at the Reserve. Figure 5 details each noise measurement location.

Table 17 Ambient Noise

#	Measurement Location	Sample Times	Approximate Distance to Primary Noise Source	Leq[15] (dBA) ¹
1	Onsite	4:18 PM – 4:33 PM	200 feet ²	50.7
2	Existing warehouse in vicinity (comparison)	6:06 PM – 6:21 PM	400 feet ³	51.3
3	Off-site as Hunter Park on Iowa Avenue	5:40 PM – 5:55 PM	30 feet ⁴	70.0
4	Off-site Residences on Columbia Avenue	4:50 PM – 5:05 PM	50 feet ⁵	73.0
5	Onsite nighttime ambient noise <u>Off-site Box Springs Mountain Reserve Park</u>	6:30 <u>AM</u> – 6:45 AM	100 feet ⁶	49.4
6	Off-site on Research Park Drive	6:03 <u>AM</u> – 6:18 AM	50 feet ⁷	56.0

7	<u>Southeastern property line, adjacent Box Springs Mountain Reserve Park</u>	<u>6:39 AM – 6:54 AM</u>	<u>100 to 1,000 feet⁸</u>	<u>43.6</u>
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Source: Rincon Consultants 2017d, field measurements on May 4, 2017 (measurements 1-4), and August 16, 2017 (measurements 5-6), and April 5, 2018 (measurement 7) field using ANSI Type II Integrating sound level meter.

¹ The equivalent noise level (Leq) is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). For this measurement, the Leq was over a 15-minute period (Leq[15]).

² Approximate distance to Marlborough Avenue.

³ Approximate distance to rooftop equipment noise.

⁴ Distance to centerline of Iowa Avenue.

⁵ Distance to centerline of Columbia Avenue.

⁶ Distance to nearby warehouse (primary noise source).

⁷ Distance to centerline of Research Park Drive.

⁸ Distance to chirping birds (100 feet) and background traffic noise from Marlborough Avenue (1,000 feet)

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Daytime operational noise involving backup alarms and general acceleration of trucks on the south side of the building will exceed the daytime noise level threshold of 55 dBA at the adjacent Reserve. RMC Section 7.25.010 indicates noise levels may exceed the base standard in incremental amounts over shortening amounts of time each hour as follows:

- Up to five decibels for a cumulative period of up to 30 minutes in any hour; or
- Plus five decibels for a cumulative period of up to 15 minutes in any hour; or
- Plus 10 decibels for a cumulative period of up to five minutes in any hour; or
- Plus 15 decibels for a cumulative period of up to one minute in any hour; or
- No more than 20 decibels for any period of time.

Enterprises generally seek efficiency of freight transport operations, including dealing with traffic congestion and loading and unloading delays, in order to reduce costs. Research conducted in 2013 found that the execution of steps from arrival to departure for a semi-truck being unloaded was 146 minutes (2 hours, 26 minutes), while the arrival to departure time for a truck being loaded was 173 minutes (2 hours, 53 minutes) (Burdzik et al. 2014). The proposed project includes 15 docking bays on the south facing side of the building. This would allow for a maximum of 15 trucks at any given time to be located along this portion of the building. However, generally, urban delivery trucks across many sectors must aim to arrive at stops for loading and unloading during scheduled time windows that are 15 minutes to 2 hours in length (MTI 2003).

Typical warehouse facility logistics therefore allow for the assumption that four or five trucks would be arriving in any given hour, while four or five may be leaving. Therefore, approximately 10 trucks may be creating noise from backup alarms or acceleration during any given hour. Using the five minute limitation on these noise sources, this equates to 30 seconds per truck. Acceleration noise, as conservatively calculated at 62.5 dBA, would occur when the truck speed hit around 12.4 miles per hour (Babu and Pattnaik 1997). The departing trucks would only be traveling approximately 250 feet, and given typical speed restrictions on warehouse parking lots (5 to 10 miles per hour), the five existing trucks would not likely even get up to speed that result in the most conservative noise estimates. However, if the trucks were to accelerate quickly enough to reach 12.4 miles per hour, they would be to the exit gate within 15 seconds, well below the allowed 30 seconds. Backup alarms for the five arriving trucks would be less than 30 seconds in duration each due to the short back up distance required to dock (approximately 100 feet).

