ATTACHMENT 1

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Via E-Mail and Overnight Mail

Brian Norton, Senior Planner
City of Riverside
Community Development Department
3900 Main Street, 3rd Floor
Riverside, California 92522
951-826-2308
bnorton@riversideca.gov

Re: Center Street Commerce Building Initial Study and Draft Mitigated Negative Declaration

Dear Mr. Norton:

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 Center Street Commerce Building ("Project").

After reviewing the MND together with environmental consulting firm, Soil Water Air Protection Enterprise (SWAPE) (attached hereto as Exhibit A), it is evident that the document contains numerous errors and omissions that preclude accurate analysis of the Project. As a result of these inadequacies, the MND fails as an informational document.

Commenters ask the City of Riverside ("City") to prepare an environmental impact report ("EIR") for the Project because there is a fair argument that the Project may have significant unmitigated impacts, including impacts on air quality, traffic, and biological resources. An EIR is required to analyze these and other impacts and to propose mitigation measures to reduce the impacts to the extent feasible.

PROJECT DESCRIPTION

The project includes construction of a 308,000-square foot building on 15.88 gross acres (15.63 net acres) located south side of Center Street and north of Placentia Lane (APNs 246-070-017, 246-040-002, -026, and -027). The building could be used for any number of commercial or light industrial uses as permitted in the BMP zone; however, end users have not been identified at this time, as such, specific details about the future operation of the facility are not currently available. The proposed design will be a concrete tilt-up building. The project includes 110,591 square feet of landscaping, the potential for up to 282 parking stalls, and 47 loading docks. The project applications include Design Review and Lot Consolidation, from 4 lots to 1 lot.

The project site is primarily vacant with a vacant single family residence and five ancillary structures located on the southeastern portion of the site. The project will have access to Center Street via two 40-foot wide driveways located along the frontage. No access to Placentia Lane to the south will be provided. Interior drive aisles along the western, eastern, and southern sides of the building will have a minimum width of 40 feet to provide adequate vehicle and emergency access as required by the Fire Department. The interior drive aisle along the northern side of the building will be 24 feet wide and provide access for passenger vehicles. Center Street and Placentia Lane are not fully improved streets. The proposed project will include the construction of new curbs and gutters, public sidewalk, and landscaping.

LEGAL STANDARD

As the California Supreme Court held, "[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR." *Communities for a Better Env't v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320 ["*CBE v. SCAQMD*"], citing, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505. "Significant environmental effect" is defined very broadly as "a substantial or potentially substantial adverse change in the environment." Pub. Res. Code ["PRC"] § 21068; see also 14 CCR § 15382. An effect on the environment need not be "momentous" to meet the CEQA test for significance; it is enough that the impacts are "not trivial." *No Oil, Inc., supra,* 13 Cal.3d at 83. "The 'foremost principle' in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." *Communities*

for a Better Env't v. Cal. Resources Agency (2002) 103 Cal.App.4th 98, 109 [*"CBE v. CRA"*].

The EIR is the very heart of CEQA. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927. The EIR is an "environmental 'alarm bell' whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return." *Bakersfield Citizens*, 124 Cal.App.4th at 1220. The EIR also functions as a "document of accountability," intended to "demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action." *Laurel Heights Improvements Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392. The EIR process "protects not only the environment but also informed self-government." *Pocket Protectors*, 124 Cal.App.4th at 927.

An EIR is required if "there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment." PRC § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927. In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 Cal. Code Regs.§ 15371), only if there is not even a "fair argument" that the project will have a significant environmental effect. PRC, §§ 21100, 21064. Since "[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process," by allowing the agency "to dispense with the duty [to prepare an EIR]," negative declarations are allowed only in cases where "the proposed project will not affect the environment at all." *Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.

Under the "fair argument" standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency's decision. 14 CCR § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-15; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602. The "fair argument" standard creates a "low threshold" favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal.App.4th at 928.

The "fair argument" standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

> This 'fair argument' standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public

> agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

Kostka & Zischke, *Practice Under CEQA*, §6.29, pp. 273-274. The Courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with a preference for resolving doubts in favor of environmental review." *Pocket Protectors*, 124 Cal.App.4th at 928 [emphasis in original].

As a matter of law, "substantial evidence includes . . . expert opinion." PRC § 21080(e)(1); 14 CCR § 15064(f)(5). CEQA Guidelines demand that where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the environmental effects to be significant and prepare an EIR. 14 CCR § 15064(f)(5); PRC § 21080(e)(1); *Pocket Protectors*, 124 Cal.App.4th at 935.

DISCUSSION

A. There is a Fair Argument that the Project May have Significant Environmental Impacts Requiring an EIR.

1. There is a Fair Argument that the Project May Have Significant Air Quality Impacts.

The Initial Study (IS) admits that the future use of the Project is unknown. Therefore, the IS states that is selects manufacturing as a "worst-case, conservative approach to assess operational impacts." However, the consulting firm, Soil Water Air Protection Enterprise ("SWAPE") concludes that warehouse uses would have significantly greater impacts than manufacturing. Such uses are clearly reasonably foreseeable since there are a large number of similar-sized warehouses being located in the Riverside County area, including World Logistics Center in Moreno Valley, Moreno Valley Logistics Center, any many others. According to Appendix A of the IS/MND:

> "There is no tenant for the proposed building, thus, the operational components of the project are speculative at this time. The City of Riverside recommended consideration of a 'manufacturing' use as a worst-case, conservative approach to assessing operational impacts. The building has been treated as such herein, consistent with the project traffic impact analysis and health risk assessment" (Appendix A, p. 27, pp. 143).

SWAPE states:

> Assuming that the proposed industrial building will be used for manufacturing purposes, however, would not provide a worst-case, conservative scenario, as is suggested by the IS/MND. Rather, assuming that the proposed building will be used for high-cube warehousing would provide for the worst-case, conservative scenario, as it accounts for the possibility of cold-storage requirements, a higher volume of heavy-duty truck trips, and longer truck trip lengths. By failing to account for the possibility of warehouse land uses, the Project's potential operational impacts are greatly underestimated. A DEIR should be prepared to adequately assess the potential impacts that operation of the Project may have on regional and local air quality.

(SWAPE p. 1-2).

SWAPE states:

> As discussed by the South Coast Air Quality Management District (SCAQMD), "CEQA requires the use of 'conservative analysis' to afford 'fullest possible protection of the environment.'"[1] As a result, the most conservative analysis should be conducted. With this in mind, the proposed Project should be modeled as *refrigerated warehouse without rail spurs*, or at the very least, a portion of the building should be modeled as a *refrigerated warehouse without rail spurs*, and the remaining portion of the building should be modeled as an *unrefrigerated warehouse without rail spurs*, so as to take into consideration the possibility that future tenants may require both cold storage and non-cold storage.
>
> Refrigerated warehouses release more air pollutants and greenhouse gas (GHG) emissions when compared to unrefrigerated warehouses or other industrial buildings, such as manufacturing land uses. First, warehouses equipped with

[1] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Inland Empire Logistics Council, June 2014, *available at*: http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/final-ielc_6-19-2014.pdf?sfvrsn=2

cold storage (refrigerators and freezers, for example) are known to consume more energy when compared to warehouses or other industrial buildings without cold storage.[2] Second, warehouses equipped with cold storage typically require refrigerated trucks, which are known to idle for much longer, even up to an hour, when compared to unrefrigerated hauling trucks, such as those used for manufacturing purposes.[3] Lastly, according to a July 2014 *Warehouse Truck Trip Study Data Results and Usage* presentation prepared by the SCAQMD, it was found that hauling trucks that require refrigeration result in greater truck trip rates when compared to non-refrigerated hauling trucks, such as those used for manufacturing purposes.[4]

By not including refrigerated warehouses as a potential land use in the air quality model, the Project's operational emissions may be grossly underestimated, as the future tenants are currently unknown. Unless the Project Applicant can demonstrate that the future tenants of these proposed buildings will be limited to unrefrigerated industrial uses, exclusively, it should be assumed that a mix of cold and non-cold storage will be provided on-site. A DEIR should be prepared to account for the possibility of refrigerated warehouse needs by future tenants.

(SWAPE pp. 2-3).

SWAPE concludes that the IS further underestimates Project emissions by assuming an improper truck mix (too many small trucks and too few large trucks), and also by underestimating the length of truck trips. (SWAPE pp. 4-8).

Given the large number of warehouse projects being constructed in the region (see cumulative impact section below), there is a "fair argument" that this Project may be used as a warehouse. A new CEQA analysis should be conducted calculating emissions from the Project if used for warehouse purposes, and using a proper truck fleet profile and trip lengths.

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[2] Managing Energy Costs in Warehouses, Business Energy Advisor, *available at*: http://bizenergyadvisor.com/warehouses

[3] "Estimation of Fuel Use by Idling Commercial Trucks," p. 8, *available at:* http://www.transportation.anl.gov/pdfs/TA/373.pdf

[4] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Mobile Source Committee, July 2014, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2, p. 7, 9

2. There is a Fair Argument that the Project will have Significant Cancer Risk Impacts.

Appendix B to the Initial Study is a Health Risk Assessment (HRA). The SCAQMD has established a CEQA significance threshold that any project creating a cancer risk of greater than 10 per million has significant impacts requiring an EIR. (App. B., p. 23). The Project will generate significant diesel emissions from trucks and other vehicular traffic. Diesel engine exhaust matter is identified by the State as a cancer-causing chemical. http://oehha.ca.gov/media/downloads/proposition-65//p65single080516.pdf.

Appendix B calculates that the Project will create a cancer risk of 31.8 per million (3.18 x 10-5). (App. B. p. 26). This exceeds the 10 per million CEQA significance threshold by over 300%. Nevertheless, the Initial Study concludes that there is no significant cancer risk impact. The exceedance of the CEQA significance threshold creates a fair argument that the Project will have significant environmental impacts requiring analysis in an EIR. Indeed, in many instances, such air quality thresholds are the only criteria reviewed and treated as dispositive in evaluating the significance of a project's air quality impacts. See, e.g. *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 960 (County applies BAAQMD's "published CEQA quantitative criteria" and "threshold level of cumulative significance"). See also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 110-111 ("A 'threshold of significance' for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant"). The California Supreme Court recently made clear the substantial importance that a SCAQMD significance threshold plays in providing substantial evidence of a significant adverse impact. *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 327 ("As the [South Coast Air Quality Management] District's established significance threshold for NOx is 55 pounds per day, these estimates [of NOx emissions of 201 to 456 pounds per day] constitute substantial evidence supporting a fair argument for a significant adverse impact"). Therefore, an EIR is required to analyze the Project's cancer impacts and to propose all feasible mitigation measures to reduce those impacts.

SWAPE states:

> According to the IS/MND, because "no thresholds for cancer or non-cancer risk will be exceeded by the project," the Project will have a less than significant health risk impact (Appendix B, p. 29). This conclusion, however, is incorrect, as it completely contradicts the health risk calculations conducted for the proposed

Project. As a result, the Project's health risk impact and level of significance are entirely misrepresented. An updated health risk assessment should be prepared in a DEIR that more accurately represents the proposed Project's health risk impacts.

Appendix B of the IS/MND discloses the assumptions, methods, and values used to estimate the Project's health risk impacts. According to Appendix B,

> "Concentrations were modeled using AERMOD and then input into the Hot Spots and Reporting Program (HARP) Health Risk Assessment Standalone Tool (RAST) computer software to calculate cancer risk based on the methods and recommendations found in the HRA Guidelines. The results of the HARP evaluation of cancer risk for residential 9-years, 30 years, and 70 years, and worker 25-years exposure scenarios for grid receptors and discrete receptors are summarized in the following tables and detailed program results are included as Appendix D" (p. 25).

The results of the 70-year residential lifetime health risk assessment, which are summarized in Table 7 of Appendix B, indicate that four residential sensitive receptor locations would have a health risk impact that exceeds the 10 in one million significance threshold (see excerpt below) (Appendix B, p. 26).

Table 7 (70 Years (Lifetime) Population-Wide Cancer Burden)

Index	Easting	Northing	Concentration	Cancer Risk
76	467291	3764194	0.03558	3.18E-05
86	467391	3764194	0.02631	2.35E-05
85	467391	3764294	0.02097	1.87E-05
66	467191	3764194	0.01852	1.66E-05

Even though the IS/MND estimates that the Project will create a cancer risk of 31.8 in one million (3.18 x 10-5), which exceeds the 10 in one million significance threshold by over 300%, the IS/MND still concludes that the Project would have a less than significant health risk impact (Appendix B, p. 26). This conclusion, however, is entirely incorrect, as Table 7 clearly demonstrates that the Project would have a significant health risk impact. By failing to adequately apply the results of the health risk assessment to the established significance threshold, the Project's health risk impact is misrepresented. The results of the IS/MND's health risk assessment clearly demonstrate that the Project would have a potentially significant health risk impact, and as such, this significance

determination should have been made, and additional mitigation measures should have been identified and implemented.

(SWAPE pp. 8-9).

3. The Initial Study Fails to Impose All Feasible Mitigation Measures to Reduce Project Impacts.

One of the fundamental purposes of CEQA is to ensure that all feasible mitigation measures are imposed to reduce Project impacts. CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); See also, *Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564) The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." (Guidelines §15002(a)(2)) If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." (Pub.Res.Code § 21081; 14 Cal.Code Regs. § 15092(b)(2)(A) & (B))

In general, mitigation measures must be designed to minimize, reduce or avoid an identified environmental impact or to rectify or compensate for that impact. (CEQA Guidelines § 15370.) Where several mitigation measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. (*Id.* at § 15126.4(a)(1)(B).) A lead agency may not make the required CEQA findings unless the administrative record clearly shows that all uncertainties regarding the mitigation of significant environmental impacts have been resolved.

CEQA requires the lead agency to adopt feasible mitigation measures that will substantially lessen or avoid the Project's potentially significant environmental impacts (Pub. Res. Code §§ 21002, 21081(a)), and describe those mitigation measures in the CEQA document. (Pub. Res. Code § 21100(b)(3); CEQA Guidelines § 15126.4.) A public agency may not rely on mitigation measures of uncertain efficacy or feasibility. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727 (finding groundwater purchase agreement inadequate mitigation measure because no record evidence existed that replacement water was available).) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking

into account economic, environmental, legal, social and technological factors. (CEQA Guidelines § 15364.) Mitigation measures must be fully enforceable through permit conditions, agreements or other legally binding instruments. (*Id.* at § 15126.4(a)(2).)

A lead agency may not conclude that an impact is significant and unavoidable without requiring the implementation of all feasible mitigation measures to reduce the impacts of a project to less than significant levels. (CEQA Guidelines §§ 15126.4, 15091.)

SWAPE points out that there are dozens of mitigation measures that have been imposed on similar projects in the region that would significantly reduce air pollution, greenhouse gas and cancer impacts. (SWAPE pp. 9-11). An EIR is required to analyze all of these feasible mitigation measures.

4. The Project Will Have Significant Biological Impacts, But Relies on Improper Deferred Mitigation.

The Initial Study admits that several species of bats may exist at the site, but defers development of mitigation measures until after Project approval in violation of CEQA. The Initial Study states:

> Several species of bats are known to occur in the vicinity of the project site. Several sheds, mobile homes, and trees are located on the project site that could provide suitable roosting habitat for bat species. Thus, Mitigation Measure BIO-3, requiring a pre-construction survey of suitable habitat for roosting bats within 14 days prior vegetation or structure removal be conducted, has been incorporated. Should an occupied maternity or colony roost be detected during the preconstruction survey, ***CDFW shall be contacted about how to proceed***. With incorporation of Mitigation Measure BIO-3, impacts to roosting bats will be reduced to less-than-significant levels.
>
> Initial Study, p. 38 (emphasis added).

