From: Sharon Trujillo-Kasner [mailto:skasner@sbcglobal.net]
Sent: Thursday, September 27, 2018 12:31 AM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--
Ms Sharon Trujillo-Kasner
skasner@sbcglobal.net

From: Karen Renfro [mailto:k.a.renfro7@gmail.com]
Sent: Monday, September 24, 2018 5:57 PM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>
Cc: Zelinka, Al <azelinka@riversideca.gov>; Geuss, Gary <GGeuss@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>; Guzman, Rafael <RGuzman@riversideca.gov>; Lopez, Moises <MLopez@riversideca.gov>; Beaumon, Anthony <ABeaumon@riversideca.gov>; Welch, David <DWelch@riversideca.gov>; Brenes, Patricia <PBrenes@riversideca.gov>; Norton, Brian <BNorton@riversideca.gov>; Eastman, Jay <JEastman@riversideca.gov>; Murray, David <DMurray@riversideca.gov>; Brian Mooney <bmooney@rickengineering.com>; Brian Stephenson <bstephenson@rickengineering.com>; Michiko Morisaki <mmorisaki@rickengineering.com>; Joan Isaacson <jisaacson@kearnswest.com>; Taylor York <tyork@kearnswest.com>; Eva Yakutis <evayakutis@gmail.com>; Wohlgemuth Family <pjdnw@yahoo.com>; ponnech <ponnech@att.net>; erin snyder <epolcene@juno.com>; RiversideTamaleFestival@gmail.com; osta.aguamansa@gmail.com; OSTA SoCal <ostasocal@gmail.com>; Steve <riversidehistoricalsociety@gmail.com>; sbhistoricalsociety@mac.com; DANA CHAIR <danariversidechair@gmail.com>; Christopher Sutton <christophersutton.law@gmail.com>; Mark Acosta <macosta@scng.com>; Media-rhagen@scng.com <rhagen@scng.com>; Susan Shelley <Susan@susanshelley.com>; colton@citynewsgroup.com; highgrovenews@roadrunner.com
Subject: [External] NEW INFORMATION FOR OCT. 9, 2018 RIVERSIDE CITY COUNCIL HEARING ON APPEAL BY SPRINGBROOK HERITAGE ALLIANCE OF CENTER STREET COMMERCE CENTER PROJECT

September 24, 2018

The Honorable
William R. "Rusty" Bailey III,
Mayor of Riverside
3900 Main Street
Riverside, California 92522
CC: Riverside City Council

NEW INFORMATION FOR OCT. 9, 2018 RIVERSIDE CITY COUNCIL HEARING:
SPRINGBROOK HERITAGE ALLIANCE APPEAL OF PLANNING COMMISSION DECISION ON CENTER STREET COMMERCE CENTER PROJECT
P14-1033 (DR) & P14-1034 (LLA), Initial Study/Mitigated Negative Declaration

Honorable Mayor and Members of the Riverside City Council:

Springbrook Heritage Alliance is grateful to the Riverside City Council's Land Use Committee for recommending that you uphold our appeal of the Center Street Commerce Center Project. We hope that after considering our appeal that you will agree that this is in the best interest of the people of Riverside in general and the Northside's North End neighborhood in particular.

We oppose this project not simply because it is a warehouse, but because warehouse/manufacturing/office uses are wrong for the chosen location--and for many reasons. These we are presenting in other correspondence. We hope you will refer to them as you examine the Mitigated Negative Declaration and other material related to this case.

As we have already pointed out in our previous correspondence to the City's Developmental Review Committee, Planning Commission and LUC, there are no mitigations that would alter our position. Our objections are based on serious problems that cannot be resolved. The fact that a project of this size could be approved by the City's Developmental Review Committee and Planning Commission without a complete and accurate Environmental Impact Report makes a mockery of our City's permit application process.

The Initial Study/MND you have before you does not adequately address the diverse issues involved--many are not even mentioned. Considering the severity of actual and potential negative impacts the Project will most certainly have on the neighborhood, we think it imperative that you have a chance to examine them before rendering your decision.

One of these issues is the very real potential for significant flooding from the Santa Ana River on the one hand and storm run-off on the other.

FLOOD HAZARDS:

In this letter we wish to address the issue of flood hazards at the site raised in the MND, Section 4.9 *Hydrology & Water Quality* pp. 61-64, questions *h through j*:

- Question "h": Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- Question "I": Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- Question "j": Would the Project be at risk for inundation by seiche, tsunami or mudflow? ["seiche" means *change in direction or flow of water or electricity*]

The MND's answer to all three is "Less than Significant Impact". And, if the explanations offered on page 64 are taken at face value, that seems reasonable:

- In the explanation for question h, we are told "the proposed project is not located in a designated 100-year flood hazard area or zone, as indicated on FEMA Flood Insurance Maps: however the site is located within 'Zone X' within 'Other Flood Areas' which includes areas of 0.2% annual chance of flood, areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, or areas protected by levees from 1% annual chance flood. Therefore, the project will not impede or redirect flood flows."
- In the explanation for question I, we are told "the project site is not located within a dam inundation area. Impacts due to levee failure will be less than significant."
- In the explanation for question j, we are told "the project site is located approximately 0.7 miles east of the Santa Ana River. According to the Riverside General Plan EIR, exposure of people or structures to significant risk or loss, injury or death involving seiche or tsunami are extremely unlikely. According to the Riverside General Plan EIR, mudflows associated with erosion or fire damage may occur near the Santa Ana River. However, because the project site and the surrounding area are relatively flat, impacts related to significant mudflows will be less than significant."

But, in fact, they are not reasonable. And they do not address all the possible flood-hazards.

WHY THESE ANSWERS ARE MISLEADING:

The assertions are based on a fundamental lack of knowledge and understanding of the geography, history, and complexity of factors affecting the Project location in relation to the Santa Ana River.

It is commonly believed that because the Santa Ana River levee can contain a 100-year flood, bottomland in the North End of Riverside's Northside is not located in the SAR floodplain and therefore not at risk for serious flooding. Some folks even believe that the Santa Ana River levee and Seven Oaks Dam actually eliminate the Santa Ana River floodplain. But, nothing about these perceptions is accurate.

We will take them on one-by-one.

THE 100-YEAR FLOOD HAZARD:

- According to FEMA and other authoritative sources, a 100-year flood is not a flood that occurs once every hundred years. The term refers to an event that has a 1% chance of happening on any given day in any given year.
- FEMA measures a 100-year flood as one where a river overflows its banks.
- FEMA says the warehouse site is protected from 100-year floods by the Santa Ana River Levee.
- FEMA says there is no way to predict how many times in any given period that flooding will exceed the level of a 100-year flood.
- FEMA also says there is no way to predict how often flooding will reach a 500-year or 1,000-year event. They will tell you only that because these floods have happened in the past, they are likely to happen again sometime in the future. And at any time.

THE TOPOGRAPHY OF THE NORTHSIDE'S NORTH END:

1. The USGS map of the *San Bernardino South Quadrangle* (1967) shows Santa Ana River elevations at 900 ft. from La Cadena Drive north of La Loma Hills upstream from the site to 800 ft. where the present-day 60 freeway crosses the waterway about two miles downstream. On the east side of the river south of La Loma Hills, elevations range from a height of 860 ft. from the county line at La Cadena Drive to 800 ft. at the 60 freeway bridge just over a mile downstream to the west.
2. The historic U.S. Surveyor's map of the *Plat of the Jurupa Rancho*, recorded at the Surveyor General's Office in San Francisco in 1878, describes this largish area east of the Santa Ana River just south of the hills as *"bottomland"*. By contrast, tableland elevations on the west side of the river as it runs through Agua Mansa rise to a level of 900 ft. within a half mile of the riverbed.
3. The *Merriam-Webster's Collegiate Dictionary (Tenth Edition: 1977)* defines bottomland as *low-lying land along a watercourse.*
4. The same dictionary defines a "floodplain" as *level land that may be submerged by floodwaters or a plain built up by stream deposition.*
5. The USGS map cited above shows low-lying land along a watercourse at elevations lower than the riverbed upstream and in the area of the Northside that low-lying land is also relatively level compared to its surroundings. But, it isn't flat. There is enough of a grade to recognize a downhill slope from the tableland on the east to the river on the west.
6. Therefore, we can conclude that the Northside's North End bottomland is located in the Santa Ana River floodplain.
7. The Center Street Commerce Center Project is located in the North End bottomland at an elevation of 835-840 ft., therefore it is located in the floodplain. A photograph of the view of the warehouse site from Orange Street and Garner Road is attached below. Everything except the hills is located in the Santa Ana River floodplain. See "SHA Photo".

THE HISTORICAL RECORD

1. The geological record shows this same low-lying land has been submerged by major floods, some of them cataclysmic, many times in human history. Earthquakes, floods, and erosion helped build the landscape in the Santa Ana River floodplain area and you can see nature's handiwork if you know what to look for.
2. The worst flood since 1772, the first year we have a written record, was the Flood of 1862. It carved out the Grand Terrace Bluffs north of La Loma Hills and the cliff along Agua Mansa Road across the River.
3. There was a time when some people thought it was a 100-year flood. Now, some authorities say it was a 250-year flood, or a 350-year flood, or a 500-year flood. Wikipedia says it was a 1,000-year flood. But, there are those who will simply say the Flood of 1862 was *not* a 100-year flood.
4. It is important to know what sort of flood it was because FEMA's rating-system is based on the 100-year threshold.
5. Eyewitness accounts of this flood, which inundated the floodplain from the top of the San Bernardino Valley to the mouth of the River at the Pacific Ocean, enable us to determine what we need to know.
6. One of the best descriptions of this flood can be found in Vickery's classic history of Riverside's first neighborhood, Agua Mansa and La Placita de los Trujillos, the twin villages located where the River comes into contact with La Loma Hills. La Placita was on the alluvial fan below the hills where what is left of Pellissier Ranch is now: *Defending Eden: New Mexican Pioneers in Southern California 1830-1890* by Joyce Carter Vickery (UCR History Department and Riverside Municipal Museum, 1977). Chapter Five, pp. 67-72. We are submitting a copy of this book to the City of Riverside for the record.
7. In her notes on Chapter Five, Vickery cites numerous sources--including Benjamin Hayes, Horace Bell, Father Juan Caballeria, Beattie & Beattie, and Arthur Sidler's definitive 1968 report to the San Bernardino Co. Flood Control District we refer to below.