Therefore, it is logical to assume that each of the noise sources listed in Table 18 would be short in duration and would occur sporadically throughout the day, and/or night. RMC Section 7.25.010 indicates noise levels may exceed the base standard in incremental amounts over shortening amounts of time each hour as follows:

Up to five decibels for a cumulative period of up to 30 minutes in any hour; or

Plus five decibels for a cumulative period of up to 15 minutes in any hour; or

Plus 10 decibels for a cumulative period of up to five minutes in any hour; or

Plus 15 decibels for a cumulative period of up to one minute in any hour; or

No more than 20 decibels for any period of time.

Despite the proposed building setbacks and a 6 to 21 foot retaining wall along the eastern project boundary, daytime operational noise involving backup alarms and general acceleration of trucks on the south side of the building would still exceed base acceptable noise levels of 55 dBA at the adjacent Box Springs Reserve Park. However, the City noise ordinance allows noise of up to 10 dBA over the 55 dBA daytime residential standard for events lasting less than five cumulative minutes over one hour. It is presumed that backup alarms and acceleration of the trucks at the nearest points to the sensitive receptor would occur infrequently, would be cumulatively less than five minutes in duration in any given hour, and would therefore meet the standards of the City noise ordinance. No noise reducing measures would be necessary during daytime operation. Regardless, in order to ensure reduced daytime operational noise at the nearby Reserve Park, mitigation measure NOI-1 would be implemented to reduce potential noise impacts to nearby sensitive receptors to **less than significant with mitigation incorporated.**

MM NOI-1: Volume Adjustable Backup Alarms. To reduce noise associated with the use of backup alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sense by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, backup movements can be supervised with a guide and flagging system.

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MM NOI-12: Restricted Loading Dock Use. Prohibit the use of the south-facing loading docks between the hours of 10 PM and 7 AM.

MM NOI-23: Rooftop Mechanical Equipment Shielding. A noise-attenuating barrier shall be installed around any new rooftop mechanical equipment to reduce operational noise at Box Springs Mountain Reserve Park to equal to or less than pre-project ambient noise of 49.4 dBA.

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Based on the Traffic Impact Analysis review of existing plus cumulative plus project conditions, there will be an estimated 24,300 trips on Iowa Avenue, ~~25,880~~28,059 on Columbia Avenue, and ~~2,355~~2,391 trips on Research Park Drive (Rick Engineering 2017b). Table 19 shows project trip generation in relation to future cumulative conditions.

Table 19 Project Trip Generation in Relation to Future Cumulative Conditions

Road Segment	Future Cumulative Conditions	Net Trips Generated by Project	Percent Change in Trips, Associated with the Project	Change in dBA
Columbia Avenue	25,880 <u>28,059</u>	1,013	<u>3.64%</u>	0.4
Iowa Avenue	24,300	749	3%	0.4
Research Park Drive	2,355 <u>2,391</u>	367	20 <u>15%</u>	0.8 <u>7</u>

Source: Rick Engineering 2017b.

The traffic volume increase of ~~four~~3.6 percent along Columbia Avenue and the increase of ~~three~~3 percent along Iowa Avenue would increase the overall noise level on those streets by 0.4 dBA, and the increase of ~~20~~15 percent along Research Business Park would increase the overall noise level by ~~0.8~~7 dBA. These noise level increases resulting from the increase based on project traffic would be below a perceivable increase in noise levels. There would not be a noticeable increase in traffic noise along these routes and therefore, the impacts to sensitive receptors related to increased traffic noise levels would be **less than significant**.

Section 12 Noise – Response 12d.

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d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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12d. Response (Source: GP 2025 FPEIR Table 5.11-J Construction Equipment Noise Levels, GP 2025 FPEIR Appendix G Noise Existing Conditions Report, Noise Study [Rincon Consultants 2017e])

Less Than Significant with Mitigation Incorporated Impact. Construction of a warehouse would generate temporary noise that exceeds existing ambient noise levels in the project site vicinity, but would cease upon project completion.