While the Initial Study admits that the Project may impact bats, the proposed mitigation, "CDFW shall be contacted about how to proceed," is not a mitigation measure at all. First, the use of the passive voice makes unclear who will contact CDFW. Second, CEQA prohibits a lead agency from deferring development of mitigation until after the approval of the project. This is precisely what the IS does in this case. The IS must specify what mitigation measures will be implemented, not simply state that mitigation measures will be developed at a later time by a different agency if necessary. "A study conducted after approval of a project will inevitably have a

diminished influence on decisionmaking. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA." (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 307.) "[R]eliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decisionmaking; and[,] consequently, these mitigation plans have been overturned on judicial review as constituting improper deferral of environmental assessment." (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 92.)

B. THE MND'S CUMULATIVE IMPACT ANALYSIS VIOLATES CEQA.

For each environmental impact, the IS concludes that the Project would not result in cumulatively significant impacts. See, e.g., IS 92. Each conclusion is based on improper reasoning, and an analysis that is not in compliance with CEQA.

An initial study and MND must discuss a Project's significant cumulative impacts. 14 CCR § 15130(a). This requirement flows from CEQA section 21083, which requires a finding that a project may have a significant effect on the environment if "the possible effects of a project are individually limited but cumulatively considerable. . . . 'Cumulatively considerable' means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

"Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." 14 CCR § 15355(a). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." *Id.* "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time." *Comm. for a Better Env't v. Cal. Resources Agency ("CBE v. CRA")* (2002) 103 Cal.App.4th 98, 117; 14 CCR § 15355(b). A legally adequate cumulative impacts analysis views a particular project over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand.

The MND's conclusory cumulative impact analyses are devoid of substantial evidence and errs as a matter of law and commonsense. Lacking any substantial evidence, the MND fails to provide sufficient information for the public to evaluate cumulative impacts that may result from approval of the Project.

The CEQA Guidelines allow two methods for satisfying the cumulative impacts analysis requirement: the list-of-projects approach, and the summary-of projects approach. Under either method, the MND must summarize the expected environmental effects of the project and related projects, provide a reasonable analysis of the cumulative impacts, and examine reasonable mitigation options. 14 CCR § 15130(b). The MND's cumulative impacts analysis does not comply with either of these requirements.

Indeed, the MND does not mention a single past, present, or future project that it evaluated cumulatively with the instant Project. This is despite the fact that the City of Riverside and the neighboring City of Moreno Valley are currently undertaking environmental review for numerous similar distribution center, warehouse and logistics center projects – all of which will generate similar truck traffic and air pollution impacts, which will be cumulatively significant. These include the massive 40 million square foot World Logistics Center in Moreno Valley (State Clearinghouse No. 2012021045), the 1.7 million square foot Moreno Valley Logistics Center (SCH Number: 2015061040), the 2.2 million square foot ProLogis Eucalypus Industrial Park in Moreno Valley, (SCH NO. 2008021002), and many others. Without any information on what – if any – cumulative projects were considered, and what environmental impacts those cumulative projects have, the public and decision makers lack any information on which to assess the validity of the cumulative impacts conclusions under CEQA.

The entire cumulative impact analysis for the Project consists of nothing more than the following paragraph (same for each impact):

> Air Quality. The context for assessing cumulative air quality impacts to the area is the extent to which project related emissions will contribute to a net increase of any criteria pollutant for which the project region is in non-attainment. The analysis provided in Section 4.3 related to air quality found that impacts would be less than significant with mitigation incorporated to reduce operational NOx emissions. Mitigation Measure AQ-1 requires that prior to issuance of business licenses, the building tenant shall provide evidence to the City Planning Division that emissions from truck fleet trips and other operations will not exceed the South Coast Air Quality Management District's (SCAQMD) daily oxides of nitrogen threshold. Therefore, while the project will contribute to localized or regional cumulative impacts, the project contribution will not be considerable.

IS 92.

This bare conclusion does not constitute an analysis. Without even the most basic information about any of the cumulative projects or their environmental impacts, the MND's general cumulative impact conclusion is not supported by substantial evidence.

In addition to being conclusory, the cumulative "analysis" is also based on flawed logic. The conclusion that the Project will have no cumulative impact because each individual impact has been reduced to a less-than-significant level relies on the exact argument CEQA's cumulative impact analysis is meant to protect against. The entire purpose of the cumulative impact analysis is to prevent the situation where mitigation occurs to address project-specific impacts, without looking at the bigger picture. This argument, applied over and over again, has resulted in major environmental damage, and is a major reason why CEQA was enacted. As the court stated in *CBE v. CRA*, 103 Cal. App. 4th at 114:

> Cumulative impact analysis is necessary because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.

(citations omitted).

A new cumulative impacts analysis is needed for the Project that complies with CEQA's requirement to look at the Project's environmental impact, combined with the impacts of other past, current, and probable future projects. An EIR must be prepared to fully analyze the Project's cumulative impacts.

CONCLUSION

For the foregoing reasons, the MND should be withdrawn, an EIR should be prepared, and a draft EIR should be circulated for public review and comment in accordance with the requirements of CEQA. Thank you for considering our comments.

Sincerely,

Richard Drury
Lozeau Drury LLP

EXHIBIT A

ATTACHMENT 2

Comment I1

This comment states that, "There is a fair argument that the project may have significant air quality impacts. This Initial Study (IS) admits that the future use of the project is unknown. Therefore, the IS states that is [sic] selects manufacturing as a worst-case, conservative approach to assess operational impacts. However, the consulting firm, Soil Water Air Protection Enterprise (SWAPE) concludes that warehouse uses would have significantly greater impacts than manufacturing. Such uses are clearly reasonably foreseeable since there are a large number of similar-sized warehouses being located in the Riverside County area… SWAPE states: Assuming that the proposed industrial building will be used for manufacturing purposes, however, would not provide a worst-case, conservative scenario, as is suggested by the IS/MND. Rather, assuming that the proposed building will be used for high-cube warehousing would provide for the worst-case, conservative scenario, as it accounts for the possibility of cold-storage requirements, a higher volume of heavy-duty truck trips, and longer truck trip lengths. By failing to account for the possibility of warehouse land uses, the project's potential operational impacts are greatly underestimated. A DEIR should be prepared to adequately assess the potential impacts that operation of the project may have on regional and local air quality."

Response

The project includes a speculative industrial building that could be occupied by one or more various tenants ranging from office to manufacturing to warehouse uses. In order to evaluate the variety of potential uses, the project was evaluated with an 80/20 percent (truck/car) fleet mix in the traffic study and the air quality study. The manufacturing use was assessed because that use represented the "worst case" scenario. However, an assessment of impacts based on the unrefrigerated warehouse use was also conducted using CalEEMod (see Attachment A). Slight differences in emissions occurred as a result of employing these different land uses in the model- most notably that the manufacturing use has a greater impact than the unrefrigerated warehouse use. However, it was determined that both uses would still generate emissions levels below established thresholds. The differences in emissions between the two uses are identified in the tables provided in this response. This fleet mix is supported by substantial evidence and is widely used to characterize trucks trips from warehouse uses. Because the actual tenants are not known; to analyze the project in the context of a refrigerated warehouse default setting would be speculative. CEQA does not require analysis of unknown speculative conditions. If in the future the project were to include a refrigerated component, a new Air Quality and Climate Change Assessment would be required to analyze such a proposal and the project's environmental review document would need to be reopened to consider those changes. The characteristics of the fleet mix for this project is represented in the air quality study in terms of mix of vehicles and variation in trip length in order to fully characterize the project. Addressing these variations solely through fleet mix would result in unaccounted for trips at varying distances that could distort the emissions estimates for the project. The environmental analysis is required to represent a project as accurately as is feasible for the sake of full disclosure of any anticipated impacts. The IS/MND makes all efforts to disclose the use of default model input parameters and their assumptions. Impacts remain less than significant and no further analysis is required at this time.

Daily Operational Emissions (lbs/day): Unrefrigerated Warehouse Use

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	3	31	38	<1	8	2
Summer Total	*19*	*31*	*39*	<1	*8*	*2*
Winter						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	3	32	41	<1	8	2
Winter Total	*19*	*32*	*41*	<1	*8*	*2*
Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Substantial?	**No**	**No**	**No**	**No**	**No**	**No**

Source: MIG, 2015.

Daily Operational Emissions (lbs/day): Manufacturing Use

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	4	31	55	<1	12	3
Summer Total	*21*	*34*	*58*	<1	*12*	*4*
Winter						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	4	33	58	<1	12	3
Winter Total	*21*	*35*	*61*	<1	*12*	*4*
Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Substantial?	**No**	**No**	**No**	**No**	**No**	**No**
Source: MIG, 2016.						

Conclusion

This comment does not identify any deficiencies in the environmental document or identify any significant new information requiring revisions to the IS/MND. No new or substantial increase in the severity of an impact has been identified. Analysis of feasible alternatives or the inclusion of new mitigation measures is not necessary. No changes to the Initial Study and Mitigated Negative Declaration have been made as a result of this comment. No revision to the Initial Study text is necessary, and this comment does not change the significance determination found in the Mitigated Negative Declaration.

Comment I2

This comment states that, "There is a fair argument that the project will have significant cancer risk impacts. Appendix B to the Initial Study is a Health Risk Assessment (HRA). The SCAQMD has established a CEQA significance threshold that any project creating a cancer risk of greater than 10 per million has significant impacts requiring an EIR (App. B, p.23)… Appendix B calculates that the project will create a cancer risk of 31.8 per million (3.18 x 10-5) (App. B, p.26). This exceeds the 10 per million CEQA significance threshold by over 300%. Nevertheless, the Initial Study concludes that there is no significant cancer risk impact. The exceedance of the CEQA significance threshold creates a fair argument that the project will have significant environmental impacts requiring analysis in an EIR.

Response

The IS/MND includes the determination that the proposed project will not result in a significant increase in cancer cases. This determination is factual and supported by both CEQA statute and case law. Primarily, it is important to note that the receptor location (Index 76, Easting 467291, Northing 3764194) identified by the commenter as having a cancer risk of 31.8 per million is in fact referring to a single point located on the proposed project site, and does not denote an overall impact to the environment as a whole. CEQA statute requires evaluation of a project's physical changes to the environment and the resulting effects that are determined to be significant by the Lead Agency. The project Health Risk Assessment notes that residential receptor locations that exceed the 10 cases per million population cancer risk threshold are located on the project site itself and will be demolished as a result of the proposed project. Further, the referenced table shows the cancer risk screening which is modeled for 24 hours a day, 7 days a week, over the course of a 70 year period. Future visitors to the site and/or employees are not required to be evaluated in the HRA because (1) they will not be on the site 24 hours a day, 7 days a week, (2) they will not be there for a full 70 years, and (3) they would not be classified as residential receptors. As shown in the project Health Risk Assessment, none of the nearby sensitive receptors that will remain in place after project completion would experience health risks in excess of the ten in one million threshold. Determining if land is suitable for certain uses and the collection and interaction of those uses is a land use issue to be examined through the General Plan or other programmatic endeavor. The impacts of the environment on those land uses, similarly, are addressed in the environmental review for those planning endeavors. The use is permitted by the General plan and zoning ordinance. As such, analyzing potential toxic emissions impacts to future users of the proposed warehouse would constitute what is termed "speculative analysis", which is not the intent

ATTACHMENT 3

The California Emissions Estimator Model (CalEEMod) was utilized to estimate mobile source emissions. Trip generation (1.68 daily trips per 1,000 SF) is based on the trip generation rates provided in the Institute of Transportation Engineers *Trip Generation Manual* (9th Edition).[21] Based on SCAQMD recommendations, an average rate of 0.64 trucks per 1,000 square feet has been applied for purposes of this analysis.[22] Passenger vehicles will consist of 61.80 percent of the fleet mix, light-duty trucks will consist of 6.46 percent of the fleet mix, medium-heavy duty trucks will consist of 8.70 percent of the truck trips, and heavy-heavy duty truck trips consist of 23.04 percent of the fleet mix. Trip lengths have been adjusted based on a study of metropolitan commercial and freight travel conducted by the National Cooperative Highway Research Program. According to observed data collected in the field for the Southern California Association of Governments (SCAG) region, trip lengths for similar uses are estimated at 5.92 miles for light-duty trucks, 13.06 for medium-duty trucks, and 22.40 for heavy-duty trucks. Total vehicle miles were calculated using the average daily trips for each vehicle class and divided by total daily truck trips to get to an average truck distance of 17.41 miles. Assuming an opening year of 2018, the results of the CalEEMod model for summer and winter operation of the project are summarized in Table 10 (Operational Daily Emissions). Based on the results of the model, operational emissions associated with operation the project will not exceed the thresholds established by SCAQMD.

Table 10
Operational Daily Emissions (lbs/day)

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Summer						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	3	31	39	<1	8	2
Summer Total	*19*	*31*	*38*	*<1*	*8*	*2*
Winter						
Area Sources	16	<1	<1	0	<1	<1
Energy Demand	<1	<1	<1	<1	<1	<1
Mobile Sources	3	32	41	<1	8	2
Winter Total	*19*	*32*	*41*	*<1*	*8*	*2*
Threshold	55	55	550	150	150	55
Substantial?	No	No	No	No	No	No

6.4 Sensitive Receptors

6.4.1 Localized Significance Thresholds

As part of SCAQMD's environmental justice program, attention has recently been focusing more on the localized effects of air quality. Although the region may be in attainment for a particular criteria pollutant, localized emissions from construction activities coupled with ambient pollutant levels can cause localized increases in criteria pollutant that exceed national and/or State air quality standards.

Construction-related criteria pollutant emissions and potentially significant localized impacts were evaluated pursuant to the SCAQMD Final Localized Significance Thresholds Methodology. This methodology provides screening tables for one through five acre project scenarios, depending on the amount of site disturbance during a day using the Fact Sheet for equipment usage in CalEEMod.[23] Daily oxides of nitrogen (NO_X), carbon monoxide (CO), and particulate matter (PM_{10} and $PM_{2.5}$) emissions will occur during construction of the project, grading of the project site, and paving of facility parking lots and drive aisles. Table 11 (Localized Significance Threshold Analysis) summarize on- and off-site emissions as compared to the local thresholds established for Source Receptor Area (SRA) 23 (Metropolitan Riverside County). Based on the use of four tractors and three dozers during site preparation activities, a 3.5-acre threshold will be used (using linear regression). A 50 meter receptor distance was used to reflect the proximity of residential uses to the sports fields south of the proejct site. Note that particulate matter emissions account for daily watering required by SCAQMD Rule 403 (three times per day for a 55 percent reduction in fugitive dust). Emissions from construction activities will not exceed any localized threshold.

ATTACHMENT 4

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September 30, 2016

Richard Drury
Lozeau | Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

Subject: **Comments on the Center Street Commerce Building Project**

Dear Mr. Drury:

We have reviewed the August 2016 Initial Study and Draft Mitigated Negative Declaration (IS/MND) and associated appendices for the proposed Center Street Commerce Building Project ("Project") located in the City of Riverside. The Project includes the construction of a 308,000-square-foot building on 15.63 acres located south of Center Street and north of Placentia Lane in the City of Riverside, California. The building includes 110,591 square feet of landscaping, the potential for up to 282 parking stalls, and 47 loading docks.