THE FLOOD OF 1862:

1. The storm systems that brought this famous flood began on Christmas Day in 1861 with a freezing two-week rain. It left the mountains buried under a high snow-pack to very low elevations, then turned warm and continued to rain until Jan. 18, 1862. The snow-melt caused the river to rise well beyond its banks. On the last day 24 inches of rain fell in a 24-hour period. On Jan. 22 a wall of water tore downstream gathering strength from the River's tributaries as it went. One eyewitness said it was about fifty feet high at Agua Mansa.
2. Flood levels in the Northside reached well beyond present-day Orange Street and far up onto the tableland. The twin villages of Agua Mansa and La Placita de los Trujillos were washed away. The entire length of the Santa Ana River floodplain from Greenspot to Huntington Beach for miles on either side was inundated. The receding deluge left sand, rocks, trees, remains of houses and barns and other debris.
3. In 1937 R.V. Ward, a member of the San Bernardino County Engineering Advisory Committee, was asked to determine the height of the high-water mark at the only known point on the river for that flood--the steps of the little Church of San Salvador at Agua Mansa where the padre rang the bell that saved the lives of all the people of Agua Mansa and La Placita. The church wasn't there anymore, but he was able to judge the elevation of the high-water mark.
4. Based on historical and physical evidence, he concluded the level at 872.3 ft. and calculated the magnitude of waterflow at 360,000 cubic feet per second, then revised it to 314,00 cfs.
5. Because of the many difficulties establishing certain factors, his findings were disputed by those who were not persuaded his research and/or calculations were accurate. And it seemed unlikely to many that the flood would have been that big.
6. In 1967 officials from the U.S. Geological Survey and San Bernardino Co. Flood Control District decided the time had come to resolve those questions. After considerable research their findings were published in an official report the following year.

7. This report, entitled *Agua Mansa and the Flood of 1862: Santa Ana River* by W.A. Sidler of the SB Co. Flood Control District (1968), confirmed Ward's research and verified his conclusions. See Sidler's report "Flood of 1862" attached below

OTHER GREAT FLOODS IN LOCAL HISTORY:

1. According to Sidler, the Flood of 1862 was three times the magnitude of the floods of 1891 and 1938, and more than two-and-a-half times the Flood of 1867.
2. The Flood of 1969 came after publication of this study and before the construction of this section of the Santa Ana River levee, but it too not only overflowed the riverbank but washed away bridges and crossed over Orange Street.
3. These four smaller-scale floods occurred during a 100-year period.
4. Since the levee was installed, there have been other floods of similar magnitude that sometimes went beyond the site of the proposed warehouse without reaching all the way to Orange Street. But because of the levee the floodwaters did not come from the River.
5. And then there are the many more ordinary storms that cause flooding in the North End without going that far but still inundate Main, Center and Placentia.
6. These floods are caused by precipitation and run-off that must flow downhill through the floodplain to the levee where it cannot proceed any further. And then it backs up the grade as far as it has to go. The mitigations for the Center Street Commerce Center Project include construction of a check basin on the site, for the purpose of collecting run-off water during rainy periods. Such a basin may serve for light precipitation, but it will not make a difference for the yearly storms that cause the moderate flooding described above.
7. Those floods slowly subside by absorption and evaporation. If the run-off has picked up residue from vehicle traffic it is absorbed where it comes into contact with the soil, and percolates down to the water reservoir below.

THE SANTA ANA RIVER LEVEE:

1. The section of the Santa River levee that runs along Agua Mansa and Riverside's North End, known as "Riverside Upper 2" is made of rocks and dirt.
2. It was built by the U.S. Army Corps of Engineers after the Flood of 1968-69 and designed to contain a 100-year flood.
3. The presence of the levee does not remove the floodplain, it simply protects the floodplain from 100-year floods.
4. Specifically, its purpose is to confine the river to a narrow channel for keeping it away from encroachments by urban, industrial and other development in the floodplain.
5. At this point, the levee is below the high-water mark for the Flood of 1862.
6. As the riverbed tends to build up with the passage of time, the amount of water the levee is capable of handling may be less now than it originally was.
7. See Riverside Co. Flood Control District plans attached below: "DWG-1-0550pdf".

THE SEVEN OAKS DAM:

1. The Seven Oaks Dam is located at the upper end of the Santa Ana River where it crosses the San Andreas Fault at the base of the San Bernardino Mountains near Greenspot.
2. It is a 500-ft. high earthen dam made of compacted soil, clay, sand and rocks--the tenth highest earthen dam in the world--with spillways on each side to prevent it from exceeding capacity.
3. It is designed to hold back river flow when too much water is going through Prado Dam.
4. It is not designed to handle a 100-year flood.
5. It is designed to withstand an 8.0 magnitude earthquake.
6. The San Andreas Fault is capable of producing an 8.5 magnitude earthquake.

7. A report from the City of Redlands posted on their website says "failure of this dam is very unlikely, but under the right set of conditions, could occur with severe consequences." These are: a) failure while the dam is at or near full capacity and b) complete breach of the dam as a result of subsidence, earthquake or erosion during periods of heavy rain. https://www.cityofredlands.org/cityhall/departments/office_of_the_city_manager/emergencymanagement/dam_failure

THE CONDITION OF THE SANTA ANA RIVER LEVEE:

1. The Northside Specific Plan "Baseline Opportunities & Constraints Analysis" published in 2016 reports on page 20 that "the levee's condition is deteriorating." www.NorthsidePlan.com
2. In January 2013 the U.S. Army Corps of Engineers Los Angeles District published the results their four-page *Periodic Inspection Report No. 1: General Executive Summary* for the Riverside Upper 2 levee system--the stretch we are concerned with here. See "Riverside Upper 2" attached below.
3. The report rated this section as *Unacceptable*, meaning the problems identified require immediate attention. At the time of this writing, we were unable to discover whether the levee has received the necessary attention to repair the deficiencies since then or if a regularly-scheduled maintenance program is in place.
4. The problems identified include: erosion, gullies caused by erosion, vegetation where it is prohibited, encroachments, weeping holes that have not been cleaned regularly, debris blocking drainage outlets, and so on. Any one of these deficiencies could cause the levee to fail given the right conditions.
5. Figure 1 shows a map of the area of the flood plain that the Riverside Upper 2 levee is designed to protect, and the extent of the Northside at-risk if the levee were to fail.
6. Everything from Pellissier Ranch (site of original La Placita) to the base of La Loma Hills, south along Orange Street to the 60 freeway and through Fairmount Park to the other side of Mission Boulevard is at risk. More than 15,000 men, women, children and their pets, hundreds of local businesses, two elementary schools, three churches, a historic city landmark adobe, two public parks, one golf course, an AYSO-operated sports complex, a championship CIF cross country course, four freeway entrances and exits, local wildlife, and so forth are all at risk if there is a major flood before the levee is repaired.
7. Unless the levee is continually maintained and repaired, it cannot protect us from a 100-year flood. Even if it is in good repair, it cannot contain a flood of greater magnitude.

THE PROPOSED CENTER STREET COMMERCE CENTER PROJECT:

1. The Project MND does not address the issue of displacement caused by a 308,000 sq.-ft. warehouse, and whether that would cause floodwaters to rise higher than they would if the building isn't there. But, it should. Because that might cause a flood of lesser magnitude to rise to the level of a 100-year flood.
2. In case of a major flood event, additional truck and passenger traffic to and from the warehouse on local Northside streets would cause traffic congestion on the local streets and gridlock at the freeways and other exit points. This would expose people to a greater risk of loss, injury or death than if the warehouse isn't there.
3. If the flood was cataclysmic, an evacuation would be ordered and the additional heavy truck traffic from the warehouse on Center, Main, Columbia and Orange would make it difficult or impossible for people to get out of the neighborhood to a safe place. Many motorists would be required to cross the 60 and 215 freeways, which at that point on the map would probably be flooded and the streets would be clogged with motorists trying to get off. This would expose people and buildings to an even greater risk of loss, injury or death.
4. If the flood was caused by levee failure, floodwaters would act more like they used to before the levee was put it. That means the river would cause incoming water to go in one direction up the grade and outgoing water to recede in the opposite direction. That would be a seiche. If the warehouse were built, it would be in the middle of a seiche.
5. The conclusions of the Project MND are incorrect.

CONCLUSIONS:

- **If the Seven Oaks Dam fails, the Santa Ana River levee cannot protect us from the River even if it is in good repair.**
- **Regardless of any other considerations, the current condition of the Santa Ana River levee and Seven Oaks Dam need to be evaluated.**
- **It should not be assumed that 100-year, or 500-year, or 1,000 year flood are unlikely because the odds seem so small. It doesn't take a 100-year storm to cause serious flooding in the Northside.**
- **New development in the floodplain should be appropriate to the location or the City could be liable for damages caused by bad planning.**
- **The Center Street Commerce Center Project Initial Study/MND does not address these issues, but they should be examined because these are very real possibilities.**

Please vote to uphold our Appeal.