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MM NOI-34: Construction Management Plan. Prior to the issuance of grading permits, the applicant shall submit a Construction Management Plan satisfactory to the City of Riverside. The Building Official, or appropriately assigned City staff member, shall be responsible for enforcing noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following:

- *Excavation, grading, and other construction activities.* These activities shall be restricted to the hours allowed under RMC Section 7.35.010. Any deviations from these standards shall comply with the provisions in Title 7 (Noise Control).

- *Staging Area.* Provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors. This should reduce noise levels associated with most types of idling construction equipment.
- *Avoid Operating Equipment Simultaneously.* Whenever possible, ensure that construction activities are scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- *Inspections.* The contractor shall inspect construction equipment to ensure that such equipment is in proper operating condition and fitted with standard factory silencing features. Construction equipment shall utilize all standard factory silencing features, such as equipment mufflers, enclosures, and barriers.

MM NOI-45: Construction Noise Reduction. The following measures shall be followed during construction of the proposed project and associated site improvements:

- *Newest Power Construction Equipment.* The newest available power construction equipment with standard recommended noise shielding and muffling devices shall be used.
- *Mufflers.* During project grading and construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. Use of manufacturer-certified mufflers associated with construction equipment has been shown to reduce noise levels by 8 to 10 dBA.
- *Smart Back-up Alarms.* Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms should be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving the reverse direction.
- *Idling.* All construction vehicles, such as bulldozers and haul trucks, shall be prohibited from idling in excess of 5 minutes, which is consistent with recommended strategies to reduce and/or eliminate diesel idling for warehouse distribution facilities according to the City's *Good Neighbor Guidelines* (2008).

With implementation of mitigation measures NOI-3-4 and NOI-45, temporary and periodic increase in noise level impacts on sensitive receptors due to construction activities which may result from the project would be **less than significant with mitigation incorporated.**

Section 16 Transportation and Traffic – Response 16a. and 16b.

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Less Than Significant Impact with Mitigation Incorporated. Rick Engineering prepared a traffic impact analysis (TIA) for the project to assess project traffic impacts. In coordination with the City of Riverside Traffic Engineering staff, Rick Engineering used the “manufacturing” ITE category (Land Use Code [LUC] 140) rather than the “high cube warehouse” ITE category (LUC 152) in the project traffic analysis. Although the project is described as a warehouse project, the land is zoned to allow for manufacturing uses. In addition, the traffic volumes calculated for the Warehouse land use and the volumes calculated for the Manufacturing land use show that although the Warehouse classification does give a higher Average Daily Traffic count, the Manufacturing land use has higher

peak hour volumes. For the purpose of this analysis, the Manufacturing category was used as peak hour volumes have a more significant impact on intersection operations. This is consistent with the City's approach for this type of facility.

The traffic analysis evaluated potential project-related traffic impacts at 14 key intersections in the vicinity of the project site:

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Existing Plus Ambient Plus Project Traffic Volumes. Trip generation for the project was estimated using trip generation rates for Manufacturing Facilities (item LUC 140) and General Office (item LUC 710) provided in the Institute of Transportation Engineers *Trip Generation Manual*. The project would generate an estimated total of 1,468 new daily trips with 274 trips during the AM peak hour and 335 trips during the PM peak hour. Because the project would operate 24 hours a day, five seven days a week, it is anticipated that many project-generated trips would occur outside of peak traffic periods. The City requires mitigation if project traffic would deteriorate roadway LOS to below target LOS E.