Our review concludes that the IS/MND fails to adequately evaluate the Project's Air Quality impacts. As a result, air pollutant emissions associated with construction and operation of the Project are underestimated. A Draft Environmental Impact Report (DEIR) should be prepared to adequately assess the potential impacts that the Project may have on regional and local air quality.

Air Quality

Failure to Evaluate Worst-Case Conservative Scenario

According to Appendix A of the IS/MND,

> "There is no tenant for the proposed building, thus, the operational components of the project are speculative at this time. The City of Riverside recommended consideration of a 'manufacturing' use as a worst-case, conservative approach to assessing operational impacts. The building has been treated as such herein, consistent with the project traffic impact analysis and health risk assessment" (Appendix A, p. 27, pp. 143).

Assuming that the proposed industrial building will be used for manufacturing purposes, however, would not provide a worst-case, conservative scenario, as is suggested by the IS/MND. Rather, assuming

that the proposed building will be used for high-cube warehousing would provide for the worst-case, conservative scenario, as it accounts for the possibility of cold-storage requirements, a higher volume of heavy-duty truck trips, and longer truck trip lengths. By failing to account for the possibility of warehouse land uses, the Project's potential operational impacts are greatly underestimated. A DEIR should be prepared to adequately assess the potential impacts that operation of the Project may have on regional and local air quality.

Failure to Account for Refrigeration and Cold-Storage Requirements

The IS/MND for the Project relies on emissions calculated from the California Emissions Estimator Model Version CalEEMod.2013.2.2 ("CalEEMod").[1] CalEEMod provides recommended default values based on site specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence.[2] Once all the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters were utilized in calculating the Project's air pollution emissions, and make known which default values were changed as well as provide a justification for the values selected.[3]

Review of the IS/MND's CalEEMod output files demonstrates that the IS/MND's CalEEMod model assumes that the Project will be made up of entirely manufacturing land uses, and as a result, the Project's operational emissions may be grossly underestimated. According to the CalEEMod output files provided in Appendix A of the IS/MND, all of the Project's proposed industrial land uses were modeled as "Manufacturing" (see excerpt below) (Appendix A, pp. 165).

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Manufacturing	308.00	1000sqft	7.07	308,000.00	0
Other Non-Asphalt Surfaces	101.59	1000sqft	2.33	101,590.00	0
Parking Lot	6.23	Acre	6.23	271,378.80	0

Assuming that the proposed industrial buildings will be composed of manufacturing land uses, exclusively, however, is inconsistent with information disclosed in the IS/MND and associated appendices, and may result in an underestimation of the Project's operational emissions. According to the IS/MND, future tenants of the proposed warehouses are currently unknown (p. 33). The IS/MND states, "There is no tenant for the proposed building, thus, the operational components of the project

[1] CalEEMod website, *available at:* http://www.caleemod.com/
[2] CalEEMod User Guide, p. 2, 9, *available at:* http://www.caleemod.com/
[3] CalEEMod User Guide, p. 7, 13, *available at:* http://www.caleemod.com/ (A key feature of the CalEEMod program is the "remarks" feature, where the user explains why a default setting was replaced by a "user defined" value. These remarks are included in the report.)

are speculative at this time" (Appendix A, p. 1). Therefore, by assuming that the proposed Project buildings will be composed solely of manufacturing land uses is unsubstantiated, as the Project's future tenants remain unknown and may require warehousing, if not refrigerated warehousing needs.

As discussed by the South Coast Air Quality Management District (SCAQMD), "CEQA requires the use of 'conservative analysis' to afford 'fullest possible protection of the environment.'"[4] As a result, the most conservative analysis should be conducted. With this in mind, the proposed Project should be modeled as *refrigerated warehouse without rail spurs*, or at the very least, a portion of the building should be modeled as a *refrigerated warehouse without rail spurs*, and the remaining portion of the building should be modeled as an *unrefrigerated warehouse without rail spurs*, so as to take into consideration the possibility that future tenants may require both cold storage and non-cold storage.

Refrigerated warehouses release more air pollutants and greenhouse gas (GHG) emissions when compared to unrefrigerated warehouses or other industrial buildings, such as manufacturing land uses. First, warehouses equipped with cold storage (refrigerators and freezers, for example) are known to consume more energy when compared to warehouses or other industrial buildings without cold storage.[5] Second, warehouses equipped with cold storage typically require refrigerated trucks, which are known to idle for much longer, even up to an hour, when compared to unrefrigerated hauling trucks, such as those used for manufacturing purposes.[6] Lastly, according to a July 2014 *Warehouse Truck Trip Study Data Results and Usage* presentation prepared by the SCAQMD, it was found that hauling trucks that require refrigeration result in greater truck trip rates when compared to non-refrigerated hauling trucks, such as those used for manufacturing purposes.[7]

By not including refrigerated warehouses as a potential land use in the air quality model, the Project's operational emissions may be grossly underestimated, as the future tenants are currently unknown. Unless the Project Applicant can demonstrate that the future tenants of these proposed buildings will be limited to unrefrigerated industrial uses, exclusively, it should be assumed that a mix of cold and non-cold storage will be provided on-site. A DEIR should be prepared to account for the possibility of refrigerated warehouse needs by future tenants.

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[4] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Inland Empire Logistics Council, June 2014, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/final-ielc_6-19-2014.pdf?sfvrsn=2

[5] Managing Energy Costs in Warehouses, Business Energy Advisor, *available at:* http://bizenergyadvisor.com/warehouses

[6] "Estimation of Fuel Use by Idling Commercial Trucks," p. 8, *available at:* http://www.transportation.anl.gov/pdfs/TA/373.pdf

[7] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Mobile Source Committee, July 2014, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2, p. 7, 9

Incorrect Usage of Fontana Truck Trip Study for Fleet Mix

The IS/MND also relies upon an artificially low truck fleet mix percentage to model the operational emissions associated with the proposed industrial building, and as a result the Project's mobile-source emissions are greatly underestimated.

The IS/MND and associated appendices rely on the August 2003 City of Fontana *Truck Trip Generation Study* ("Fontana Study")[8] to determine the number of passenger car and heavy-duty truck trips the Project will generate during operation of the proposed industrial building (Appendix B, p. 13, pp. 295). According to Appendix A of the IS/MND, "Passenger vehicles will consist of 74.4 percent of the fleet mix, light-duty trucks will consist of 8.4 percent of the fleet mix, medium-heavy duty trucks will consist of 4.6 percent of the truck trips, and heavy-heavy duty truck trips consist of 16.6 percent of the fleet mix" (Appendix A, pp. 149). The use of the Fontana Study to determine the number of truck trips the Project will generate during operation, however, is entirely incorrect.

According to SCAQMD Staff, the Fontana Study has limited applicability when it comes to large warehouse and high-cube warehousing needs, which may be required by the proposed Project, as the future tenants are currently unknown. As a result, the Fontana Study should not be relied upon to determine the Project's mobile-source emissions. As is disclosed in the IS/MND and associated appendices, the proposed Project will consist of one industrial building, which may be used for warehousing, or high-cube warehousing needs (IS/MND, p. 6). According to SCAQMD staff, the "Fontana Study, by itself, is not characteristic of high cube warehouses."[9] The SCAQMD also staff finds the following additional issues with the Fontana Study:[10]

- The overall trip rate is based on only four warehouses total, which includes two warehouses with zeros. In other words, the results of the Fontana Study were based on only two data points. As is disclosed in the Fontana Study, the daily trip rate was only based on data from a Target warehouse and a TAB warehouse.[11]

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[8] "Truck Trip Generation Study." City of Fontana, County of San Bernardino, State of California, August 2003, *available at:* http://www.fontana.org/DocumentCenter/Home/View/622

[9] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Mobile Source Committee, July 2014, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2, p. 10

[10] "Warehouse Truck Trip Study Data Results and Usage" Presentation. SCAQMD Mobile Source Committee, July 2014, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2, p. 10

[11] "Truck Trip Generation Study." City of Fontana, County of San Bernardino, State of California, August 2003, *available at:* http://www.fontana.org/DocumentCenter/Home/View/622, p. 35

- The Fontana Study does not report any 24-hour daily truck trip rates. According to the Fontana Study, "Trip generation statistics for daily truck trips were not calculated because vehicle classifications counts could not be obtained from the driveway 24-hour counts."[12]
- The trip rates using the Fontana study are calculated based on a 20 percent truck fleet mix, which is inconsistent with SCAQMD's recommendation that agencies use a truck fleet mix of 40 percent.

Rather, the SCAQMD recommends that lead agencies assume a truck fleet mix of 40 percent for high-cube warehouses. According to *Appendix E: Technical Source Documentation* of the CalEEMod User's Guide, "In order to avoid underestimating the number of trucks visiting warehouse facilities," SCAQMD staff "recommends that lead agencies conservatively assume that an average of 40% of total trips are truck trips [(0.48*10 + 0.2*4)/(10+4)=0.4)]."[13] If Project-specific data is not available, such as detailed trip rates based on a known tenant schedule, this average of 40 percent provides a reasonably conservative value based on currently available data. Since the future tenant is unknown, the tenant schedule is also likely not known. Furthermore, an unknown tenant means that the proposed Project could be used for high-cube warehousing. Therefore, in order to provide for the most conservative scenario, a 40 percent truck fleet mix should be assumed in order to account for the possibility that the proposed Project will be used as a high-cube warehouse building.

Specifically, the following fleet mix percentage should have been applied to the high-cube warehouse building proposed for the Project.

Parameter		IS/MND Mix	SWAPE Mix
Operational Mobile Fleet Mix	Passenger Cars (LDA)	74.4%	59.14%
	2 Axle Trucks (LHDT1)	8.4%	6.92%
	3 Axle Trucks (MHD)	4.6%	9.28%
	4+ Axle Trucks (HHDT)	16.6%	24.66%

The "Operational Mobile Fleet Mix" percentages for trucks (LHDT1, MHD, and HHDT) in the table above were adjusted to reflect a truck trip percentage of approximately 40 percent, which is consistent with recommended procedures set forth by SCAQMD staff for high-cube warehouses. This fleet mix more accurately represents the number of trips that are likely to occur in relation to the high-cube warehouse during Project operation, thus providing for the most conservative analysis. As such, an updated air quality analysis should be prepared in a DEIR that adequately assesses the Project's air quality impacts, assuming the correct fleet mix and assuming that the proposed Project could be used for high-cube warehousing purposes.

Failure to Account for Longer Warehousing Truck Trip Lengths

[12] "Truck Trip Generation Study." City of Fontana, County of San Bernardino, State of California, August 2003, *available at*: http://www.fontana.org/DocumentCenter/Home/View/622, p. 6
[13] "Appendix E Technical Source Documentation." CalEEMod User's Guide, July 2013, *available at*: http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/high-cube-resource-caleemod-appendix-e.pdf?sfvrsn=2, pp. 15

The IS/MND also fails to account for the longer truck trip lengths typically seen by large warehousing and high-cube warehousing projects, and as a result, the Project's operational emissions are even further underestimated.

The IS/MND relies upon a maximum truck trip length of 16.60 miles to model the Project's operational mobile-source emissions. According to Appendix A of the IS/MND, "CalEEMod defaults were used for trip length, prime and no primer trip percentages, and trip purpose in light of the proposed project being assessed as manufacturing use" (see excerpt below) (Appendix A, pp. 149, 190).

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Manufacturing	16.60	8.40	6.90	59.00	28.00	13.00	92	5	3
Other Non-Asphalt Surfaces	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0
Parking Lot	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

The use of a 16.60 mile trip length to represent the most conservative scenario that could occur at Project buildout, however, is entirely incorrect, as it fails to account for the possibility of warehousing and high-cube warehousing needs. According to the SCAQMD, for warehouse, distribution center, and industrial land use projects, most of the heavy-duty trucks would be hauling consumer goods, often from the Ports of Long Beach and Los Angeles and/or to destinations outside of California. The SCAQMD states that for this reason, the CalEEMod™ and the URBan EMISsions model default trip length would not be representative of activities at like facilities. The SCAQMD generally recommends the use of a 40-mile one-way truck trip length for industrial land uses, such as the proposed Project. [14] Therefore, by relying upon a default trip rate of 16.60 miles, the IS/MND greatly underestimates the Project's operational mobile-source emissions.

This general recommendation set forth by the SCAQMD of a 40-mile trip length is also reflected in analyses conducted for similar industrial projects within southern California. Similar to the proposed Project, the Kimball Business Park Project proposes to construct a warehouse and light industrial/business park uses within the City of Chino. The Air Quality Impact Analysis for the Kimball Business Park Project derives a trip length of approximately 50 miles using recommendations provided by the SCAQMD. The Kimball Business Park Air Quality Impact Analysis justifies the use of this trip length by stating,

> "In the last five years, the SCAQMD has provided numerous comments on the trip lengths for warehouse/distribution and industrial land use projects (33). The SCAQMD asserts that the model-default trip lengths in CalEEMod™ and the URBan EMISsions (URBEMIS) 2007 model (version 9.2.4) would underestimate emissions. The SCAQMD asserts that for warehouse,

[14] Kimball Business Park Air Quality Impact Analysis, Urban Crossroads, *available at:* http://www.cityofchino.org/government-services/community-development/environmental-documents

truck trip greatly underestimates the air quality impact."[19] The IS/MND's proposed trip length of 16.60 miles is significantly less than the 24.11 mile trip length used within the Waterman Logistics Center Air Quality Study. Therefore, if the SCAQMD concludes that the use of a 24.11 mile trip length would underestimate the Waterman Logistics Center's operational emissions, then surely, the SCAQMD will also find the 16.60-mile trip length used for the proposed Project to be inadequate, resulting in an underestimation of emissions.

As is recommended by the SCAQMD, in order to ensure that the IS/MND conservatively evaluates the potential for air quality impacts, the Lead Agency should utilize a trip length that is reflective of the potential truck trips or limit the truck trip miles allowed to levels analyzed in the IS/MND. If higher truck trip miles are anticipated or required, the Lead Agency should update the Final CEQA document and air quality analysis to disclose this impact to the public.[20]

Our analysis demonstrates that the IS/MND's CalEEMod model relies on input values that do not provide for the worst case, most conservative scenario, as is suggested by the IS/MND. As a result, the Project's operational emissions are greatly underestimated. Due to the reasons discussed above, we find the IS/MND's CalEEMod model to be unreliable and inaccurate and conclude that it should not be relied upon to determine Project significance. An updated model should be prepared in a DEIR that more accurately represents the proposed Project's emissions.

Failure to Adequately Assess the Project's Health Risk Impacts

According to the IS/MND, because "no thresholds for cancer or non-cancer risk will be exceeded by the project," the Project will have a less than significant health risk impact (Appendix B, p. 29). This conclusion, however, is incorrect, as it completely contradicts the health risk calculations conducted for the proposed Project. As a result, the Project's health risk impact and level of significance are entirely misrepresented. An updated health risk assessment should be prepared in a DEIR that more accurately represents the proposed Project's health risk impacts.

Appendix B of the IS/MND discloses the assumptions, methods, and values used to estimate the Project's health risk impacts. According to Appendix B,

> "Concentrations were modeled using AERMOD and then input into the Hot Spots and Reporting Program (HARP) Health Risk Assessment Standalone Tool (RAST) computer software to calculate cancer risk based on the methods and recommendations found in the HRA Guidelines. The results of the HARP evaluation of cancer risk for residential 9-years, 30 years, and 70 years, and worker 25-years exposure scenarios for grid receptors and discrete receptors are summarized in the following tables and detailed program results are included as Appendix D" (p. 25).