Respectfully yours,

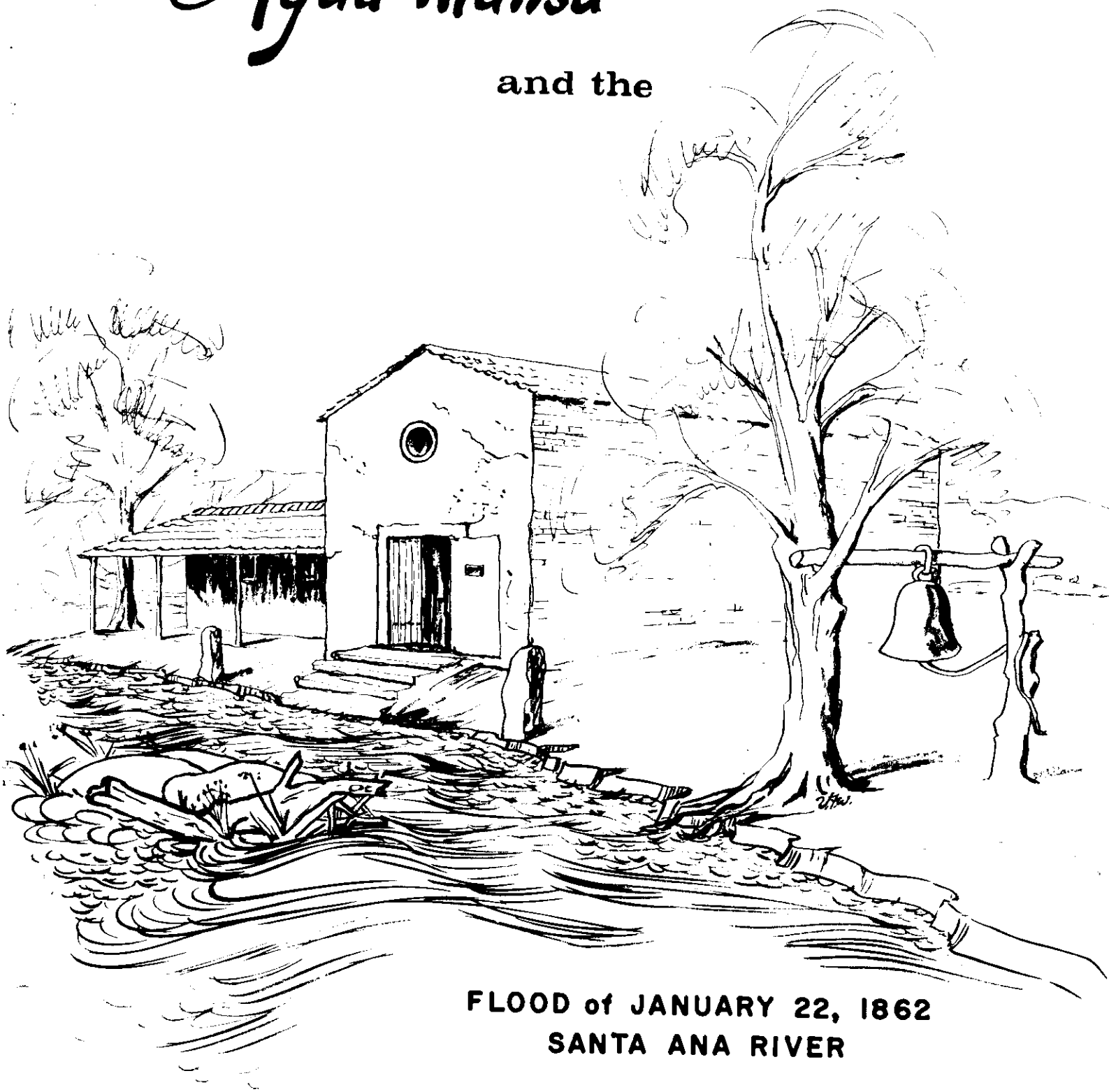
Karen Renfro, Spokesman
Springbrook Heritage Alliance
P.O. Box 745
Riverside, California 92502-0745
(951)787-0617
k.a.renfro7@gmail.com
https://www.facebook.com/springbrookheritagealliance

CC:
Office of the City Manager
Office of the City Attorney
Office of the City Clerk
Community and Economic Development Interim Director
Planning Division Manager
Current Planning Supervisor
Senior Planner Brian Norton
Office of Historic Preservation
Northside Specific Plan Team
Springbrook Heritage Alliance
Northside Improvement Association
Spanish Town Heritage Foundation
OSTA-Agua Mansa Chapter
OSTA-Southern California
Riverside Historical Society
San Bernardino Pioneer and Historical Society
Downtown Area Neighborhood Association
Christopher Sutton
Press Enterprise
City News Group
Highgrove Happenings

ATTACHMENTS:
Agua Mansa and the Flood of 1862 Santa Ana River - 15 pages total
Santa Ana River Levee Riverside Upper 2 Plans - 10 pages total
U.S. Army Corps of Engineers Santa Ana River Levee Periodic Inspection Report No. 1/Riverside Upper 2 - 4 pages total
Photo of Northside Floodplain looking toward proposed site for warehouse - 1 page total