Draft IS-MND Page 56-57 – Table 22

Table 22 Existing + Ambient + Project Traffic Volumes

Intersection		Delay	LOS	Significant Impact	With Mitigation ¹ Delay/LOS
Columbia Avenue/Primer Street	AM Peak	18.5 19.1	B	--	
	PM Peak	21.6 19.8	<u>B</u>		
Interchange Street/W. La Cadena Drive/I-215 SB	AM Peak	23.2 25.2	C	YES	46.054.3/D
	PM Peak	67.5 76.5	F		
I-215 NB Ramps/E. La Cadena Drive	AM Peak	153.4 188.4	F	YES	7.47.7/A
	PM Peak	743.2 800.0+	F	YES	7.38.2/A
Columbia Avenue/ E. La Cadena Drive	AM Peak	33.1 35.8	<u>D</u>	--	
	PM Peak	29.8 34.0	C		
Columbia Avenue/Chicago Avenue	AM Peak	28.1 28.9	C	--	
	PM Peak	29.9 30.5	C		
Columbia Avenue/Iowa Avenue	AM Peak	41.8 48.7	D	--	
	PM Peak	45.5 52.6	D		
Columbia Avenue/Northgate Street	AM Peak	13.9 14.2	B	--	
	PM Peak	13.6 13.9	B		
Columbia Avenue/ Research Park drive	AM Peak	11.1 11.5	B	--	
	PM Peak	19.9 21.5	C		
Palmyrita Avenue/Michigan Avenue	AM Peak	10.5 10.7	B	--	

	PM Peak	17.1 17.8	C		
Marlborough Avenue/ Chicago Avenue	AM Peak	26.1 28.6	D	--	
	PM Peak	31.6 27.9	D		
Marlborough Avenue/Atlanta Avenue	AM Peak	10.4 10.5	B	--	
	PM Peak	10.9 11.0	B		
Marlborough Avenue/Iowa Avenue	AM Peak	27.9 34.5	C	--	
	PM Peak	37.1 42.0	D		
Marlborough Avenue/Rustin Avenue	AM Peak	20.1 21.2	C	--	
	PM Peak	25.0 25.9	C		
Marlborough Avenue/Northgate Street	AM Peak	11.4 11.6	B	--	
	PM Peak	12.2 12.4	B		

Source: Adapted from Rick Engineering Company 2017b.

Notes: Delay is measured in seconds; LOS = Level of Service

¹Mitigation for Intersections 3 and 4 are analyzed to assume signalization of the intersection with protected left turns where applicable

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Cumulative Traffic Volumes. The City of Riverside Planning Division staff provided Rick Engineering with a list of cumulative projects to be included in the traffic analysis. Information on four projects within a 1.5 mile radius of the project, for which permits had been issued, was provided. The following projects were considered for the cumulative analysis:

- 925-975 Marlborough Avenue – 62,000sf of warehouse/industrial land use
- Northeast corner of Stacy Court and Paige Drive – 3,008sf vehicle repair facility
- 1080 Marlborough Avenue – 5 warehouse buildings ranging in size from 10,000sf – 13,850sf
- Columbia Business Park – 3 Project Buildings A, B, and C

Trip generation was performed for each of the projects. The cumulative trips were distributed to the project area intersections and roadways based on anticipated trip distribution patterns. Trip generation and traffic assignment figures can be found in Appendix F of the TIA. The cumulative traffic volumes were then added to the existing + ambient + project traffic volumes. The TIA presented a list of cumulative projects within 1.5 miles of the project in order to determine cumulative impacts from anticipated existing + ambient (year when the project is to be operational) + cumulative + project traffic volumes. Table 23 detailed the anticipated traffic volumes.

Draft IS-MND Page 57-58 – Table 23

Table 22-23 Existing + Ambient + Cumulative + Project Traffic Volumes

Intersection	Delay	LOS	Significant Impact	With Mitigation ¹ Delay/LOS
Columbia Avenue/Primer Street	AM Peak	19.2 20.6	B	
	PM Peak	21.8 20.4	<u>B</u>	--
Interchange Street/W. La Cadena Drive/I-215 SB				