[19] *Ibid.*, p. 4.
[20] *Ibid.*, p. 4.

distribution center, and industrial land use projects, most of the heavy-duty trucks would be hauling consumer goods, often from the Port of Long Beach and Los Angeles (POLA and POLB) and/or to destinations outside of California. The SCAQMD states that for this reason, the CalEEMod™ and the URBan EMISsions model default trip length (approximately 12.6 miles) would not be representative of activities at like facilities. The SCAQMD generally recommends the use of a 40-mile one-way trip length".[15]

In addition to the Kimball Business Park project, various other industrial warehouse projects in San Bernardino state in their analyses that the SCAQMD recommends a 40-mile truck trip length, including the Waterman Logistic Center Project and the Orange Show Logistics Center Project.[16,17] Therefore, at the very least, the Project should have used a one-way trip length of 40 miles when modeling emissions, as is recommended by the SCAQMD.

This conclusion is further supported by the SCAQMD's comments on the Mitigated Negative Declaration (MND) for the Waterman Logistic Center Project. The Waterman Logistic Center proposes to construct a 426,858 square feet of logistics warehouse buildings within the City of San Bernardino, similar to the proposed Project.[18] The Waterman Logistic Center's Air Quality Study utilized an internal truck trip length of 24.11 miles, in accordance with the Southern California Association of Government Heavy Duty Truck Model. The SCAQMD, however, finds issue with this trip length, which is longer than the 16.60-mile trip length used for the proposed Project, stating that most industrial land use types haul consumer goods from the Ports of Long Beach and Los Angeles as well as locations outside the SCAQMD boundaries, including Banning Pass, San Diego County line, and Cajon Pass (see excerpt below).

- Project site to Port of Los Angeles/Long Beach 74 miles
- Project site to Banning Pass 38 miles
- Project site to San Diego County line 55 miles
- Project site to Cajon Pass 24 miles
- Project site to downtown Los Angeles 60 miles

As you can see in the excerpt above, the trip lengths from the Waterman Logistics Center project site to each of the locations listed by the SCAQMD are well over the 24.11-mile trip length utilized in the Waterman Logistic Center as well as the 16.60 mile trip length utilized for the proposed Project. Using SCAQMD's recommended methodology, "Assuming that 50 percent of all delivery trips will travel to and from the project and the Port of Los Angeles/Long Beach, the use of 24.11 miles as an average internal

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[15] Kimball Business Park Air Quality Impact Analysis, Urban Crossroads, *available at:* http://www.cityofchino.org/government-services/community-development/environmental-documents

[16] Waterman Avenue High Cube Warehouse, Urban Crossroads, *available at:* https://www.ci.san-bernardino.ca.us/civicax/filebank/blobdload.aspx?BlobID=18084

[17] Orange Show Logistics Center Air Quality Impact Analysis, Urban Crossroads, *available at:* https://www.ci.san-bernardino.ca.us/civicax/filebank/blobdload.aspx?blobid=20255

[18] SCAQMD Comment Letter on the Mitigated Negative Declaration (RDEIR) for the Proposed Waterman Logistics Center, January 8 2015, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/january/mndwaterman.pdf

The results of the 70-year residential lifetime health risk assessment, which are summarized in Table 7 of Appendix B, indicate that four residential sensitive receptor locations would have a health risk impact that exceeds the 10 in one million significance threshold (see excerpt below) (Appendix B, p. 26).

Table 7 (70 Years (Lifetime) Population-Wide Cancer Burden)

Index	Easting	Northing	Concentration	Cancer Risk
76	467291	3764194	0.03558	3.18E-05
86	467391	3764194	0.02631	2.35E-05
85	467391	3764294	0.02097	1.87E-05
66	467191	3764194	0.01852	1.66E-05

Even though the IS/MND estimates that the Project will create a cancer risk of 31.8 in one million (3.18 x 10-5), which exceeds the 10 in one million significance threshold by over 300%, the IS/MND still concludes that the Project would have a less than significant health risk impact (Appendix B, p. 26). This conclusion, however, is entirely incorrect, as Table 7 clearly demonstrates that the Project would have a significant health risk impact. By failing to adequately apply the results of the health risk assessment to the established significance threshold, the Project's health risk impact is misrepresented. The results of the IS/MND's health risk assessment clearly demonstrate that the Project would have a potentially significant health risk impact, and as such, this significance determination should have been made, and additional mitigation measures should have been identified and implemented.

Additional Mitigation Measures Available to Reduce Particulate Matter Emissions

The SCAQMD has previously recommended additional mitigation measures for operational NO_x emissions that result primarily from truck activity emissions for similar projects. These measures would effectively reduce the Project's operational NO_x emissions, as well as reduce emissions from other criteria air pollutants, such as particulate matter for diesel exhaust. Measures recommended for the Waterman Logistic Center that are also applicable for this Project include[21]:

- Provide electric vehicle charging stations that are accessible for trucks.
- Require the proposed warehouse to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in.
- Provide minimum buffer zone of 300 meters (approximately 1,000 feet) between truck traffic and sensitive receptors.
- Limit the daily number of trucks allowed at the facility to levels analyzed in the IS/MND. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the project through CEQA prior to allowing this higher activity level.
- Design the site such that any check-in point for trucks is well inside the facility to ensure that there are no trucks queuing outside of the facility.
- On-site equipment should be alternatively fueled.

[21] SCAQMD Comment Letter in Response to MND for the Waterman Logistic Center, January 2018, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/january/mndwaterman.pdf

- Provide food options, fueling, truck repair and or convenience stores on-site to minimize the need for trucks to travel through residential neighborhoods.
- Improve traffic flow by signal synchronization.
- Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- Should the proposed Project generate significant 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 emissions, 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.

In addition to the mobile source mitigation measures above, the Lead Agency should incorporate the following on-site area source mitigation measures below, as suggested by the SCAQMD, to reduce the Project's regional air quality impacts from particulate matter emissions during operation.[22]

- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or the Project side to generate solar energy for the facility.
- Limit the use of outdoor lighting to only that needed for safety and security purposes.
- Install solar lights or light-emitting diodes (LEDs) for outdoor lighting.
- Require use of electric or alternatively fueled sweepers with HEPA filters.

Finally, the Kimball Business Park Project Final Environmental Impact Report includes various feasible mitigation measures that would reduce on-site area emissions that are applicable to the proposed Project and include, but are not limited to: [23]

- Increase in insulation such that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure and/or within the heating and cooling distribution system.
- Use of energy-efficient space heating and cooling equipment.
- Installation of electrical hook-ups at loading dock areas.
- Installation of dual-paned or other energy efficient windows.
- Use of interior and exterior energy efficient lighting that exceeds the California Title 24 Energy Efficiency performance standards.
- Installation of automatic devices to turn off lights where they are not needed.

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[22] SCAQMD Comment Letter in Response to MND for the Waterman Logistic Center, January 2018, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2015/january/mndwaterman.pdf

[23] Mitigation Monitoring Plan for the Kimball Business Park Project Final Environmental Impact Report, July 2016, *available at:* http://www.cityofchino.org/home/showdocument?id=13244

- Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings.
- Design of buildings with "cool roofs" using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors.
- Design buildings to accommodate photo-voltaic solar electricity systems or the installation of photovoltaic solar electricity systems.
- Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.
- Installation of a photo-voltaic electrical generation system (PV system) capable of generating 565,000 kilowatt hours per year on the roofs of project buildings. The developer(s) may install the required PV system in phases on a pro rata square foot basis as each building is completed; or if the PV system is to be installed on a single building, all of the PV system necessary to supply the PV estimated electrical generation shall be installed within two years (24 months) of the first building that does not include a PV system receives a certificate of occupancy.

These measures are more stringent and prescriptive than those measures identified in the IS/MND. When combined together, these measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduces particulate matter emissions released during Project operation. A DEIR must be prepared to include additional mitigation measures, as well as include an updated air quality analysis to ensure that the necessary mitigation measures are implemented to reduce operational emissions to below thresholds. Furthermore, the Project Applicant needs to demonstrate commitment to the implementation of these measures prior to Project approval, to ensure that the Project's operational emissions are reduced to the maximum extent possible.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Jessie Jaeger

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certification:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – present;
- Senior Environmental Analyst, Komex H2O Science, Inc (2000 – 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 - 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of numerous environmental impact reports under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions and geologic hazards.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a comunity adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.
- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the dischrge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt currently teaches Physical Geology (lecture and lab) to students at Golden West College in Huntington Beach, California.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and Hagemann, M., 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

JESSIE MARIE JAEGER

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Los Angeles CA, 90049

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SUMMARY

Innovative, energetic, driven, and a results oriented leader, with proven success producing quality results in research, student government, and academia. A recipient of the UCLA Bruin Advantage Scholarship, Dean's List honoree, and a leader amongst peers, who uses ambition and passion to effectively develop the skills needed to assess and solve major environmental and conservation issues.

Skills include:

- Execution of Laboratory Techniques (DNA extraction, Tissue Cataloging etc.)
- Understanding of Statistical Models used in Ecology and Conservation Biology
- Experience with programs such as Excel, Microsoft Access, QuickBooks, ArcGIS, AERMOD, CalEEMod, AERSCREEN, and ENVI
- Knowledge of California policies and municipal codes
- Experience in Field Work, including capture of Amphibian species and water sampling within Ballona Watershed
- Steering Committee Coordination and Working Group Management
- Organizational Skills
- Effective Communication Abilities
- Customer Service Experience

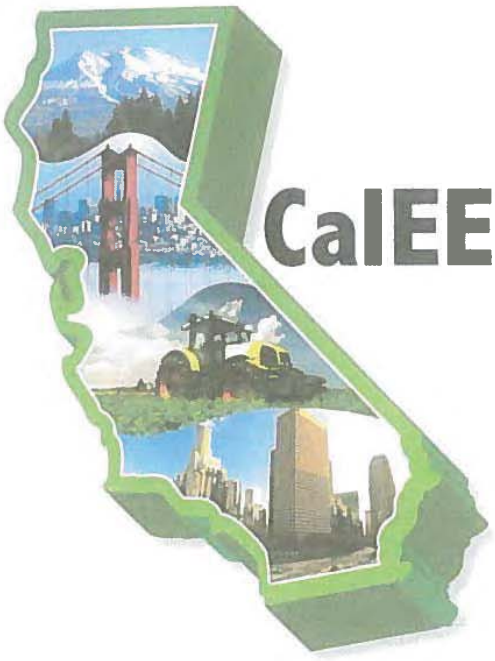
PROFESSIONAL EXPERIENCE

SOIL WATER AIR PROTECTION ENTERPRISE, SANTA MONICA, CA **2014 – Present**
SWAPE Technical Consultation, Data Analysis, and Litigation Support

Project Analyst
http://www.swape.com/staff/jessie-jaeger/
Maintain and update national public water system database through use of Microsoft Excel and Access. Other responsibilities include cancer risk assessment calculations, in depth research of environmental issues such as fracking, Leaking Underground Storage Tanks (LUST) and their associated funding programs, groundwater contamination, Proposition 65 formaldehyde test methods, polychlorinated biphenyl (PCB) contamination within schools, and environmental modeling using AERMOD, CalEEMod, AERSCREEN, and ArcGIS.

- Expert understanding of Microsoft Excel and Access, with the ability to manipulate, analyze, and manage large sets of data. Expertise include the creation of queries via Access, utilization of Pivot Tables and statistical functions within Excel, and proficiency in formatting large datasets for use in final reports.
- Mastery of modeling programs such as CalEEMod, AERSCREEN, ArcGIS, as well as the ability to prepare datasets for use within these programs. For example, the conversion of addresses into geographical coordinates through the utilization of Geocode programs.
- Experience in the composition and compilation of final analytical reports and presentations, with proficiency in technical writing, organization of data, and creation of compelling graphics.
- Knowledge of federal and California EPA policies, such as CEQA, accepted methods, and reporting limits, as well as experience with city and county personnel and municipal codes.

ATTACHMENT 5



CalEEMod®

California Emissions Estimator Model®

User's Guide

Version 2013.2

Prepared for:
California Air Pollution Control Officers Association (CAPCOA)

Prepared by:
ENVIRON International Corporation and the California Air Districts

Date:
July 2013

Evaporative emissions, starting and idling emissions are multiplied by the number of trips times the respective emission factor for each pollutant.

Brake Wear and Tire Wear Emissions

As vehicles are driven, particulate matter is generated from degradation of brakes and tires. This is calculated based on the EMFAC emission factors for each vehicle class and the total VMT traveled by that vehicle class according to the following equation:

$$Emission_{brakewearo\ rtirewear} = \sum_{class}(E.F._{\cdot brakewearo\ rtirewear,class} \times VMT_{class})$$

Vehicle Mix

The user can select the type of vehicle mix. The EMFAC mix is the total mix of all vehicles provided by EMFAC. The program can also assume that the workers' personal vehicles consist of 50% light-duty auto (or passenger car), 25% light-duty truck type 1 (LDT1), and 25% light-duty truck type 2 (LDT2). The gross vehicle weight (GVW) from EMFAC2011 for each type of vehicle is presented below[13]:

Gross Vehicle Weights

Vehicle Type	GVW (lb)
LDA	All
LDT1	0 - 3,750
LDT2	3,751 - 5,750

For vendor trips, CalEEMod has the option to choose the EMFAC mix or also choose all HHDT or all MHDT vehicles. The program default assumes that all vendors' vehicles are heavy heavy-duty trucks (HHDT) with GVW between 33,000 and 60,000 lb based on EMFAC2011.

For hauling trips, CalEEMod has the option to choose the EMFAC mix, all MHDT, all HHDT or a 50% mix of MHDT and HHDT vehicles.

4.6 On-Road Fugitive Dust

CalEEMod calculates all on-road fugitive dust associated with paved and unpaved roads consistent with the method discussed in the traffic section. All vehicle miles traveled from worker commuting, vendor commutes, soil hauling, and demolition hauling are accounted for. The same equations described in section 5.3 are used here with the variables coming from this screen.

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[13] ARB. EMFAC2007 version 2.30 User's Guide.
Available at: http://www.arb.ca.gov/msei/onroad/downloads/docs/user_guide_emfac2007.pdf

ATTACHMENT 6

Weighted averages of vehicles per 1,000 gross square feet in the building were computed for each subset. Data plots with best fit linear curves were prepared for each subset. Examination of the data yields very few definitive relationships between site characteristics and vehicle trip generation. Key findings from these analyses are presented below.

Cars vs. Total Vehicles

Table A1 presents the weighted averages for cars, trucks, and 5+ axle trucks as a percentage of total daily vehicles measured at HCW sites. Separate calculations are presented for the entire database and for13 different subsets. When the complete set is included, the overall average is approximately 68 percent cars and 32 percent trucks of the total daily vehicles. There is minimal variation between the most recent data sources (SCAQMD and NAIOP) or between different building sizes. However, the more recent average data (post-2006 and post-2009) has a higher proportion of cars than does the older data collection sites.

Table A1. Weighted Averages for Percentage of Total Daily Vehicles for Cars and Trucks

Data Site Subset	Percentage of Total Daily Vehicles		
	Cars	Trucks	5+ Axle Trucks
All	67.8%	32.2%	19.4%
SCAQMD	69.0	31.0	17.7
NAIOP	68.6	31.4	21.8
SCAQMD & NAIOP	68.8	31.2	19.0
Non-SCAQMD or NAIOP	66.6	33.4	---
More than 500,000 GSF	68.7	31.3	19.2
More than 800,000 GSF	69.4	30.6	18.5
More than 1,000,000 GSF	70.3	29.7	21.2
Pre-2007	62.1	37.9	---
Post-2006	70.1	29.9	19.5
Pre-2010	60.9	39.1	28.2
Post-2009	70.7	29.3	19.0
California Only	67.6	32.4	18.9

Cold Storage HCW

If the cold storage HCW data are restricted to only include data collected under sponsorship of SCAQMD and NAIOP within the past eight years, the correlation between daily total vehicles and site gross square footage can be improved beyond the full dataset correlation. Figure A1 presents the data plot and associated fitted curve[13]. As recommended in ITE *Trip Generation Handbook* 3rd Edition, the fitted curve should be considered acceptable only within the building site size range in the dataset.