Agua Mansa

and the



FLOOD of JANUARY 22, 1862
SANTA ANA RIVER

A G U A M A N S A

and the

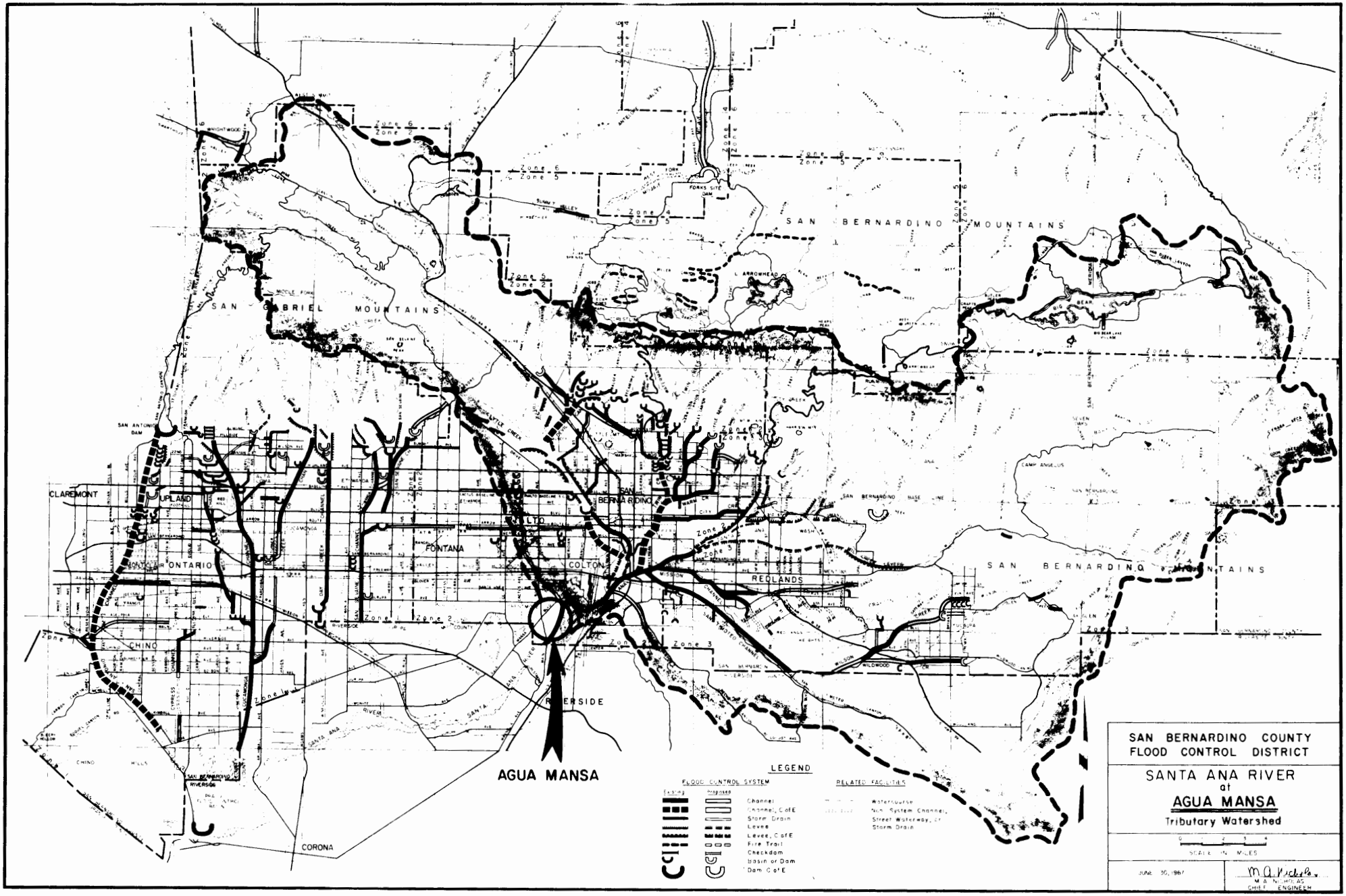
FLOOD OF JANUARY 22, 1862

SANTA ANA RIVER

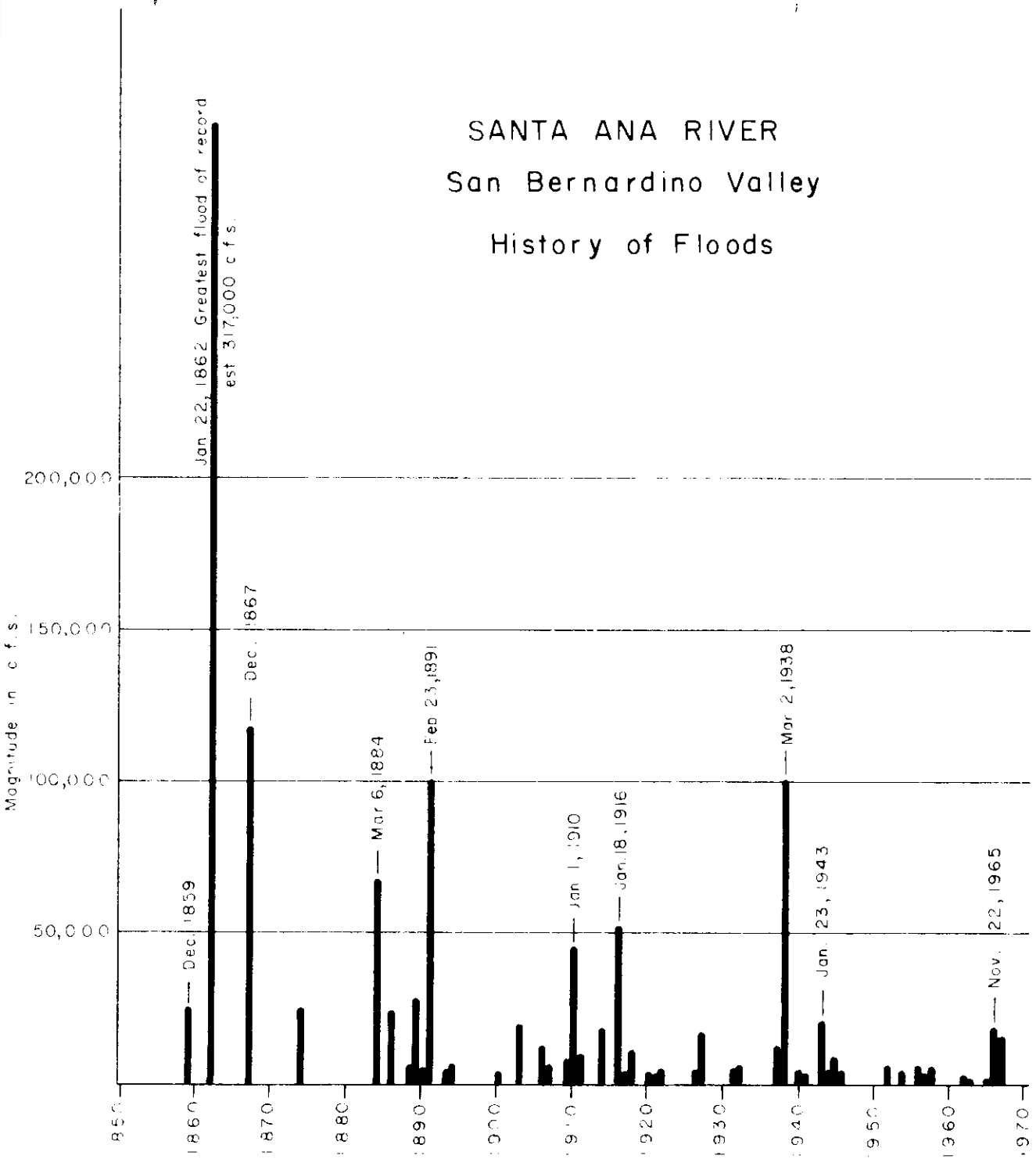
San Bernardino County

Flood Control District

California


SAN BERNARDINO MOUNTAINS
SAN GABRIEL MOUNTAINS
SAN BERNARDINO MOUNTAINS
CLAREMONT
UPLAND
ONTARIO
CHINO
FONTANA
COLTON
REDLANDS
SAN BERNARDINO
RIVERSIDE
CORONA
AGUA MANSA
SAN ANTONIO DAM
FORKS SITE DAM
CAMP ANGELUS
WILDWOOD
LEGEND
FLOOD CONTROL SYSTEM
Existing
Proposed
Channel
Channel, Cat'E
Storm Drain
Levee
Levee, Cat'E
Fire Trail
Checkdam
Basin or Dam
Dam Cat'E
RELATED FACILITIES
Watercourse
Non System Channel, Street Waterway, or Storm Drain
SAN BERNARDINO COUNTY
FLOOD CONTROL DISTRICT
SANTA ANA RIVER
at
AGUA MANSA
Tributary Watershed
SCALE IN MILES
JUNE 30, 1967
M. A. NICHOLAS
CHIEF ENGINEER

SANTA ANA RIVER
San Bernardino Valley
History of Floods



SAN BERNARDINO COUNTY
FLOOD CONTROL DISTRICT

SANTA ANA RIVER
FLOODS

Discharge near Riverside Narrows

By J.B.
Date Apr 12, 1968

Planning File No
RM-05-67

DELUGE, PRECIPITOUS RAINFALL, FLOOD! In some regions, these words have considerable impact. From past relationships or experiences therewith, they incite instant fear and alarm.

This is not true in Southern California or its San Bernardino Valley, where popular concepts of the region are likely to instill a more comfortable, semi-arid feeling of perennial sunshine. Even the crisp white rim of the San Gabriel and San Bernardino Mountains in close proximity, rising upwards to 11,000 feet, and capricious as they may be, are looked upon by the populace only as a pleasurable retreat or scenic backdrop to the sub-tropical valley.

There is an apparent incongruity between these popular concepts and the considered opinion of those who peer into a limited heritage of historical data and the arts or sciences of climatology and hydrology. In view of this, it is apparent that there is a need to quiet or clarify many of the misconceptions, and to provide as factual a portrayal of flood potential as we can on the Upper Santa Ana River in the San Bernardino Valley. It is to this end that this paper is devoted.

It is our purpose to discuss the greatest flood known in the upper reaches of the Santa Ana River Basin, and so far as practical, to remove the conjectural and legendary aspects heretofore attached. The flood occurring on January 22, 1862, is generally acclaimed as the greatest flood of record in the Upper Santa Ana River Basin following the entry of the white men in 1772. Many glowing accounts of the flood of 1862 have been documented and passed down through history. Of importance are those which directly bear on the community of Agua Mansa on the banks of the Santa Ana River about two

miles southerly of the present City of Colton. The significance is that at this specific location there has been established the only high water mark on the Santa Ana River for the flood of 1862. It is also believed that this is the only high water mark established in Southern California, or even in the entire State of California, for that great flood.

Excerpts from the book "Pioneer Days in San Bernardino County" by Mrs. E. P. R. Crafts paint a vivid picture of that flood:

"The fall of 1861 was sunny and dry and warm until Christmas Day. The year of 1862 was a year to be remembered by the settlers of the San Bernardino Valley. This was the year of the great flood which culminated on the night of January 22, 1862, and wrought great destruction and desolation. It rained continuous for fifteen days and nights. The gentle Santa Ana River became a raging torrent which, washing, swirling, and seething, swept everything from its path. The settlers awoke in alarm. The inhabitants of La Placita rushed to the Cerro de Harpero - the hill west of Loma District; those of Agua Mansa took refuge in the little church (Capilla San Salvador), which seemed to offer a place of safety. The church and the house of Cornelius Jensen, opposite the church, were the only buildings on high ground and the only ones that escaped the destruction in the flood.

"When morning came -- a scene of desolation. The Village of Agua Mansa was completely washed away, and where trees had been planted, a waste of muddy turbulent water met the gaze. Nothing remained of the little village but the church which stood on higher ground, some distance from the river. The settlers were left entirely destitute and some assistance was sent them from Los Angeles to help them build their homes upon higher ground far enough from the river to escape future damage from its

overflow. The settlement again flourished, but never did the people trust the river which twice treacherously deceived them and wrought destruction to the work of their lands."

The San Bernardino correspondent of the Los Angeles Star reported on January 22, 1862 - "The Agua Mansa, a beautiful and flourishing settlement, is destroyed and not a vestige of anything left to denote that such a place even existed."

The following accounts are taken from the "Heritage of the Valley", by George William and Helen Pruitt Beattie:

"In January, 1862, came the memorable flood that harassed all California, and to which we have referred at length in the chapter on Agua Mansa. Mrs. Eliza P. R. Crafts, the widow of Ellison Robbins and later the wife of Myron H. Crafts, wrote of this flood many years after, describing it as follows: 'The fall of 1861 was sunny, dry, and warm until Christmas, which proved to be a rainy day. All through the holidays there continued what we should call a nice, pleasant rain...This... lasted until the 18th of January, 1862, when there was a downpour for twenty-four hours, or longer. All the flat from the Santa Ana River to Pine's Hotel (corner of present Third Street and Arrowhead Avenue) was under water, inundating the Valley for miles up and down the river; and Lytle Creek came rushing down D Street, across Third, finding an outlet through an open space into Warm Creek. Many families fled in the night to higher ground, losing everything they had stored away for the winter. There were so many families rendered homeless that there was not a house in San Bernardino with only one family in it. Some sheltered three or more. The constant rain on the adobe houses turned them to mud, and of course they fell to pieces.'"

"The location of the settlements on the Donation was apparently ideal. The Santa Ana flowed through it in a well-defined channel, the lands on either side being forested with alders, sycamores, willows and cottonwoods. No serious flood had interfered with their growth for centuries, as the rich bottom land testified, and the seepage from the river encouraged the growth of lush grass. Where irrigation was needed, water from the river was easily available. The settlers had the privilege of cutting firewood and fence material on Bandini's adjoining lands. Their sheep, cattle, and horses had free range in the river bottom for miles. There was every evidence of prosperity, modest though it was.

"But in January, 1862, after seventeen years of steady growth, dire disaster visited Jurupa Valley. Long-continued, warm rains followed an exceptionally heavy snowfall in the mountains, and the fast melting snow swelled the waters of the Santa Ana and its tributaries into a flood that came upon the settlement unexpectedly. One writer says there were 'billows fifty feet high.' The waters from the vast drainage area found themselves forced abruptly into a narrow channel, and just above Agua Mansa the river filled the entire Valley from bluff to bluff, reaching almost to the little church. For years two posts before it indicated the point to which the waters rose. The greatest rush came in the night. Father Borgatta, then the pastor, heard the roar in the distance, rang the bell frantically, and the people fled to high ground. Some of the last ones had to swim. Fortunately no lives were lost.

"Peter C. Peters, of Colton, told how he stood on the bluff by the cemetery the next morning and watched the adobe houses melt down in the flood and disappear. Trees were uprooted and carried along bodily, the land was cut and washed, and the fertile fields were buried under

deposits of coarse sand and gravel. Only the church and a house near it remained."