	AM Peak PM Peak	26.7 35.2 74.5 101. 0	D F	YES YES	54.9 48.554.6/D
I-215 NB Ramps/E. La Cadena Drive	AM Peak PM Peak	170.8 200 .0+ 895.0 200 .0+	F F	YES YES	7.4 7.8/A 7.5 10.0/A
Columbia Avenue/ E. La Cadena Drive	AM Peak PM Peak	34.3 43.3 31.4 39.5	C D	--	
Columbia Avenue/Chicago Avenue	AM Peak PM Peak	28.6 30.7 30.3 31.3	C C	--	
Columbia Avenue/Iowa Avenue	AM Peak PM Peak	50.7 54.8 49.1 54.6	D D	--	
Columbia Avenue/Northgate Street	AM Peak PM Peak	14.4 18.3 14.0 17.7	B C	--	
Columbia Avenue/ Research Park drive	AM Peak PM Peak	11.1 13.0 20.0 30.8	B D	--	
Palmyrita Avenue/Michigan Avenue	AM Peak PM Peak	10.6 11.3 17.2 26.9	B D	--	
Marlborough Avenue/ Chicago Avenue	AM Peak PM Peak	26.2 28.7 25.5 28.8	D D	--	
Marlborough Avenue/Atlanta Avenue	AM Peak PM Peak	10.5 10.6 11.0 11.1	B B	--	
Marlborough Avenue/Iowa Avenue	AM Peak PM Peak	35.2 49.6 42.4 50.8	D D	--	
Marlborough Avenue/Rustin Avenue	AM Peak PM Peak	26.3 28.2 28.1 29.1	D D	--	
Marlborough Avenue/Northgate Street	AM Peak PM Peak	11.7 11.9 12.3 12.5	B B	--	

Source: Adapted from Rick Engineering Company 2017b.

Notes: Delay is measured in seconds; LOS = Level of Service

¹Mitigation for Intersections 3 and 4 are analyzed to assume signalization of the intersection with protected left turns where applicable

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As shown, the intersections of Interchange Street/W La Cadena Drive/I-215 SB Ramps and 215 NB Ramps/E. La Cadena Drive are currently operating below acceptable levels of service and are anticipated to remain at unacceptable levels with the addition of project traffic. Interchange Street/W La Cadena Drive/I-215 SB Ramps is expected to operate an LOS F with the addition of project traffic. The addition of project traffic to the intersection increases the intersection delay by

more than 15 seconds in the PM peak hour. 215 NB Ramps/E. La Cadena Drive is expected to operate an LOS F with the addition of project traffic. The addition of project traffic to the intersection increases the intersection delay by more than 30 seconds in the AM and PM peak hours. For the intersections to operate at an LOS D or better under project operation, the intersections would need to be signalized. There are currently no plans by the City of Riverside to improve this intersection. Therefore the following mitigation measures will be required:

MM T-1: Fair Share Contributions - Interchange Street/W La Cadena Drive/I-215 SB Ramps. For the intersection at Interchange Street/W La Cadena Drive/I-215 SB Ramps to operate at an LOS D or better under project operation, the intersection would need to be signalized. With the current lane configuration at this intersection, the signal would have to provide split phases for all directions. Prior to the issuance of occupancy permits, the project proponent shall make a fair-share contribution towards the improvement of the intersection of Interchange Street/W La Cadena Drive/I-215 SB Ramps and 215 NB Ramps/E. La Cadena Drive, calculated to be 7.6 percent.

MM T-2: Fair Share Contributions - I-215 NB Ramps/E La Cadena Drive. For the intersection at I-215 NB Ramps/E La Cadena Drive to operate at an LOS D or better under project operation, the intersection would need to be signalized. With the current lane configuration at this intersection, the signal would have to provide permissive phases for the northbound and southbound movements and a split phase for the eastbound traffic off the freeway. Prior to the issuance of occupancy permits, the project proponent shall make a fair-share contribution towards the improvement of the intersection of 215 NB Ramps/E. La Cadena Drive, calculated to be 6.5 percent.

With the implementation of mitigation measures T-1 and T-2 and the associated improvements, the intersections would operate acceptably per the City of Riverside's Guidelines and the project would have a less than significant impact with mitigation incorporated.

Section 16 Transportation and Traffic – Response 16d.

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MM T-23: Route Signage. Prior to occupancy, the applicant shall install signage on each side of the cul-de-sac where the Gage Canal meets the road extension in order to notify the pedestrians and bicyclists of the break in the Gage Canal pathway. The signage shall direct the public to utilize the sidewalk to reconnect to the remainder of the pathway.

MM T-34: Stop Signs Install at Egress Points along Marlborough. Prior to occupancy, the applicant shall install additional stop signs to be placed at the egress points of the Marlborough Avenue driveways from the project located outside of public right-of-way.

The implementation of mitigation measures T-23 and T-34 will help ensure the safety of pedestrians and cyclists using the Gage Canal pathway.

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