[13] Granted, the improved correlation in Figure A3 is due in part to requiring correlation to only four data points.

ATTACHMENT 7

DRAFT VISION

The Northside Specific Plan has been designed to accommodate a safe, healthy and balanced community that celebrates the history and culture of Southern California and provide recreation and open space opportunities for the region. The balance of residential, commercial, employment and agriculture linked together through safe streets, connected trails, greenbelts and bicycle corridors create a unique part of the cities of Riverside and Colton. A special focus of the community includes the restoration of the Springbrook Arroyo as a feature of a new neighborhood center and an expanded central park. The cultural landscape and architecture details will reflect a connection with the past from the early settlement of La Placita and the Old Spanish Trail period into twentieth century Riverside.

DRAFT GOALS

LAND USE:

Develop a Sustainable Community through the Integration of a Mix of Land Uses, Open Space and Public Spaces

Characterize Placemaking Excellence through Architecture and Cultural Landscape Enhancements that Promote a "Sense of Place" within the Northside Specific Plan

Buffer Industrial, Residential and Recreation Land Uses

MOBILITY:

Expand Mobility Options in Pedestrian and Bicycle Friendly Corridors

Increase Open Space Connectivity throughout the Specific Plan and into the Santa Ana River

Improve Community Air Quality through Design Strategies that Promote Alternative Modes of Transportation

Eliminate or Minimize Truck Traffic through Residential and Commercial Neighborhoods

SUSTAINABILITY:

Capitalize on Sustainable Environmental Technologies that Generate Fiscal Value

Develop Water Management Strategies for Environmental Health of Ecological Systems

Preserve and Interpret Important Cultural and Historic Resources in the Specific Plan Area

Utilize Green Infrastructure and Material Resources for Increased Sustainable Project Lifecycles

Restore the Springbrook Arroyo as a Natural Ecological System

ECONOMIC:

Capitalize on Market Potential of Proposed Development

Collaborate with Local Higher Education Facilities for Innovation Programs and Projects

Develop an Agriculture Business Community

Ensure Future Development within the Northside is Economically Viable

SOCIAL EQUITY:

Foster Increased Quality of Social Conditions for Northside Residents through Community Based Projects

Expand Necessary Community Services for Public Safety and Infrastructure for Roads, Access to Freeways and Sewer

Improve Quality of Life for the Workforce System within the Northside Neighborhood

PLAN ESPECÍFICO DE VISIÓN DE NORTHSIDE
VERSIÓN PRELIMINAR VISIÓN Y VERSIÓN PRELIMINAR OBJETIVO

VERSIÓN PRELIMINAR **VISIÓN**

El Plan Específico de Northside ha sido diseñado para acomodar una comunidad segura, sana y balanceada que celebra la historia y la cultura de Southern California y ofrecer oportunidades de recreación y espacios abiertos para la región. El equilibro entre residencial, comercial, laboral y agrícola enlazado por medio de calles seguras, senderos conectados, cinturones verdes y corredores de bicicletas crea una parte única de las ciudades de Riverside y Colton. Un enfoque especial de la comunidad incluye la restauración de Springbrook Arroyo como una característica de un nuevo centro de vecindario y un parque central ampliado. El paisaje cultural y los detalles arquitectónicos reflejarán una conexión con el pasado desde el establecimiento temprano de La Placita y el periodo Old Spanish Trail a Riverside del siglo veinte.

VERSIÓN PRELIMINAR **OBJETIVO**

USO DEL TERRENO:

Desarrollar una Comunidad Sostenible mediante la Integración de una Mezcla de Usos del Terreno, Espacios Abiertos y Espacios Públicos

Caracterizar la Excelencia de Creación de Lugares a través de Mejoras en la Arquitectura y el Paisaje Cultural que Promueven un "Sentido de Lugar" dentro del Plan Específico de Northside

Amortiguador Industrial, Usos Residenciales y Recreativos del Terreno

MOVILIDAD:

Expandir las Opciones de Movilidad en Corredores Amistosos para Peatones y Bicicletas

Aumentar la Conectividad de Espacios Abiertos en todo el Plan Específico y en Santa Ana River

Mejorar la Calidad del Aire de la Comunidad mediante Estrategias de Diseño que Promuevan Modos Alternativos de Transporte

Eliminar o Minimizar el Tráfico de Camiones a través de Vecindarios Residenciales y Comerciales

SOSTENIBILIDAD:

Aprovechar las Tecnologiás Ambientales Sostenibles que Generan Valor Fiscal

Desarrollar Estrategias de Manejo del Agua para la Salud Ambiental de Sistemas Ecológicos

Preservar e Interpretar Importantes Recurses Culturales e Históricos en el Área del Plan Específico

Utilizar Infraestructura Verde y Recursos Materiales para Aumentar las Ciclos de Vida Sostenibles de los Proyectos

Restaurar Springbrook Arroyo como un Sistema Ecológico Natural

ECONOMÍA:

Capitalizar el Potencial de Mercado del Desarrollo Propuesto

Colaborar con los Centros Locales de Educación Superior para Programas y Proyectos de Innovación

Desarrollar una Comunidad Empresarial Agrícola

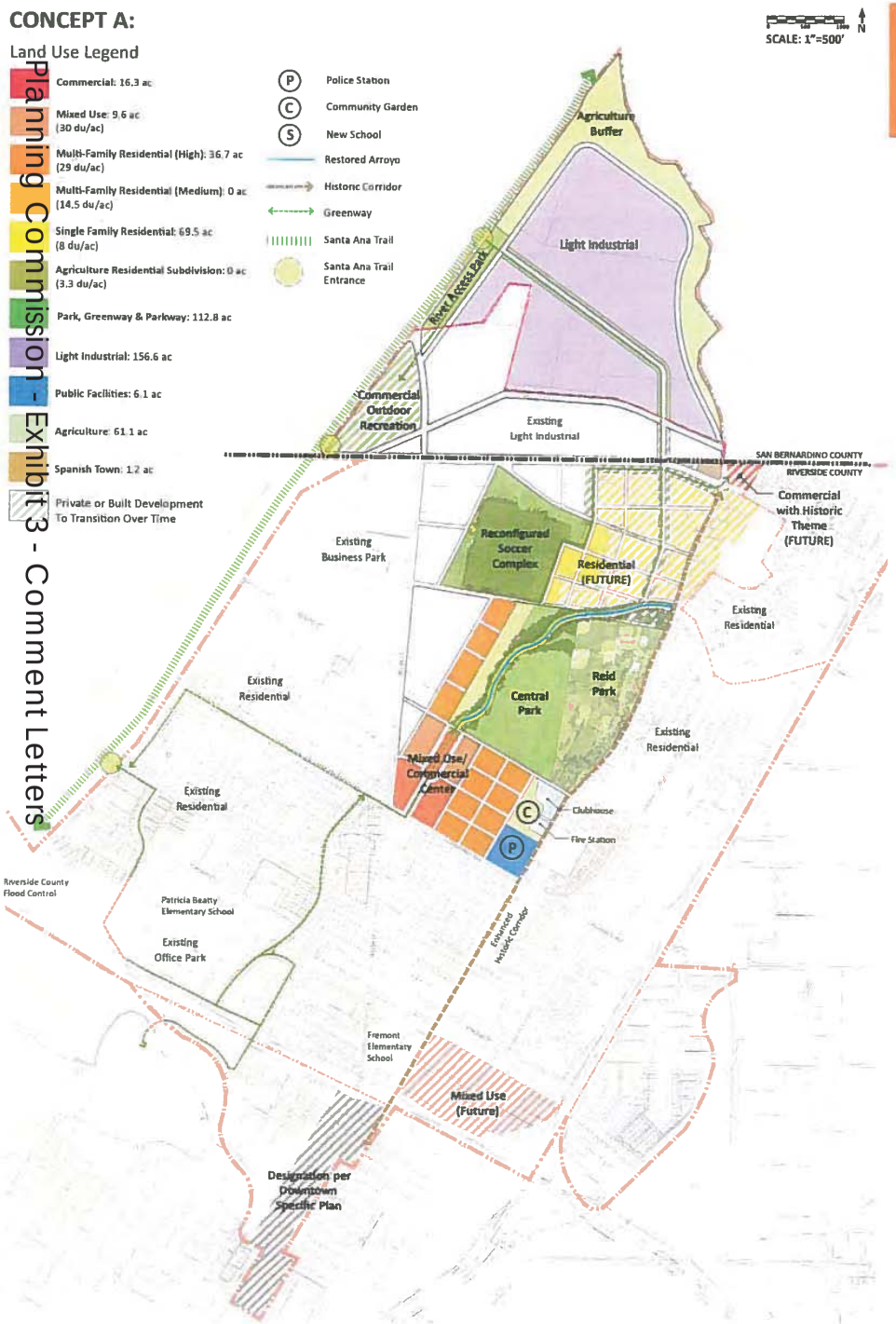
Garantizar que el Futuro Desarrollo dentro de Northside sea Económicamente Viable

IGUALDAD SOCIAL:

Promover el Aumento de la calidad de las Condiciones Sociales de los Residentes de Northside a través de Proyectos Basados en la Comunidad

Expandir las Servicios Comunitarios Necesarios para la Seguridad Pública y la Infraestructura de Carreteras, Acceso a autopistas y Alcantarillado

Mejorar la Calidad de Vida para el Sistema de Fuerza Laboral dentro del Vecindario de Northside



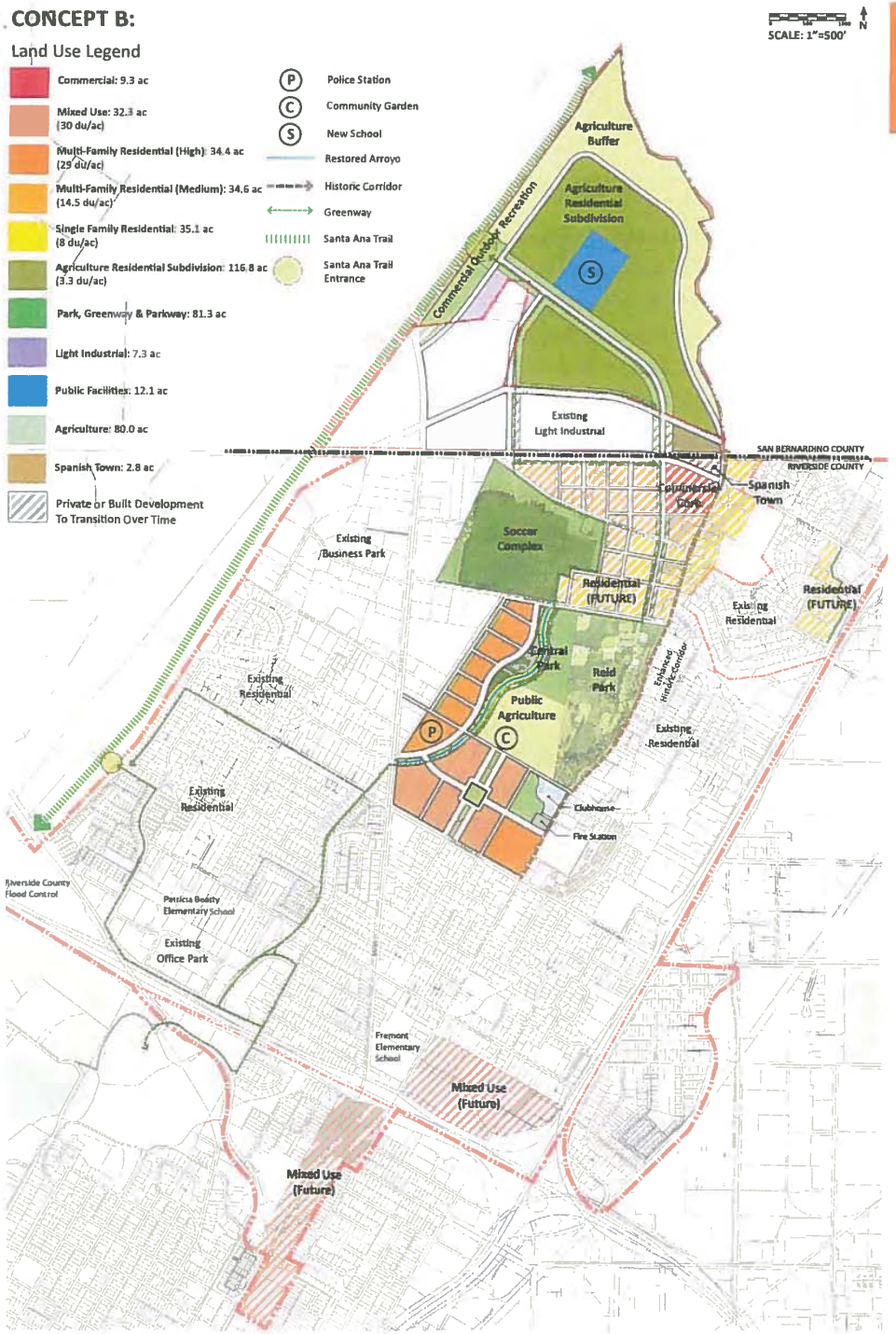
Northside Land Use Concept Alternatives
Conceptos de Alternativas de Northside

CONCEPT A:

Concept A focuses on expanding Reid Park with a new central park concept and a restored Springbrook Arroyo. A mixed-use center, combining residential and commercial uses, is located along Columbia Avenue, with a police headquarters at Columbia Avenue and Orange Street. This concept also includes a minor reconfiguration of the Ab Brown Soccer Complex and the conversion of the adjacent Business/ Office Park land uses to single family residential. Pellissier Ranch will largely retain its Light Industrial land uses, but will include a buffer of agricultural uses. This concept also includes the preservation of the Trujillo Adobe with an adjacent historic-themed commercial area. As with the other concepts, Concept A includes a network of trails linked to the Santa Ana River Trail, a reconfigured cross country course, and a commercial outdoor recreation area along the Santa Ana River. The key theme for this concept is a focus on retaining business-oriented land uses.

CONCEPTO A:

El concepto A se enfoca en la expansión de Reid Park con un nuevo concepto de parque central y un Springrook Arroyo restaurado. Un centro de uso mixto, que combina usos residenciales y comerciales, se encuentra a lo largo de Columbia Avenue, con cuartel de la policía en Columbia Avenue y Orange Street. Este concepto también incluye una reconfiguración de menor importancia del Ab Brown Soccer Complex y la conversión de los usos adyacentes del terreno de Parque de Negocios/ Oficinas a residencias unifamiliares. Pellissier Ranch mantendrá en gran parte sus usos del terreno de Industria Ligera, pero incluirá un búfer de usos agrícolas. Este concepto también incluye la preservación del Trujillo Adobe con un área comercial de temática histórica adyacente. Al igual con los otros conceptos, el Concepto A incluye una red de senderos vinculados a lo largo del Santa Ana River Trail, un curso de campo reconfigurado y un área comercial con de recreo al aire libre a lo largo de Santa Ana River. El tema clave de este concepto es un enfoque en retener las usos del terreno orientados a los negocios.