It is the steps of this church and the rude marble posts referred to above which form the basis for establishing the high water mark for the flood of 1862.

In 1937, the County of San Bernardino's program of flood control and water conservation was guided by an Engineering Advisory Committee on Flood Control appointed by the Board of Supervisors. This committee consisted of P. B. Hasbrouck, George S. Hinckley, E. T. Ham, Charles L. Foulke, R. V. Ward, and Howard L. Way, the County Surveyor and ex officio member.

In 1937 Mr. Ward, in conjunction with the committee, undertook to recapture the high water mark of 1862. It was firmly established through the records that the waters had reached almost to the steps of the church and that later two rude marble posts were set in the earth to show the levels to which the waters rose. Photographs and artists' sketches of the church, steps and posts were yet in existence, though the adobe church had collapsed many years before. Only the adobe mound existed with the site pockmarked by numerous diggings, the result of those hunting rumored treasure buried at the old site.

Mr. Ward was able to locate the adobe step shown in the photographs, which elevation was equivalent to the top of the pipe base to an El Camino Real Association Mission Bell marker previously set on the northerly side of Agua Mansa Road. With this as a base mark, he surveyed the cross section and slope of the Santa Ana River. Mr. Al Reed, presently with the San Bernardino County Road Department, served on this original survey party. Mr. Ward's computation was summarized by the following data:

Santa Ana River drainage area	720 square miles
Cross sectional area	35,620 square feet
Wetted perimeter	3,420 feet
Hydraulic reading	10.38 feet
Slope	0.0041 feet per foot
Manning 'n'	0.050
Discharge using Kutter's formula	314,000 c.f.s.

It might be noted that Mr. Ward originally computed the flow at 338,000 c.f.s. but later recomputed it at 314,000 c.f.s.

The committee accompanied Mr.Celso Rubidoux to the site of the Agua Mansa Church. Mr. Rubidoux was the grandson of Louis Rubidoux, original settler of the present Riverside County area. He identified landmarks which had been pointed out to him in his childhood by his parents, which landmarks then showed evidence of the flood of 1862. He told of the sweeping away of the settlement and cultivated lands, evidences of what he saw in his boyhood. He corroborated the high water level of the flood at Agua Mansa as determined by the advisory committee through other sources.

Considerable dispute has ensued over the years concerning this large flood flow figure, primarily centering on the question of just where stream bed elevation actually was during the flood of 1862. If the stream bed had degraded since the flood, then this measurement would obviously be high. Many have expressed opinion that this is the case. Mr. Ward himself touched on the problem in his comments given below:

> "It may be (perhaps rightly) contended that, due to the heavy load of debris which the river was undoubtedly carrying at the time, that a larger value should have been assigned to 'n', -- say .100 instead of .050 as used. On the other hand, it should be remembered that the bed

of the Santa Ana River opposite Colton has silted up five or six feet within the past forty years and doubtless more since 1862. The profile of the river would indicate that a similar silting has occurred at Agua Mansa, less than two miles below Colton. Thus, a section taken just after that flood would have shown a greater cross-sectional area than at present. Furthermore, the fact that during a peak flood along an alluvial channel the section is always greater than the one taken just after the flood, would indicate that the discharge as shown is little, if any, in excess of the actual flow for that flood."

Consequently, the 1862 flood flow at this point on the Santa Ana River over the ensuing thirty years following 1937 has been subject to question and doubts and not heretofore been afforded official recognition.

In July of 1967 and as the result of conferences between Marion Scott of the United States Geological Survey and representatives of the San Bernardino County Flood Control District, it was concluded that a determined effort should be made to settle this question and if possible, officially establish the high water mark for the flood and the discharge. As the direct outcome, Mr. Scott undertook to evaluate and attempt to establish the 1862 stream bed. The Flood Control District undertook to verify or re-establish the cross section originally made in 1937. The latter was necessary, inasmuch as arbitrary datum had been assumed in the 1937 survey, part of the notes were found to be missing, and the El Camino Real bell post used as a bench mark no longer existed.

Mr. Scott undertook research of irrigation diversion works in the vicinity, and based upon elevations of certain early diversions, evidence of which still exists, concluded that the stream bed in the immediate vicinity

was essentially as it exists today. This fact had been strongly suspected by those watching the river over a period of years.

With regard to the river cross section, it was necessary once again to locate the old adobe church and hope to find the all-important church steps. The site of the old church had long ago been cultivated over and there was no visible evidence of its existence. Only an undulating countryside remained. A review of County Surveyor records, however, produced an old Agua Mansa Road survey, marking and fixing the location of the El Camino Real pipe post and bell. Excavation at the exact location of the sign produced the actual enameled sign buried beneath the surface where it had fallen apparently when the post was uprooted many years ago in past road improvement work. The sign was turned over to the San Bernardino County Museum.

With the sign location established, and by the use of old artists' sketches, the residual mound of the old adobe church was quickly established. Trench excavation work was under the direction of Joseph Cowan, Field Engineer for the Flood Control District. The excavations revealed the actual foundation stones for the outer church walls. The foundation stones for the all-important church steps were also located. In addition, the approximate floor level of the old church was established through the finding of a stratum of white calcium material. It was concluded that this layer was the whitewashed surface of the inner church wall which toppled onto the floor. Also uncovered were decomposed cedar beams forming sills at the rear of the church building.

Thus the step elevation was again established and new profiles and sections made of the river under the direction of Al Bernatow, Flood Control District Surveyor. Upon plotting these, they duplicated with marked similarity the profile made by Mr. Ward in 1937.

All survey data was afforded to the U. S. Geological Survey for computation. The following hydraulic properties were computed:

Cross sectional area	35,560 square feet
Wetted perimeter	3,405 feet
Hydraulic radius	10.4 feet

A survey of the recent flood of December 6, 1966 (20,000 c.f.s.), was made at the same site on October 10, 1967, by the U. S. G. S. The channel slope was computed as 0.00471 ft. per foot, and the water slope was computed from poor high water marks as 0.00305 ft. per foot. On the basis of this, and Mr. Ward's 1937 survey, the slope of the 1862 flood has been assumed to be 0.004 ft. per foot.

It was further determined from historical reports of the river channel in 1862 that the 'n' value determined by Mr. Ward was reasonable, and there was no sound basis for changing the value.

Based on the foregoing evaluation, the discharge for the flood of 1862 was computed by the U. S. G. S. with Manning's formula as follows:

$$Q = \frac{1.486}{n} R^{2/3} S^{1/2} A$$

$$Q = \frac{1.486}{0.050} \times 10.4^{2/3} \times 0.004^{1/2} \times 35,560$$

$$Q = 317,000 \text{ c.f.s.}$$

As the direct result of this, the United States Geological Survey has approved the computations and will enter the following maximum discharge statement into the records for the Santa Ana River at Riverside Narrows:

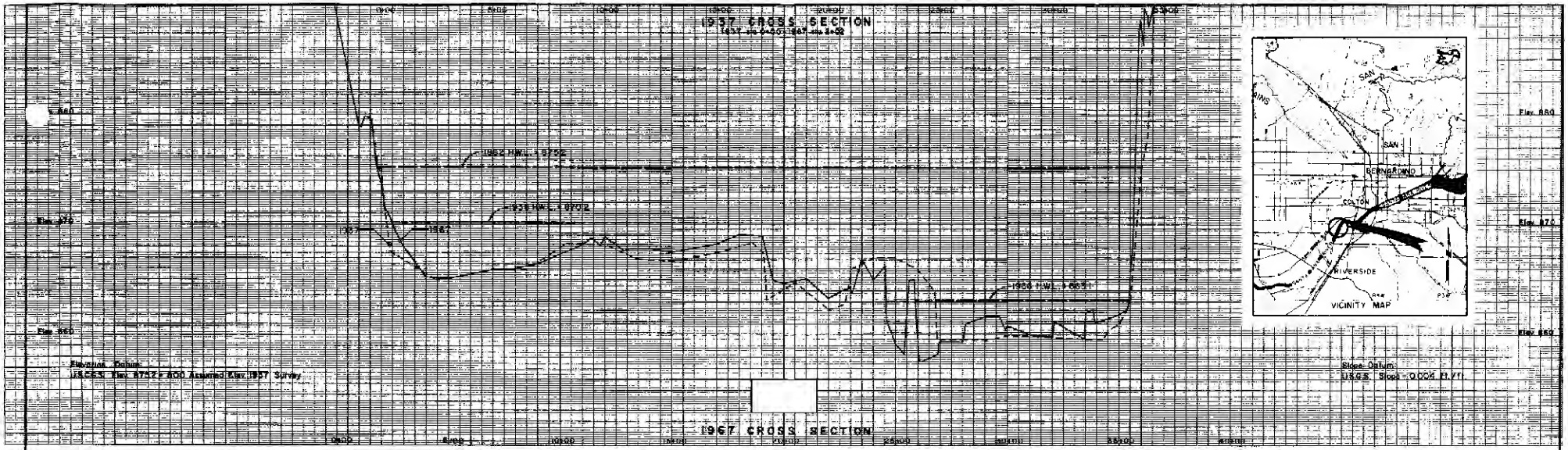
"Flood of January 22, 1862, about 320,000 c.f.s., result of slope-conveyance study at site 9.3 miles upstream. Stage at that site was about 5 feet higher than that of March 2, 1938."

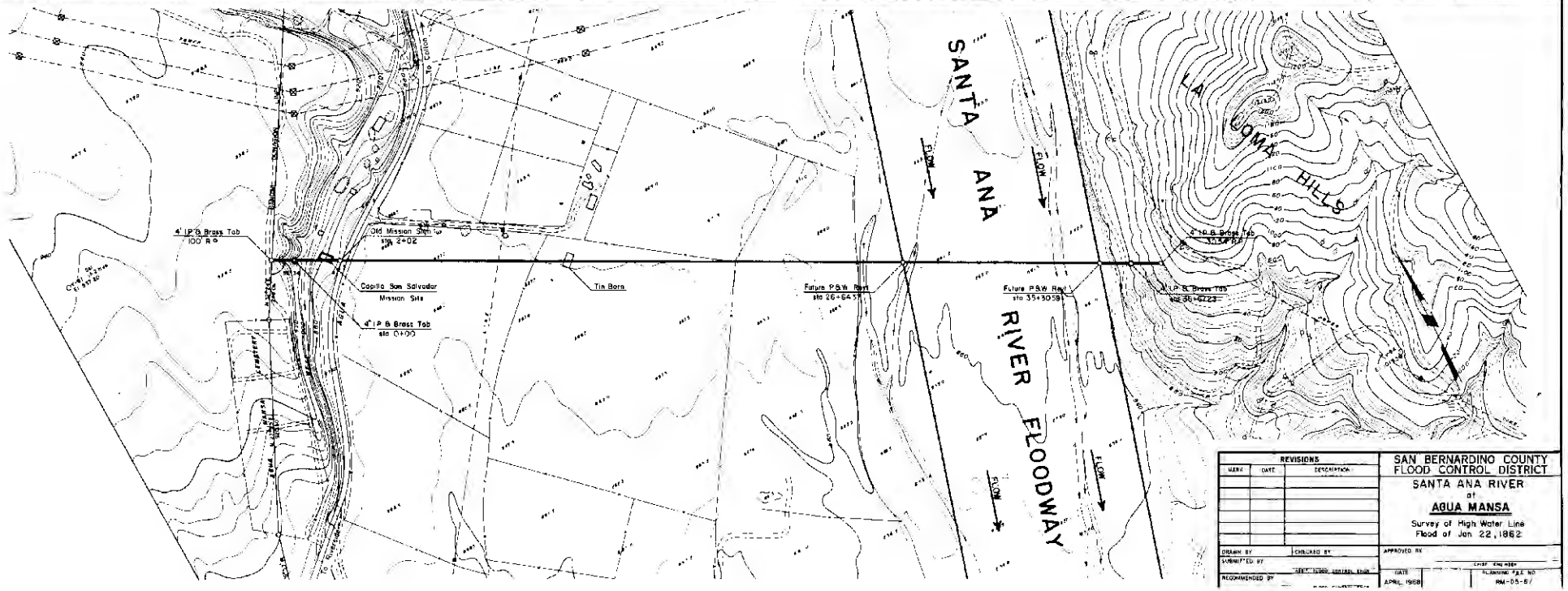
The importance attaching to the formal establishment of this discharge can not be over-estimated. It means that in the Upper Santa Ana River Basin there is a new maximum flood of record to reckon with, over three times the magnitude of the heretofore accepted record flood of 1938, estimated at 100,000 c.f.s.

If, in 1938, there was a loss of 14 lives and $12,000,000 in direct flood damages in San Bernardino County, the question is posed as to what might be expected today with a re-occurrence of an 1862 flood peak with a fivefold population and tenfold valuation. To compound the effect, note must be made of the extensive encroachments into floodways since 1938 and tremendously increased areas exposed to flood hazards.

Thus, the need for a second look at flood potentials and measures in the Upper Santa Ana River Basin area is readily apparent.

W. A. Sidler
March 1968



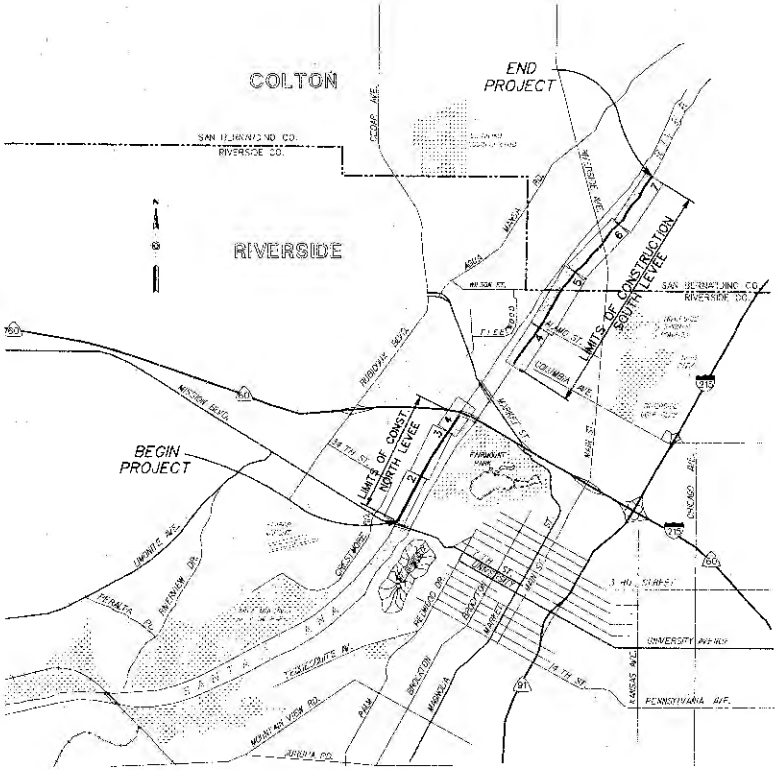


REVISIONS		
MARK	DATE	DESCRIPTION

DRAWN BY | CHECKED BY
SUBMITTED BY
RECOMMENDED BY — CHIEF, SURVEY CONTROL BRCH.
APPROVED BY — CHIEF ENGINEER
DATE: APRIL 1968 | PLANNING P & R NO. RM-65-57

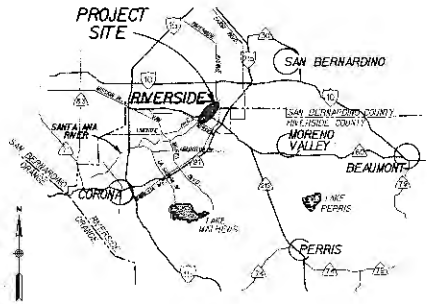
SAN BERNARDINO COUNTY
FLOOD CONTROL DISTRICT
SANTA ANA RIVER
at
AGUA MANSA
Survey of High Water Line
Flood of Jan 22, 1862

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT



LOCATION MAP

NO SCALE



VICINITY MAP

NOT TO SCALE

INDEX

R.C.F.C. & W.C.D. STANDARD DRAWINGS

M 814 ABBREVIATIONS AND SYMBOLS	10

GENERAL NOTES

1. ALL ELEVATIONS ARE IN FEET, BASED ON U.S.C & G.S. DATUM.
2. ALL CROSS SECTIONS ARE TAKEN LOOKING DOWNSTREAM.
3. ALL STATIONING REFERS TO THE LEVEE CONTROL LINE.

REGISTERED PROFESSIONAL ENGINEER — No. 16757 Exp. 6-30-97 — CIVIL — STATE OF CALIFORNIA

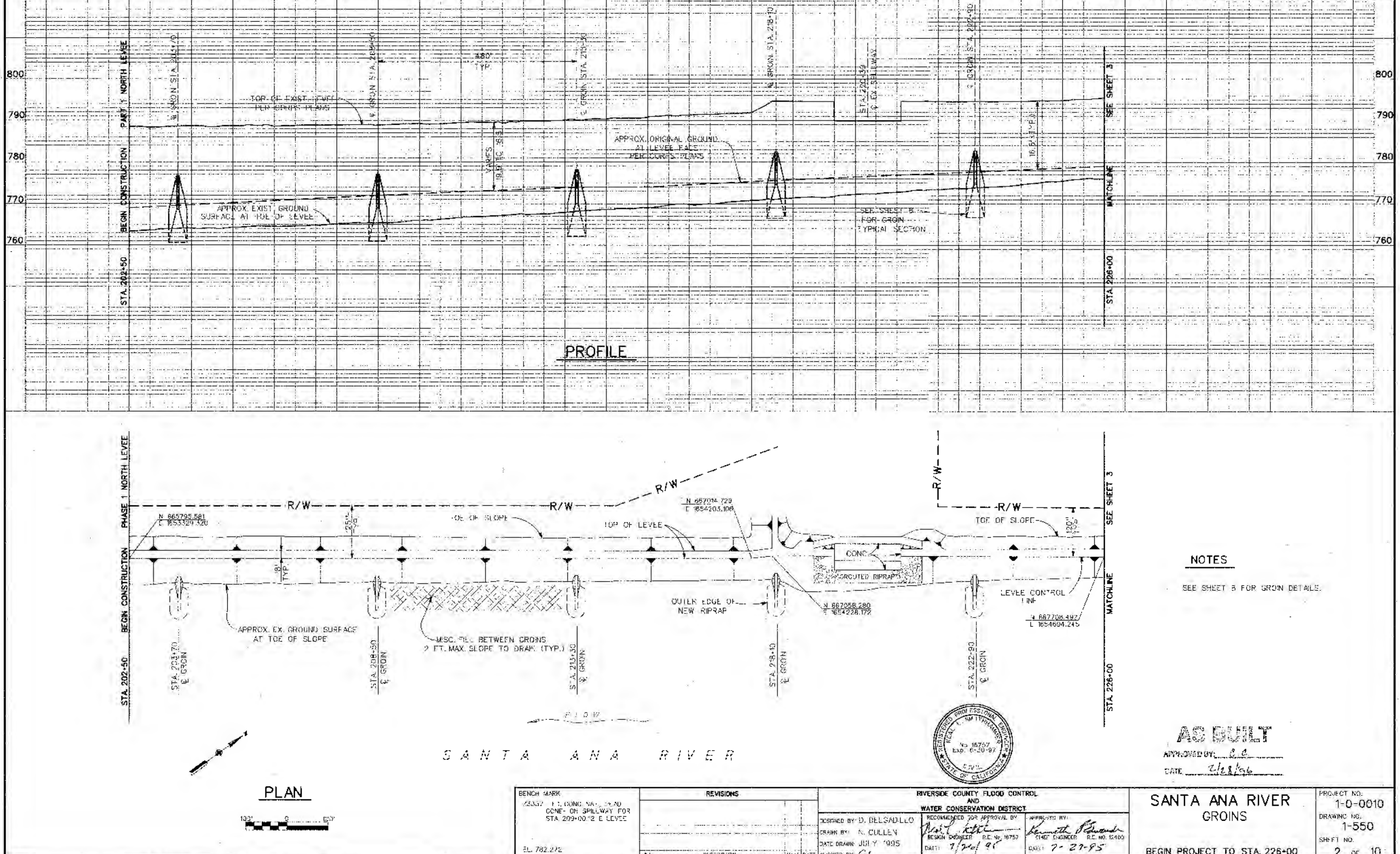
REGISTERED PROFESSIONAL ENGINEER — KENNETH L. LOWERS — NO. 12400 EXP. 6-30-97 — CIVIL — STATE OF CALIFORNIA