Northside Land Use Concept Alternatives
Conceptos de Alternativas de Northside

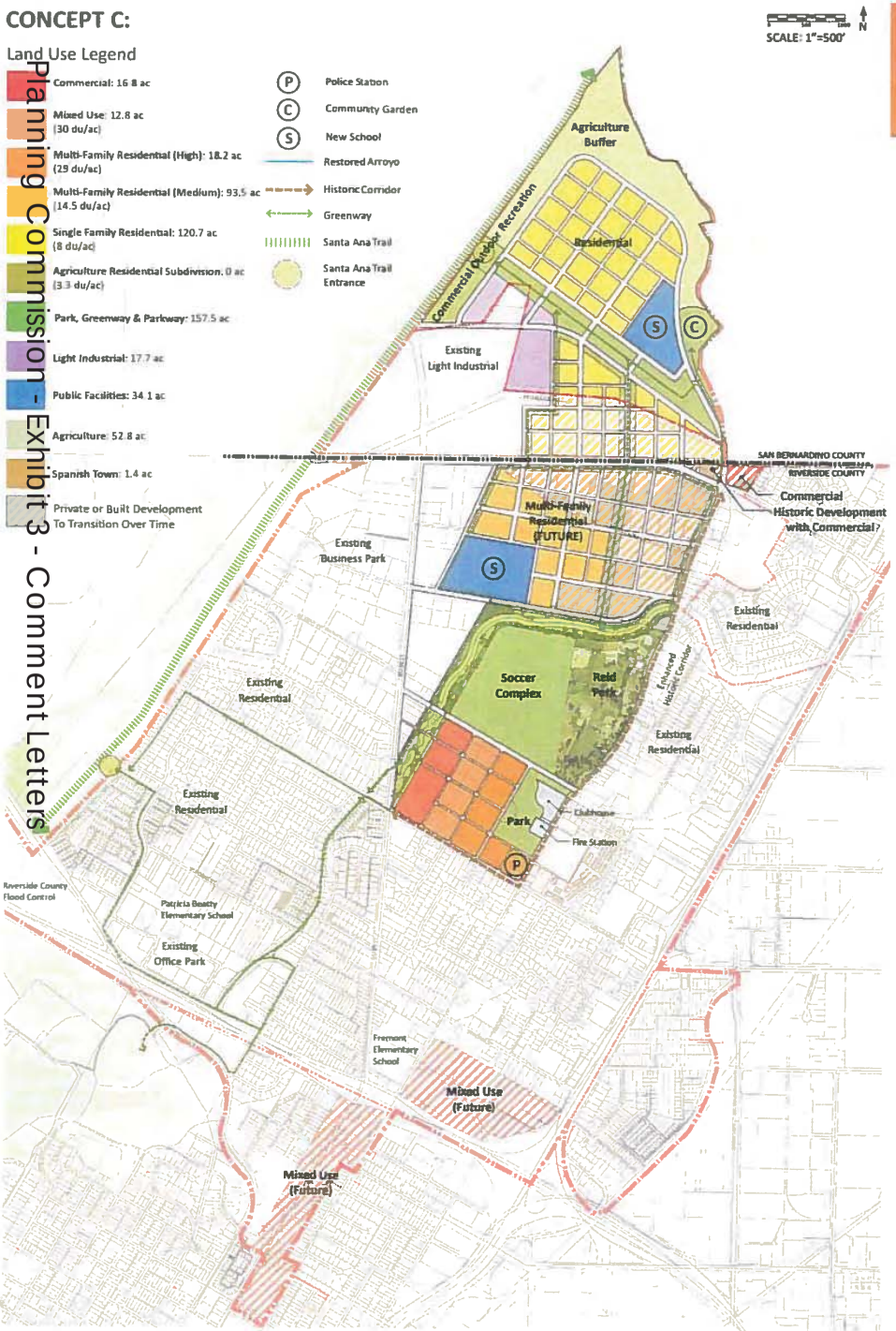
CONCEPT B:

Concept B includes an emphasis on agricultural uses in both an expanded Reid Park and the Pellissier Ranch. This concept also includes a neighborhood center with a mix of residential and commercial uses designed around a central plaza, police headquarters, and additional park space. The concept retains all of Ab Brown Soccer Complex in its current location, and converts additional Business/Office Park land uses to residential. The concept also includes a larger commercial area adjacent to the Trujillo Adobe, with access along Center Street. The Springbrook Arroyo is restored and integrated into the park concepts with adjacent multi-family residential.

CONCEPTO B:

El concepto B incluye un énfasis en los usos agrícolas en un Park Reid y Pellissier Ranch ampliados. Este concepto también incluye un centro de vecindario con una mezcla de usos residenciales y comerciales diseñados alrededor de una plaza central, cuartel de la policía y espacio adicional de parque. El concepto conserva todo el Ab Brown Soccer Complex en su ubicación actual y convierte los usos adicionales de terreno de Parque de Negocios/Oficinas en residencial. El concepto también incluye un área comercial más grande adyacente a Trujillo Adobe, con acceso a lo largo de Center Street. Springbrook Arroyo es restaurado e integrado en los conceptos del parque con residencial multifamiliar adyacente.

Northside Land Use Concept Alternatives
Conceptos de Alternativas de Northside



CONCEPT C:

Concept C expands Reid Park to the south, and moves the Ab Brown Soccer Complex fields across Garner Road, creating more interaction between the park and recreation facilities. The relocation of Ab Brown gives rise to a new school on the existing soccer complex site, which is complemented by new residential uses. In this concept Pellissier Ranch is transformed into a master-planned residential community with a school in Colton, creation of a commercial historic center at the Trujillo Adobe along Center Street, and new neighborhood commercial center adjacent to the restored Springbrook Arroyo. The concept includes a smaller police facility than the other concepts.

CONCEPTO C:

El concepto C expande el Reid Park al sur, y mueve las campos de Ab Brown Soccer Complex a través de Garner Road, creando más interacción entre el parque y las instalaciones recreativas. La reubicación de Ab Brown da lugar a una nueva escuela en el sitio del complejo de fútbol existente, que se complementa con nuevos usos residenciales. En este concepto, Pellissier Ranch se transforma en una comunidad residencial con una escuela en Colton, la creación de un centro comercial histórico en Trujillo Adobe junto a Center Street y un nuevo centro comercial de vecindario adyacente al restaurado Springbrook Arroyo. El concepto incluye una instalación policial más pequeña que los otros conceptos.

KEY

Legend:
A. Arroyo
B. Relocated Soccer Fields
C. Terraced Greenway
D. Park and Sports Field Parking
Park Element
Cross Country Loop (2 mi)
CONCEPT B
SCALE:1"=250'

Legend:
A. Great Lawn/Picnic
B. Playground
C. Community Garden
D. Agriculture Buffer
E. Dog Park
F. Arroyo
G. Entry Plaza/Anchor Point
Park Element
Cross Country Loop (2 mi)
CONCEPT A
SCALE:1"=250'

Legend:
A. Entry Plaza/Anchor Point
B. Urban Farmland
C. Central Greenway
D. Anchor Points
E. Open Lawn
Park Element
Cross Country Loop (2 mi)
CONCEPT B
SCALE:1"=250'

CONCEPT A
SCALE:1"=150'

Legend:
A. Entry Gateway/ Plaza
B. Central Plaza/ Lawn
C. Entry Plaza/ Anchor Point
D. Retail and Dining
E. Promenade

CONCEPT B
SCALE:1"=150'

Legend:
A. Central Plaza
B. Central Greenway/ Linear Park
C. Entry Plaza/Anchor Point
D. Retail and Dining
E. Arroyo

CONCEPT C
SCALE:1"=150'

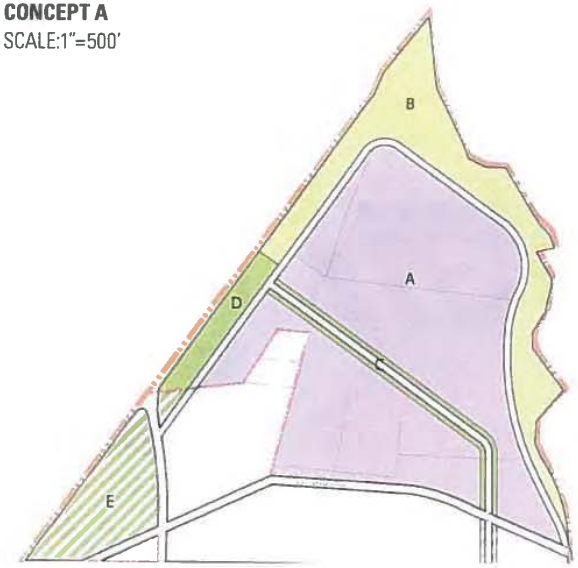
Legend:
A. Vernal Pool/Seasonal Pond
B. Promenade/Plaza
C. Retail and Dining
D. Mixed Use with Retail
E. Playground

KEY

KEY
CONCEPT C
SCALE:1"=100'
Legend:
A. Adobe
B. Plaza Crossing
C. Small Vendors
D. Retail and Dining
E. Parking
F. Museum
G. Interaction Center
H. Lawn
CONCEPT A
SCALE:1"=100'
Legend:
A. Adobe
B. Plaza Crossing
C. Mission Style Fountain
D. Retail and Dining
E. Open Lawn
F. Small Vendor
G. Museum
H. Interaction Center
CONCEPT B
SCALE:1"=62.5'
Legend:
A. Historic Kiosk Plaza
B. Agriculture Plots
C. Adobe (Recreated)
D. School (Recreated)
E. Tavern (Recreated)
F. Spanish Architectural Landmark
G. Educational Adobe Brick Room
H. Interactive Center
I. Retail and Dining
J. Paseo
K. Entry Signage

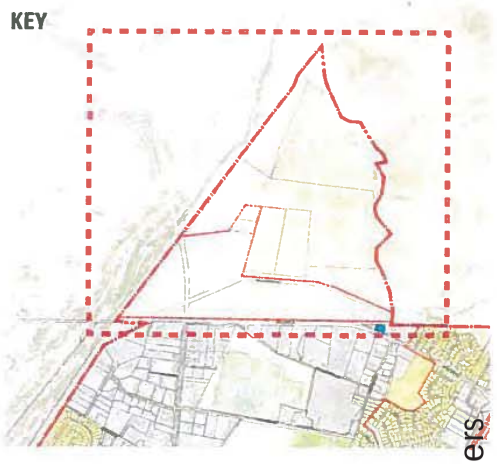
PELLISSIER RANCH

CONCEPT A
SCALE:1"=500'

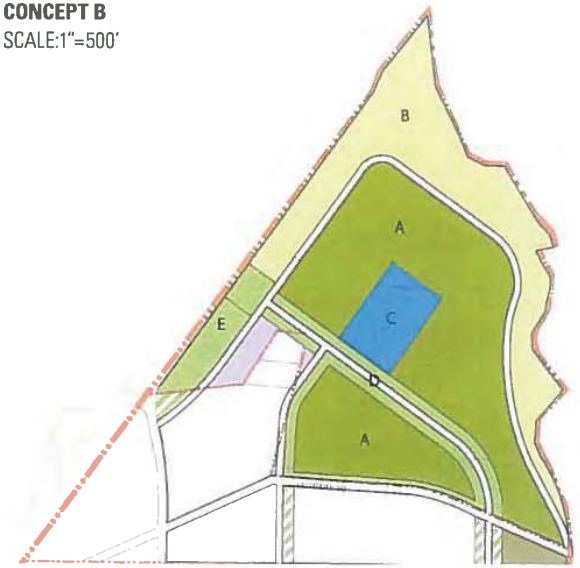


Legend:
A. Light Industrial
B. Agriculture Buffer
C. Greenway
D. River Access Park
E. Commercial Outdoor Recreation

KEY

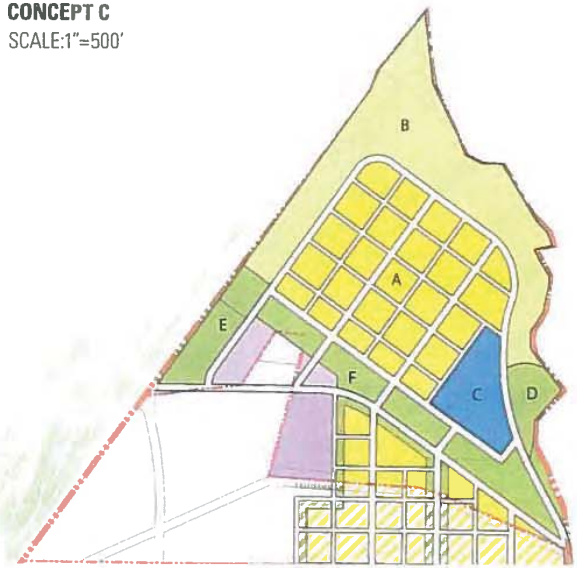


CONCEPT B
SCALE:1"=500'



Legend:
A. Agriculture Residential Subdivision
B. Agriculture Buffer
C. School
D. Greenway
E. Commercial Outdoor Recreation

CONCEPT C
SCALE:1"=500'



Legend:
A. Single-Family Residential
B. Agriculture Buffer
C. School
D. Community Garden
E. Commercial Outdoor Recreation
F. Green Buffer

March 22, 2018

Martin Rossouw, Chairman
Riverside Planning Commission
City of Riverside
3900 Main Street
Riverside, California 92522
CC: Members of the Planning Commission

CENTER STREET COMMERCE CENTER PROJECT
Planning Cases P14-1033 & P14-1034, Initial Study/Mitigated Negative Declaration

Honorable Chairman and Members of the Riverside Planning Commission:

I am resending a letter submitted to the Planning Department in September of 2016.

I am writing to express my concern for planning cases #P14-1033 and 1034, and the submitted intent to file a Mitigated Negative Declaration. I am very concerned about the inaccuracies and deficiencies in this document and the proposed project overall.

I know you have received comments from other concerned citizens and I would like to express my agreement with the comments submitted by the Northside Improvement Association, Sala Ponnach and Karen Renfro. The discrepancies in the MND document are clearly of enough magnitude to invalidate the report and require a full Environmental Impact Review/Report (EIR). The California Environmental Quality Act and EIR are legally required processes enacted to protect our people, lands and communities. I am never in support of trying to circumvent these protections.

Reported figures in the document are inconsistent with each other (numbers of parking/loading spaces), or inaccurate due to the fact that no end use of this facility has been determined so how can they accurately state how many vehicles; whether cars, trucks or forklifts will be accommodated? Reports of the current status of the neighborhood are inaccurate with descriptions of urban, well-lit and no historical value being used that are not true. Additionally out-dated information was used to come to some presented conclusions.

The value of the soil, groundwater resources, wildlife connections from the La Loma Hills and Springbrook Wash to the Santa Ana River is minimized and the proposed mitigations are in many cases inadequate or at this time non-existent. The air quality concerns alone are huge and yet realistically without an idea of what will end up in this facility we really can't know anything from the presented info.

Additionally, the document contains typos, missing pieces and confusing dogma. Very hard to understand and interpret.

Finally, this project is not compliant with the City General Plan 2025 or the Northside Community Plan of 1991. The community has long been against industrial development in this area even when redevelopment overpowered the objections. Zoning changes from that time do not agree with the general plan and need to be changed. Redevelopment is gone, the zoning and concept of it in the northside needs to go too. Please to not accept this submitted Mitigated Negative Declaration.

Erin Snyder
1645 Mathews St.
Riverside, 92501

From: info@springbrookheritagealliance.org [mailto:info@springbrookheritagealliance.org]
Sent: Thursday, March 22, 2018 1:48 PM
To: Andrade, Frances <FANDRADE@riversideca.gov>
Cc: Guzman, Rafael <RGuzman@riversideca.gov>; Brenes, Patricia <PBrenes@riversideca.gov>; Norton, Brian <BNorton@riversideca.gov>; Watson, Scott <SWatson@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Diaz, Sergio <SDiaz@riversideca.gov>; Moore, Michael <MMoore@riversideca.gov>; Martinez, Kris <KMARTINEZ@riversideca.gov>; Cruz, Adolfo <AdCruz@riversideca.gov>; Kennon, Tonya <TKennon@riversideca.gov>; Peterson, Robyn <RPeterson@riversideca.gov>; Jorgenson, Todd <TJorgenson@riversideca.gov>; epolcene@yahoo.com; pjdnw@yahoo.com; nancy.melendez@icloud.com; john.krick@alvordschools.org; darlene.elliot@gmail.com; osta.aguamansa@gmail.com; ponnech <ponnech@att.net>; tjdonahue53@att.net; smateja@earthlink.net; Nicol, Colleen <CNicol@riversideca.gov>; Murray, David <DMurray@riversideca.gov>; macosta@scng.com; Media-rhagen@scng.com <rhagen@scng.com>; highgrovenews@roadrunner.com
Subject: [External] PLANNING COMMISSION HEARING APRIL 5, 2018: CENTER STREET COMMERCE CENTER PROJECT P14-1033 & P14-1034

March 21, 2018

Maartin Rossouw, Chairman
Riverside Planning Commission
City of Riverside
3900 Main Street
Riverside, California 92522
CC: Members of the Planning Commission

CENTER STREET COMMERCE CENTER PROJECT
Planning Cases P14-1033 & P14-1034, Initial Study/Mitigated Negative Declaration

Honorable Chairman and Members of the Riverside Planning Commission:

This letter is written on behalf of Springbrook Heritage Alliance, a multi-jurisdictional community group dedicated to saving the treasures of the Springbrook Arroyo Watershed which runs from the top of Pigeon Pass to the Santa Ana River and from Blue Mountain and La Loma Hills to Box Springs Wilderness Park and Mt. Rubidoux. The area was once rural and agricultural, but in the past twenty-five years has been undergoing a painful and poorly-guided transition to industrial and urban development,

We are appealing the decision of the Developmental Review Committee to approve the Center Street Commerce Center because the site selected is just plain wrong for a project of this nature. It is wrong for a number of reasons, only some of which we are able to include in this letter.

A project of this size--308,00 sq.-ft., quarter-mile-long and 45-ft.-high building on a 15.9-acre site in the open-space recreational area of a long-established rural residential community in the Santa Ana River flood plain--is inherently unsuitable for the

location. Because of the sensitive nature of the location, most other development would be equally unsuitable.

The consequences of ignoring limitations imposed by nature are inescapable and it is the responsibility of government to exercise good judgment in the course of their decisions. To do this, it is necessary to take the long view--something that requires looking back beyond our own lifetimes.

That the DRC's decision was made on the basis of exceedingly deficient and faulty Environmental Impact Studies and conclusions of the Mitigated Negative Declaration should be a source of shame for the City of Riverside, as it makes a laughingstock of our city government and its operations.

We ask that you reject the Initial Study and MND, and deny the application altogether.

Our other reasons for appealing the DRC's decision include violations of the following:

- California CEQA laws
- Ralph M. Brown Act
- State and local laws regarding actual and potential historical sites and landmarks
- Riverside City Charter
- Riverside Municipal Code
- Riverside Good Neighbor Warehouse Policy
- Riverside General Plan 2025 Northside Land Use Policy and Design Guidelines

The project site is also located within the Northside Specific Plan Study Area. The study is being undertaken not only to comply with State law, but at the request of Northside Neighborhood residents and businesses who for the past twenty-five years have been asking the City for a land use policy that is beneficial to the neighborhood. A warehouse like the one in question would in no way be beneficial for the people and businesses that are already here. Such a warehouse would most certainly degrade a neighborhood that has potential for land uses of lesser impact to the environment and higher value to the community.

Currently, the NSP Team is working on an Environmental Impact Report as part of the specific plan process. It makes no sense to consider the Center Street Commerce Center warehouse before the NSP is finalized and we know what future land uses will be established for the site. The DRC's approval of the warehouse is not just premature, it is a conflict of interest leaving the City of Riverside vulnerable to lawsuits by aggrieved parties.

Now, Springbrook Heritage Alliance is not opposed to warehouses, just opposed to a warehouse anywhere in the Northside. This neighborhood is not a wasteland, nor should its economic future be limited to industrial, commercial and/or any other large-scale urban development. In fact, the area north of Columbia to the other side of La Loma Hills in Colton and from La Cadena to the river is the oldest permanent settlement east of Los Angeles county. It was established as "La Placita de los Trujillos" in 1843 by New Mexican pioneers and has a unique and colorful history, with a heritage that lives on in the greater Northside area today. The neighborhood should be a source of pride for our city.

The 15,000 men, women and children who live, work and go to school here; and scores of companies that do business here; and the dozens of sports organizations that make the publically-owned recreational facilities at Reid Park, Ab Brown Sports Complex and Riverside

Championship Cross Country Course their headquarters love the Northside, especially the area in and around the warehouse site.

Attached is a map of Springbrook Arroyo & Environs, encompassing its watershed. The arroyo and its watershed are major geographical features of the communities of Riverside, Colton, Highgrove and Grand Terrace. Many of the places identified on this map are of geological, geographical, historical and cultural interest. Many more are not so marked. The history of this special place is still being written even as the places where it occurred are disappearing out from under us.

Once lost, they cannot be replaced. We want them to be saved for the benefit and pleasure of the people who live in the Springbrook Arroyo communities, and the people who work here, and the people who visit.

These places are mentioned in the Springbrook Heritage Alliance handout entitled "Heritage of the Springbrook Arroyo Watershed" which we are sending you in a separate email. The handout serves as an outline of only some of the major places and events significant to the very long history of this irreplaceable feature of our landscape. The Arroyo runs from the top of Pigeon Pass to the Santa Ana River, and its watershed includes all the hills, peaks, and lower Pigeon Pass from the escarpment to the river, on both sides as far out as Colton, Grand Terrace and the 60 freeway in Riverside.

Springbrook Arroyo, a dotted blue-line stream on the U.S.G.S. Map of the San Bernardino South Quadrangle (1967, revised 1980), is located a quarter-mile to the south of the warehouse site. If the warehouse were to be constructed, it would be visible from every vantage point along the arroyo from just above Orange Street to the other side of Main Street. It should be restored to its natural condition as an irreplaceable community treasure. This is a Quality of Life issue for the people who live here and much wildlife. And a blue-line stream on a U.S.G.S. map should be restored to its natural state.

In 2015 the City of Riverside adopted its first major initiative, "Springbrook Wash Arroyo Nature Trail at Fairmount Park", calling for restoration of the Arroyo from the Santa Ana River to Lake Evans. We are grateful to those who initiated this project and supported their proposal because our Alliance has been working toward a land use policy that would continue a restoration through the Northside and up to the city limits in Pigeon Pass

The westernmost section of the Springbrook Arroyo Watershed, where the Center Street warehouse is to go, is not only the location of the oldest permanent settlement in the Inland Empire, it was a favorite destination for seasonal visits by native peoples since ancient times. The borderlands of the Cahuilla, Tongva, Serrano and sometimes Luiseno and Chemehuevi used to come together in this neighborhood, same as our jurisdictional boundaries do now. Their tribal borderlands became our own. We learned this from a former curator of the Riverside Metropolitan Museum, Sean Milanovich, a scholar of local native culture who put together that wonderful "Cahuilla Connection" exhibit in 2015.

Among the things we learned from him are that the hot springs that once flowed in the Northside's flood plain here considered sacred to local native peoples, a sign to them from the Creator that they were to be at peace if they encountered one another here.

From the Roquet Ranch Draft Environmental Impact Report SCH No. 2016061056 we learned there are prehistoric rock shelters, milling stones and female fertility symbols on La Loma Hills--located within a mile of the Center Street Commerce Center site.

By putting our information together, it is possible to conclude--at least tentatively--that the entire La Loma Hills-flood plain area was not merely a place of seasonal blessings for hunter-gatherers returning to a pocket camp to reap what nature had sown, but to a special place for ceremonial and spiritual reasons, too. Native artifacts have been found in the Northside's flood plain, at Elliotta Springs in 1870 by Riverside's founders (cited in Tom Patterson's *A Colony for California* and other sources), and there is every reason to believe there are more lying hidden beneath the surface virtually anywhere and everywhere around here.

There are rules governing places like these, meant to protect irreplaceable artifacts from destruction by development. Applicants are not supposed to disturb the soil until they have done their due diligence with an archeological survey and an onsite observer from a local native tribe. However, long before the warehouse project had completed their first draft Initial Study and MND, they had allowed the site to be graded by heavy earth-moving equipment. This we reported to the city, but the damage was done.

The Northside deserves better.

In the Fall of 2014 Springbrook Heritage Alliance proposed a new land use policy called *Springbrook Heritage Parklands & Walking Trails* that would, if adopted, enable such a restoration of the arroyo and future development based on the city's 2025 General Plan design Guidelines for the Northside, Northside Community Plan of 1991 and the vision of Spanish Town Heritage Foundation. We are forwarding this plan to you under separate email. Our proposal is endorsed by a number of organizations, including Northside Improvement Association, Spanish Town Heritage Foundation, Friends of Blue Mountain, Friends of Fairmount Park, University Neighborhood Association, Casa Blanca Community Action Group, Academy of Living History Performing Arts, Riverside Woman's Club, and hundreds of residents and friends of the Northside.

When we first proposed our plan, Springbrook Arroyo had long been troubled by intermittent disruption from industrial, commercial, residential and infrastructure development. But, for nearly one hundred years it was a beloved natural feature that handled a great deal of run-off water from the thousands of acres of citrus groves that once populated Pigeon Pass. Even now it is still open and natural in many places. In some places the arroyo is ten, even fifteen or more feet deep, and even wider than that above the freeway. Along the former golf course, now a favorite CIF Championship Cross Country Course next to Reid Park, it used to be six-to-twelve feet deep. But, no more. The forces of nature and the folly of man conspired to fill it with some of the most beautiful sand you ever laid eyes on, a fact that has bearing on the warehouse case.

The June 2017 Northside Specific Plan Baseline Report asserts that Springbrook Arroyo--a natural feature that has been handling hundreds of millions of acre feet of run-off water for a very, very long time--is incapable of handling the least little bit of run-off. The report suggests it be turned into a cement flood control channel. To do such a thing runs contrary to the wishes of Northside residents, our Parklands proposal and government policy relating to natural waterways.

Fortunately, the report is mistaken. As it turns out only the section from West La Cadena to Lake Evans is silted up. How this happened should be a lesson to us all:

In the Summer of 2013, the County of Riverside caused the removal of vegetation on a site along Springbrook Arroyo. The property was graded so thoroughly only a few large trees remained. Plants that once held the banks of the arroyo in place were bulldozed out. Then,

on Aug. 29, before the topsoil could settle, there was a terrible hurricane-force thunderstorm that dropped two inches of rain and hail in one hour on the Northside. The deluge washed all the loose topsoil into the waterway, filling it up so that in most places it is only one to three feet deep. We informed the NSP Team of this. We briefed them on the history of the arroyo and directed them to the Riverside County and City Arroyo Watershed Committee Report and City of Riverside Council Reports of Sept. 9, 2007 and Dec. 19, 2006.

Two years ago we submitted our Parklands proposal to the Northside Specific Plan Team with a request that it be included in the Northside Specific Plan. This year we submitted it to the Park & Recreation Department for inclusion in the Park & Recreation Master Plan. It is our hope that Riverside City Council will adopt it as part of the city's commitment to a Family-Friendly Green community.

Industrial and other heavy-impact development of any kind would require Springbrook Arroyo to be contained in a cement channel, even covered, contrary to the best interests of the people who live and work in the neighborhood, play in the many ballfields next to it, and visit the parklands for occasional special events and their always tranquil atmosphere. It would be contrary to the federal, state and local laws that are supposed to protect us. Warehouses can be built elsewhere, and are, but the old La Placita-Northside neighborhood cannot be moved. Its history is in the people who live here, on the land on where we live, and in the unrecognized natural and cultural landmarks we identify with.

We have already mentioned that the Center Street Commerce Center warehouse site is located in the Santa Ana River flood plain, just north of the Ab Brown Sports Complex on Center and west of the Trujillo Adobe. This is a fact of great significance that needs to be examined closely. Historically, the high-water line of major floods (1862, late 19th-early 20th century, 1939, 1969, etc.) runs along North Orange Street. We know this because of eyewitness accounts from many generations of Northside residents, visitors and newspaper articles.

Following the great Flood of 1969, which not only breached certain sections of Orange Street but damaged or washed away several bridges across river, the U.S. Army Corps of Engineers completed a section of the Santa Ana River levee that spans the mouth of Pigeon Pass between La Loma Hills and Mt. Rubidoux. It is believed by many people, including government officials, that this area of Riverside's Northside is now fully protected by that levee from all but the most disastrous flooding.

However, this is not really what the levee does.

While it is true that the levee keeps the river from flowing into North Riverside, it does not prevent rainfall and run-off water from accumulating on the flood plain during moderate to heavy rain storms. $Even before the levee was built, rainfall and run-off water cannot drain into the river because there is nowhere for it to go, so it backs up until the rain stops. The water piles up as far as the grade allows it to go. Some of it seeps into the ground, but most drains out to the river when the level of the river falls below the opening of the drain-pipes. Flood control channels, while marring the landscape considerably, would do nothing to prevent this kind of flooding. This has been established simply by watching what happens before, during and after a rainstorm.

The NSP Baseline Report of June 2017 states that the Santa Ana River levee is deteriorating (see page 20). But, the Center Street Commerce Center Initial Study and Mitigated Negative Declaration does not address this issue. It most certainly should be a reason for

concern regarding any new development in the flood plain on either side of the river. Thousands of lives and much property are at stake if the levee were to fail when it is needed most. It should remind us that development in any river flood plain should be minimal.

Worst-case scenario: a giant warehouse in full operation, with scores of heavy trucks and hundreds of cars, means hundreds of human beings who would of necessity need to leave the area in a hurry. They would find the roads crowded with residents, businessmen, working people, sports enthusiasts and other people all trying to leave the area in a hurry.

Because it is in the flood plain, lower elevations such as the Center Street Commerce Center warehouse site are subject to flooding during the afore-mentioned storms. This can be easily documented and should be to make any study of the site complete. At such times, it is not unusual for cars and trucks to be unable to pass through from Orange Street to Main along Center or Placentia Lane. This also can be documented. It is a continual source of amusement for Northsiders who find existing land use policy lacking.

Until the 1990s when the City and County Redevelopment Agencies rezoned the northernmost undeveloped rural properties of Riverside to Industrial-BMP, people did not build in the flood plain. Sharon Trujillo-Kasner, a descendant of La Placita's founders who grew up in the neighborhood of the warehouse site, submitted a letter to the City of Riverside two years ago stating that it has been the custom of her family never to have a house below Orange Street because of the danger of flooding during heavy rains.

The flood plain in the Northside is on top of an underground water reservoir called the "Riverside-North Basin", a main source of drinking water for Riverside Public Utilities. RPU also has a well across Placentia from the warehouse site and other locations nearby which would be harmed by heavy truck traffic and whatever industrial use might occupy the property.