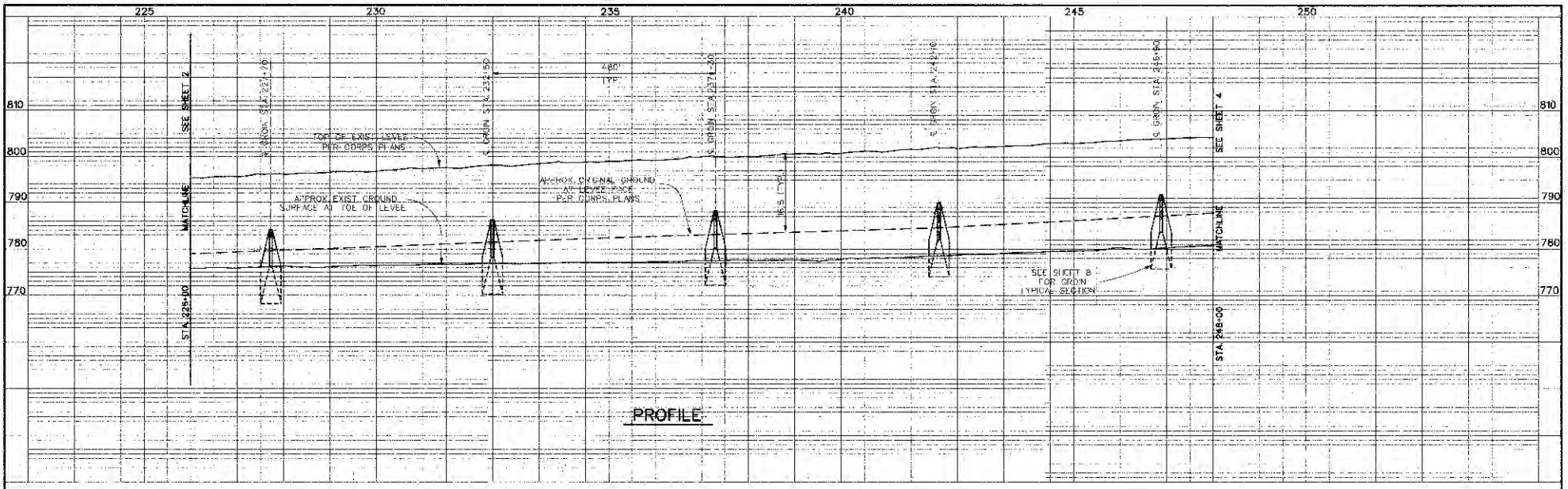
AS BUILT

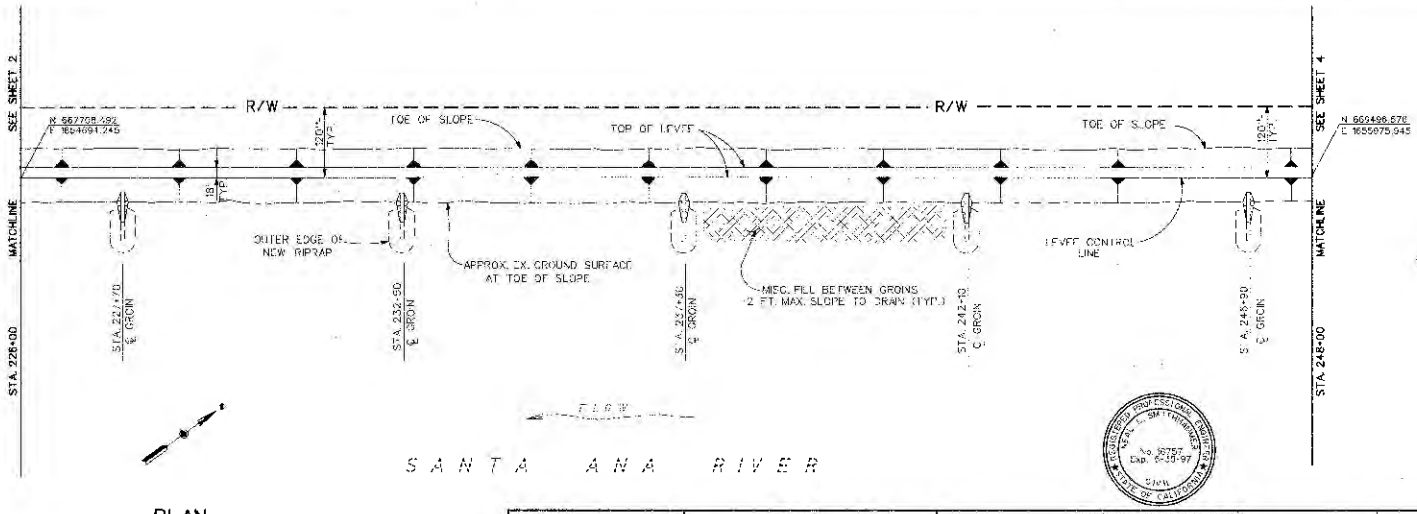
APPROVED BY: K.C.

DATE: 2/28/96

BENCH MARK	REVISIONS	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT			SANTA ANA RIVER GROINS
		DESIGNED BY: D.D./N.W.	RECOMMENDED FOR APPROVAL BY:	APPROVED BY:	PROJECT NO. 1-0-010
		DRAWN BY: N. CULLEN	DESIGN ENGINEER R.E. NO. 16757	CHIEF ENGINEER R.E. NO. 12400	DRAWING NO. 1-550
		DATE DRAWN: JULY 1995	DATE: 2-26-96	DATE: 2-27-96	TITLE SHEET
		CHECKED BY:			SHEET NO. 1 OF 10
	REF. DESCRIPTION APPR. DATE				


PROFILE
PLAN
STA. 202+50
BEGIN CONSTRUCTION
PART 1 NORTH LEVEE
PHASE 1 NORTH LEVEE
STA. 226+00
MATCHLINE
SEE SHEET 3
TOP OF EXIST. LEVEE PER CORPS PLANS
APPROX. EXIST. GROUND SURFACE AT TOE OF LEVEE
APPROX. ORIGINAL GROUND AT LEVEE FACE PER CORPS PLANS
SEE SHEET 5 FOR GROIN TYPICAL SECTION
℄ GROIN STA. 208+50
℄ GROIN STA. 213+30
℄ GROIN STA. 218+10
℄ GROIN STA. 222+90
STA. 220+30
℄ EX. SPILLWAY
480' TYP.
VARIES
R/W
TOE OF SLOPE
TOP OF LEVEE
OUTER EDGE OF NEW RIPRAP
LEVEE CONTROL LINE
APPROX. EX. GROUND SURFACE AT TOE OF SLOPE
MISC. FILL BETWEEN GROINS 2 FT. MAX. SLOPE TO DRAIN (TYP.)
CONC.
GROUTED RIPRAP
N 665795.581
E 1653329.420
N 667014.729
E 1654203.106
N 667058.280
E 1654228.172
N 667708.497
E 1654604.245
STA. 203+70 ℄ GROIN
STA. 208+50 ℄ GROIN
STA. 213+30 ℄ GROIN
STA. 218+10 ℄ GROIN
STA. 222+90 ℄ GROIN
FLOW
SANTA ANA RIVER
NOTES
SEE SHEET 5 FOR GROIN DETAILS.
AS BUILT
APPROVED BY:
DATE
BENCH MARK
EL. 782.272
REVISIONS
DESCRIPTION
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
DESIGNED BY: D. DELSADILLO
DRAWN BY: N. CULLEN
DATE DRAWN: JULY 1995
CHECKED BY:
RECOMMENDED FOR APPROVAL BY
DESIGN ENGINEER R.E. No. 16757
DATE: 7/20/95
APPROVED BY:
CHIEF ENGINEER R.E. NO. 12400
DATE: 7-27-95
SANTA ANA RIVER
GROINS
BEGIN PROJECT TO STA. 226+00
PROJECT NO. 1-0-0010
DRAWING NO. 1-550
SHEET NO. 2 of 10





PLAN

100 0 100'