Then there is also the question of the underground channel of the Santa Ana River, which flows through the Northside flood plain, changing its hidden course from time to time. The soil through which it flows is inherently unstable. Aquifers feed seasonal springs which dot the landscape during periods of even lighter-than-usual rainfall. Rainy periods cause pools to form in the flood plain, attracting waterfowl and other wildlife. It should be classified as some kind of wetlands, even though during periods of drought like we are experiencing presently seem to indicate otherwise.

In 1852, during a period of dry years, residents of La Placita de los Trujillos and Agua Mansa, whose twin villages were located on either side of the river where a southern branch of the Old Spanish Trail from Cajon Pass to the Santa Ana River meets La Loma Hills, built a an adobe chapel on the east-side of the river. When they attempted put the roof on, the little structure disappeared into the ground. It was rebuilt on high ground on the other side. This story is mentioned in Joyce Carter Vickery's *Defending Eden* (UCR History Department and Riverside Municipal Museum, 1977) based on archival material and Trujillo Family oral tradition that is easily referenced at the RMM. it is interesting to note that there is no mention of an earthquake or rainfall in conjunction with this notable event.

The map of the Southern California Colony Association Ten-Acre Tracts filed with the San Bernardino Co. Recorder's Office in 1871 describes the area where the Center Street Commerce Center warehouse site is located as "Open Bottom Land", with Willows and Agua Mota Brush covering the flood plain below the Table Land. A map of Jurupa Rancho filed with the U.S. Surveyor General's Office in 1878 described the same as

"bottomland". According to the Tenth Edition of Merriam-Webster's Collegiate Dictionary, since 1728, the term *bottomland* has been used in the United States to refer to "low-lying land along a river course". The 1828 Noah Webster's *Dictionary of the American Language* says one meaning of the word "bottom" refers to the lowest-possible point of anything.

This means that neither the levee and nor any amount of new or improved flood control channels, or any other "improvement" devised by the hand of man, are sufficient to prevent the forces of nature from undermining or destroying our efforts to overcome them. There is no way to prevent the inevitable, or mitigate against the worst-case scenario. We bring this up in the hopes that the developer will realize that the chosen site for their warehouse is not in their best interests, either.

We are also aware that if one giant warehouse is built in this neighborhood, it opens the door for a second one, and a third, and so on until the irreplaceable and lovely open-space charm of the city's oldest neighborhood is displaced entirely by industrial parks and hard surfaces, the underground water reservoirs and the river polluted with industrial-related toxins, the air made unbreathable by the truck traffic, the background noise ruining what is otherwise usually a very quiet place to be and neighborhood residents are driven away by the certain destruction to their Quality of Life.

We are sorry that this letter cannot include every point we wish to make--that would require more time than we have to get this to you in time to be included in your agenda packet. But, we will be making additional points for your consideration in the days to come.

Of particular concern to us is the fact that the DRC made its decision in a meeting that was closed to the public in violation of the State's Open Meetings laws, the Riverside Municipal Code and the local Transparency in Government policy.

Please see the map attached below.

We are not opposed to warehouses. But, we *are* opposed to warehouses in the Northside Specific Plan Study Area in *general* and to a warehouse at the Placentia Lane site in *particular*. There is no mitigation that would make this project acceptable to the members of our Alliance.

Please save the city's oldest and most historic neighborhood! We ask you uphold our Appeal and overturn the DRC's approval of the Center Street Commerce Center warehouse.

Thank you for considering our Appeal.

Respectfully yours,

Karen Renfro, Co-founder
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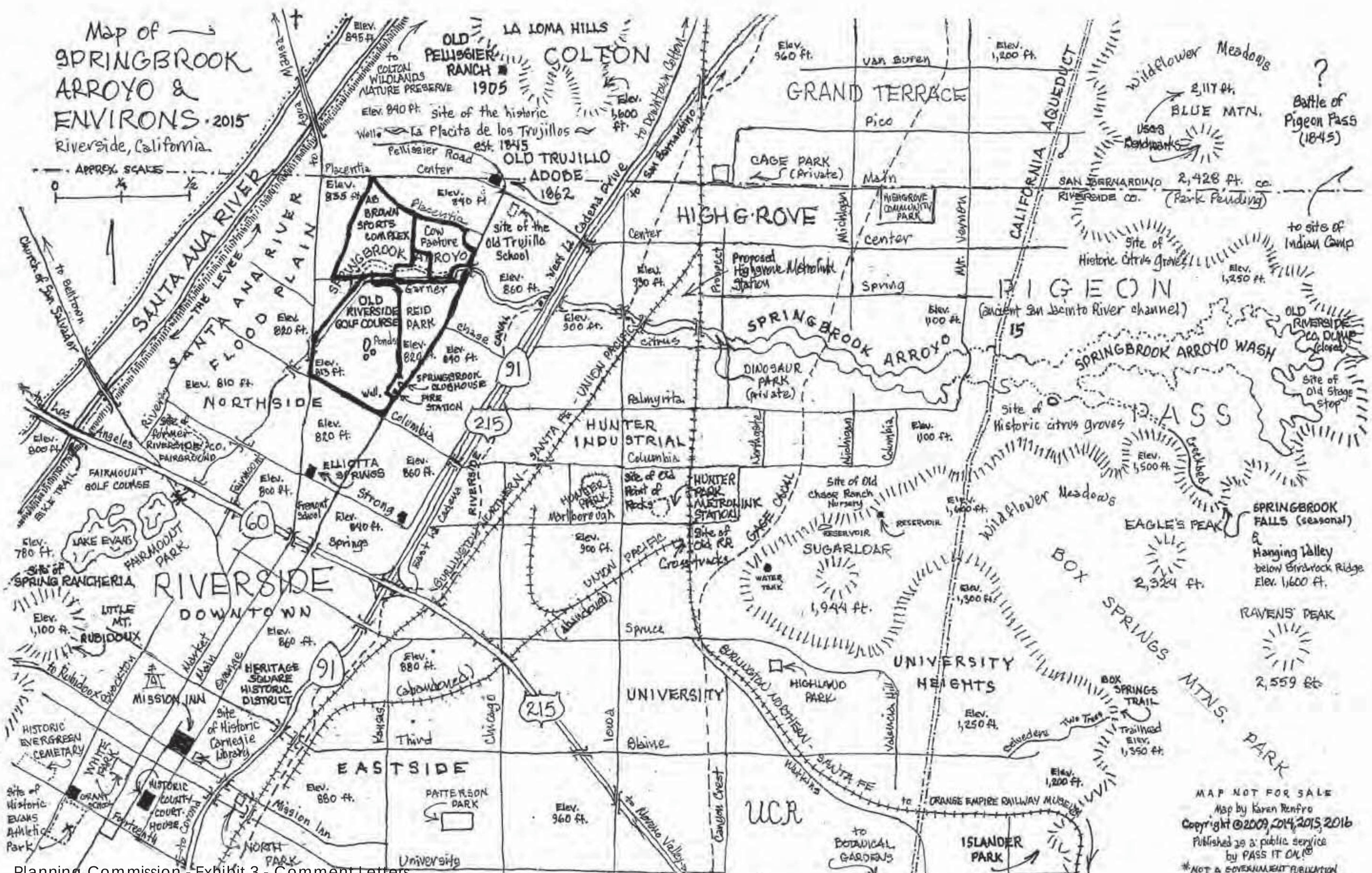
CC:

CEDD Director
Planning Division
Historical Preservation Office
Councilman Mike Gardner
City Clerk
Chief of Police
Fire Chief
Public Works Director
Park, Recreation & Community Services Director
Head Librarian
Riverside Metropolitan Museum Director
Northside Specific Plan Project Manger
Riverside Public Utilities
Northside Improvement Association
Spanish Town Heritage Foundation
CIF Cross Country
Riverside Tamale Festival
OSTA - Agua Mansa Chapter
LULAC
Downtown Area Neighborhood Association
Press Enterprise
Highgrove Happenings

ATTACHMENT:
Map of Springbrook Arroyo & Environs
by Karen Renfro

PDF - One page


Map of SPRINGBROOK ARROYO & ENVIRONS · 2015
Riverside, California
APPROX. SCALE
LA LOMA HILLS
COLTON
OLD PELLISSIER RANCH 1905
to COLTON WILDLANDS NATURE PRESERVE
Site of the historic La Placita de los Trujillos est. 1845
OLD TRUJILLO ADOBE 1862
GRAND TERRACE
HIGHGROVE
CAGE PARK (Private)
HIGHGROVE COMMUNITY PARK
Proposed Highgrove Metrolink Station
CALIFORNIA AQUEDUCT
Wildflower Meadows
BLUE MTN.
Battle of Pigeon Pass (1845)
to site of Indian Camp
SAN BERNARDINO CO.
RIVERSIDE CO.
Site of Historic Citrus Groves
PIGEON PASS
(ancient San Jacinto River channel)
SPRINGBROOK ARROYO
SPRINGBROOK ARROYO WASH
OLD RIVERSIDE CO. DUMP (closed)
Site of Old Stage Stop
DINOSAUR PARK (private)
SANTA ANA RIVER
THE LEVEE
SANTA ANA RIVER FLOOD PLAIN
AB BROWN SPORTS COMPLEX
Cow Pasture
OLD RIVERSIDE GOLF COURSE
REID PARK
SPRINGBROOK CLUBHOUSE
FIRE STATION
site of the Old Trujillo School
NORTHSIDE
HUNTER INDUSTRIAL
HUNTER PARK
HUNTER PARK METROLINK STATION
Site of Old Chase Ranch Nursery
SUGARLOAF
EAGLE'S PEAK
SPRINGBROOK FALLS (seasonal)
Hanging Valley below Birdrock Ridge
RAVENS' PEAK
BOX SPRINGS MTNS. PARK
BOX SPRINGS TRAIL
UNIVERSITY HEIGHTS
HIGHLAND PARK
UNIVERSITY
UCR
to BOTANICAL GARDENS
ISLANDER PARK
ORANGE EMPIRE RAILWAY MUSEUM
EASTSIDE
PATTERSON PARK
RIVERSIDE
DOWNTOWN
HERITAGE SQUARE HISTORIC DISTRICT
MISSION INN
Site of Historic Carnegie Library
HISTORIC COUNTY COURT HOUSE
WHITE PARK
NORTH PARK
HISTORIC EVERGREEN CEMETARY
Site of Historic Evans Athletic Park
LITTLE MT. RUBIDOUX
Site of SPRING RANCHERIA
LAKE EVANS
FAIRMOUNT PARK
FAIRMOUNT GOLF COURSE
Site of Former Riverside Co. Fairground
ELLIOTTA SPRINGS
MAP NOT FOR SALE
Map by Karen Renfro
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Maartin Rossouw, Chairman
Riverside Planning Commission
City of Riverside
3900 Main Street
Riverside, California 92502

Re: Center Street Commerce Center Project (Planning Cases P14-1033 and P14-1034 to build a 308,000 sq. ft. warehouse in the Northside Neighborhood)

Dear Mr. Rossouw,

The Historical/Archaeological Resources Survey Report is inadequate for the following reasons:

- The project might be within the Santa Ana River floodplain, and possibly may have alluvial deposits from Cadena Creek to the north. If this is true, there is a real possibility of buried and intact prehistoric and historical archaeological sites and features. Did the cultural resources consultants consider the potential for buried archaeological resources? If there's deep alluvial deposits on the parcel, and not some older Pleistocene landform, then the proximity to the River and the abundant historic-era buildings of the La Placita community make this a sensitive area for both prehistoric and historical sites.

- The study has a detailed look at the history of the parcel after 1907. It is missing a more detailed discussion of the early land ownership. The land was first part of Rancho Jurupa, which was granted to Juan Bandini in 1834. It would be appropriate to include an early map in the report. It could be the diseño (original Rancho map) or the later US Surveyor General maps documenting the precise boundary. Some of the Rancho was sold to Rubidoux and to Abel Sterns. Not sure if the project area belonged to either of those. How did the land eventually end up in the ownership of Luz Atencio Trujillo? Did the cultural resources consultants consider the earlier settlement of the parcel?

- The report lacks a larger context for understanding historic era resources. Archaeologists have studied the structure and content of adobes throughout California. Adobe blocks, features in the floor, and the construction techniques have been found significant. Although the study for this Adobe concludes that it does not appear eligible for Criteria 1-3, it may be eligible for Criterion 4 (the potential to yield important in prehistory or history). Some sources said this adobe was constructed from blocks removed from older structures. Controlled dismantling of the adobe using archaeological techniques may yield substantial information about the date of construction, methods used, and differences in adobe blocks (which could verify or refute the story about recycled blocks). Did the cultural resources consultants consider the potential for archaeological information of the adobe itself?

- The archaeological survey had limited ground surface visibility—0-50% visibility. This is an incomplete survey and it is possible they may have missed resources. Historic sites can have subtle surface manifestations, but intact and significant subsurface deposits. For example, it is possible that some of the original settlement of La Placita de Los Trujillos is on this parcel. There could be archaeological evidence of the occupation before the 1862 flood. When adobe buildings melt, the walls dissolve and cover the surrounding soil. There could be buried archaeological evidence such as privies, wells, or trashpits that contain evidence of the historic occupation. Other field methods need to be used to look for evidence of the earliest historic settlement or the occupation associated with the standing adobe. Archaeological monitoring is not a substitution for adequate cultural resources inventory. Especially if there is potential for buried archaeology.

- Finding buried cultural resources during construction could potentially be very costly and substantially delay project completion. We suggest instead that before construction begins: 1) a qualified geoarchaeologist assess the parcel to see if it includes areas sensitive for buried prehistoric and historical archaeological sites; and, if warranted, 2) conduct subsurface exploration with a backhoe to search for buried sites. While this will cost some money, it would save much more money and time if buried archaeological sites are found and investigated prior to than during construction.

Thank you.

Eric D. Wohlgemuth, PhD

Maartin Rossouw, Chairman
Riverside Planning Commission
City of Riverside
3900 Main Street
Riverside, California 92502

Re: Center Street Commerce Center Project (Planning Cases P14-1033 and P14-1034 to build a 308,000 sq. ft. warehouse in the Northside Neighborhood)

Dear Mr. Rossouw,

These comments address the cases that went before the Development Review Committee on the meeting of February 21, 2018 and is now appealed to the Planning Commission.

- This project would in fact violate Riverside 2025 General Plan provision LU-72 in that it would not provide for steady change and improvement to an upgraded model community. A 308,000 square-foot warehouse in the middle of otherwise undeveloped land that could be allocated for higher value projects is not an appropriate use.
- This project would also violate Riverside 2025 General Plan provision LU-74, serving to promote and preserve the lower density charm of the Northside.
- Hydrologic and hydraulic studies (including a project-specific Water Quality Management Plan and a Storm Water Pollution Prevention Plan) to assess on-site and off-site flows should be made prior to Project approval, not prior to the issuance of a Grading Permit. It makes little sense to approve a project if the subsequent compliance plans cannot be met. This is especially important in that the Mitigated Negative Declaration for this project is based in large part on these yet unformulated compliance plans.
- Appendix 3 in the updated CEQA document purporting to show critical Soils Information is still blank.

Meanwhile the Northside Specific Plan is on the horizon. Considering these foregoing points, a decision on this project should be postponed until the impending Northside Specific Plan is finalized. It makes more sense to develop the Northside Neighborhood in accordance with a Specific Plan with community engagement than piecemeal on a project-by-project basis.

Thank you.

Peter M. Wohlgemuth