NOTES

1. SEE SHEET 8 FOR GROIN DETAILS.

AS BUILT
APPROVED BY: C.C.
DATE 2/28/96

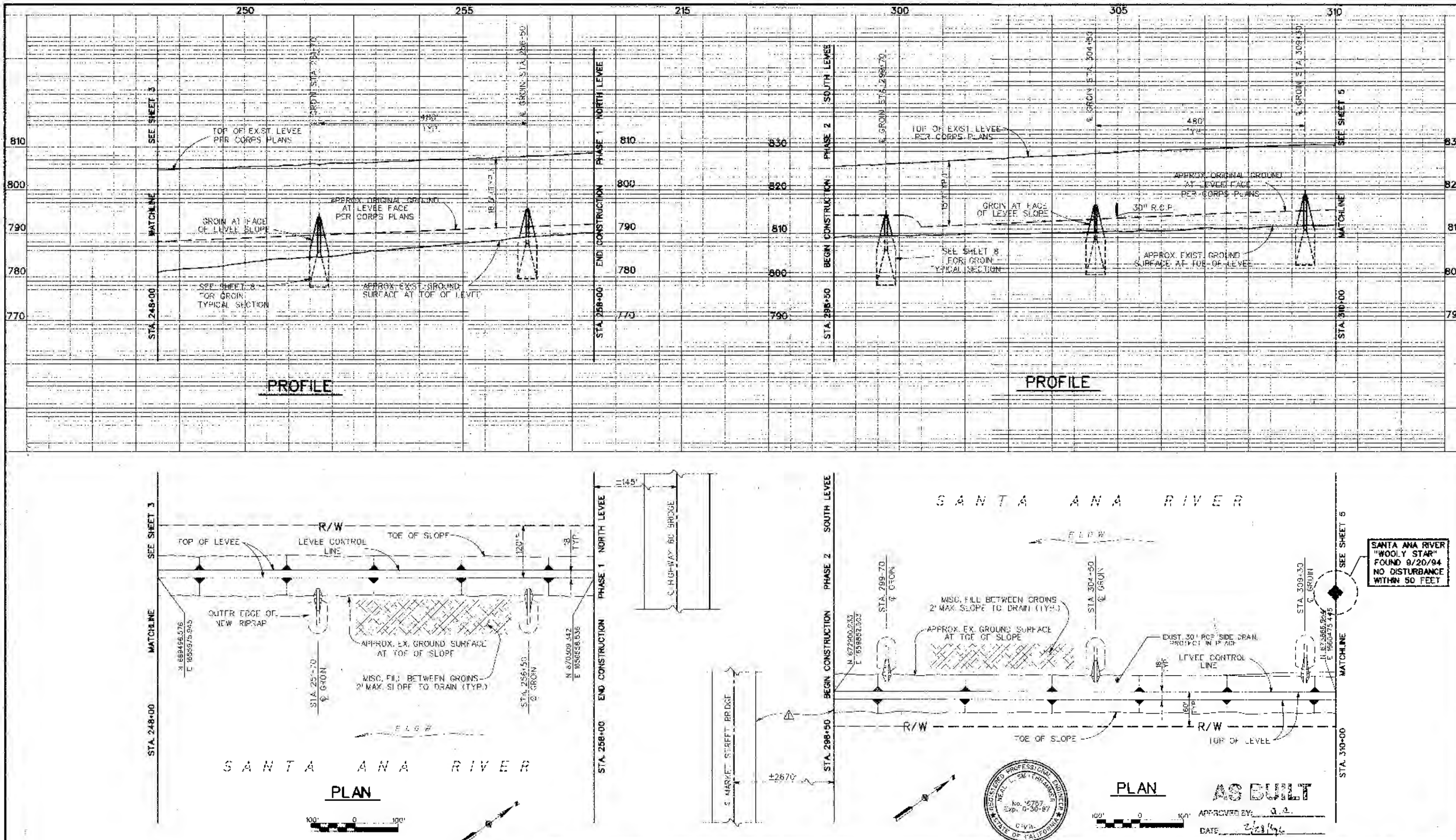
BENCH MARK
23567 FD. CONC. NAIL, HEAD GOING ON SPILLWAY +0N STA. 229+00.12 ℄ LEVEE
EL. 282.27'

REVISIONS
NO. DESCRIPTION APP'D DATE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
DESIGNED BY: C. DEL GADILLO
DRAWN BY: N. DeLLEN
DATE DRAWN: JULY 1995
RECOMMENDED FOR APPROVAL
DATE 7/26/95
APPROVED BY
DATE 7-27-95

SANTA ANA RIVER
GROINS
STA. 226+00 TO STA. 248+00

PROJECT NO. 1-0-0010
DRAWING NO. 1-550
SHEET NO. 3 OF 10



NOTES

1. SEE SHEET 8 FOR GROIN DETAILS.

BENCH MARK
73357 FD. CONC. NAIL, HEAD CONE ON SPILLWAY FOR STA. 209-00.12 E LEVEE E... 792.272
73349 TRSTA. FD. N2, REPLACED W/ ... DN 25' E LEVEE STA. 339+50 NR SE SIDE MOD B EL. 842.90'

REVISIONS		
△	ADDED GROINS AT CENTERLINE STATIONS 266+10, 270+80, 275+70, 280+80, 285+30, 290+10 & 294+90	
REF.	DESCRIPTION	APPR. DATE

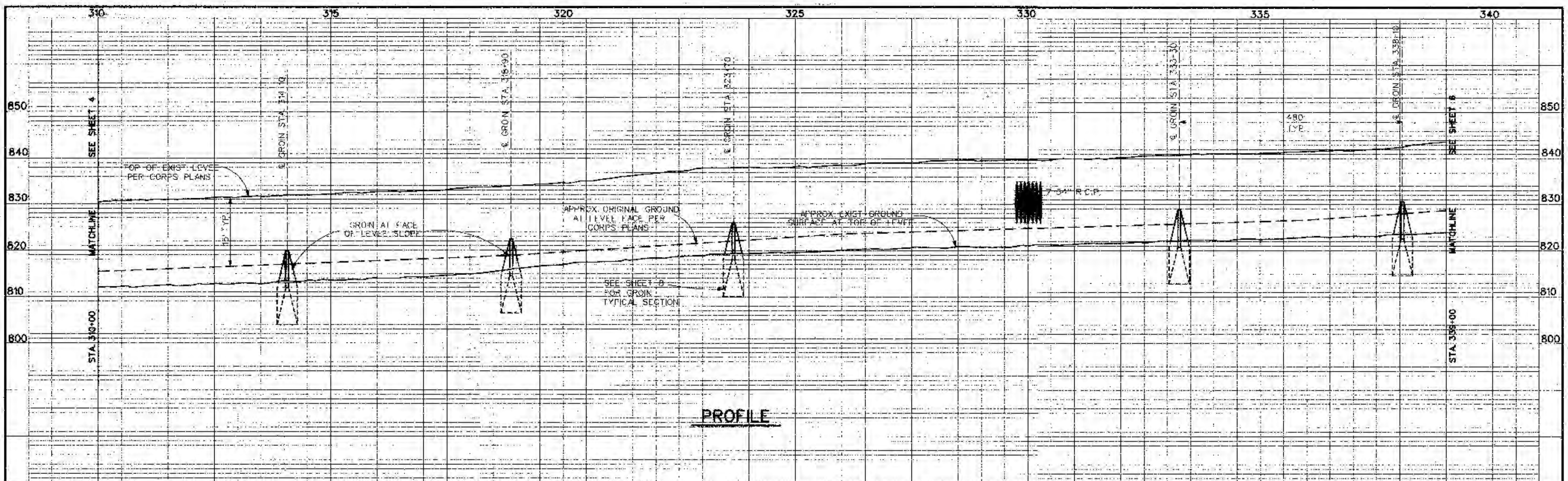
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

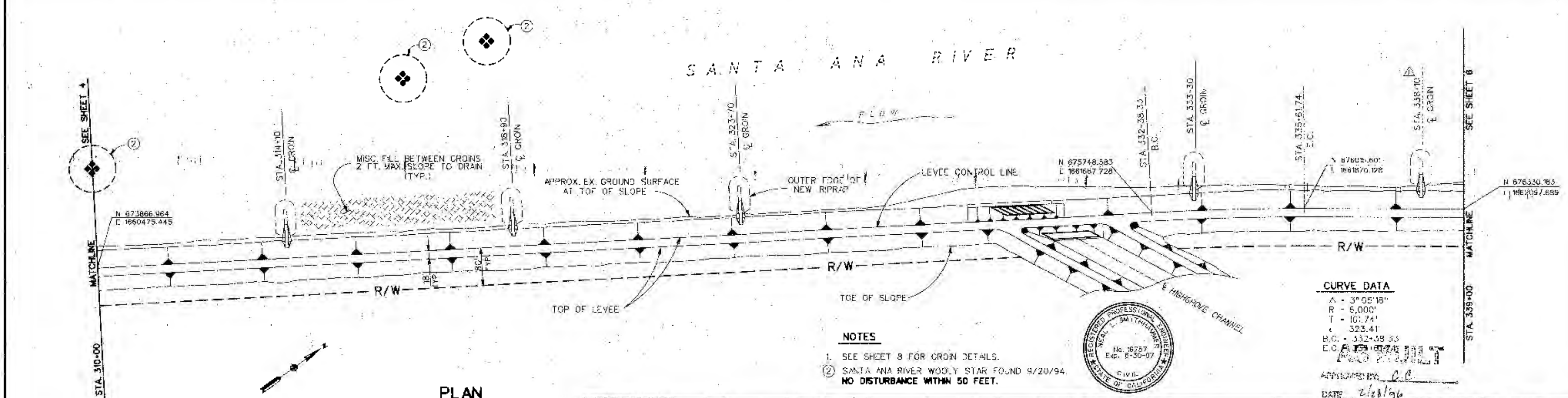
DESIGNED BY: D. DELGADILLO
DRAWN BY: N. CULLEN
DATE DRAWN: JULY 1995
CHECKED BY:
RECOMMENDED FOR APPROVAL BY: DESIGN ENGINEER R.E. No. 18187 DATE: 7-27-95
APPROVED BY: CHIEF ENGINEER R.E. No. 12480 DATE: 7-27-95

SANTA ANA RIVER
GROINS

STA. 248+00 TO STA. 258+00
&
STA. 298+50 TO STA. 310+00

PROJECT NO. 1-0-0010
DRAWING NO. 1-550
SHEET NO. 4 OF 10





NOTES

1. SEE SHEET 8 FOR GROIN DETAILS.
2. (2) SANTA ANA RIVER WOOLY STAR FOUND 9/20/94. **NO DISTURBANCE WITHIN 50 FEET.**

CURVE DATA

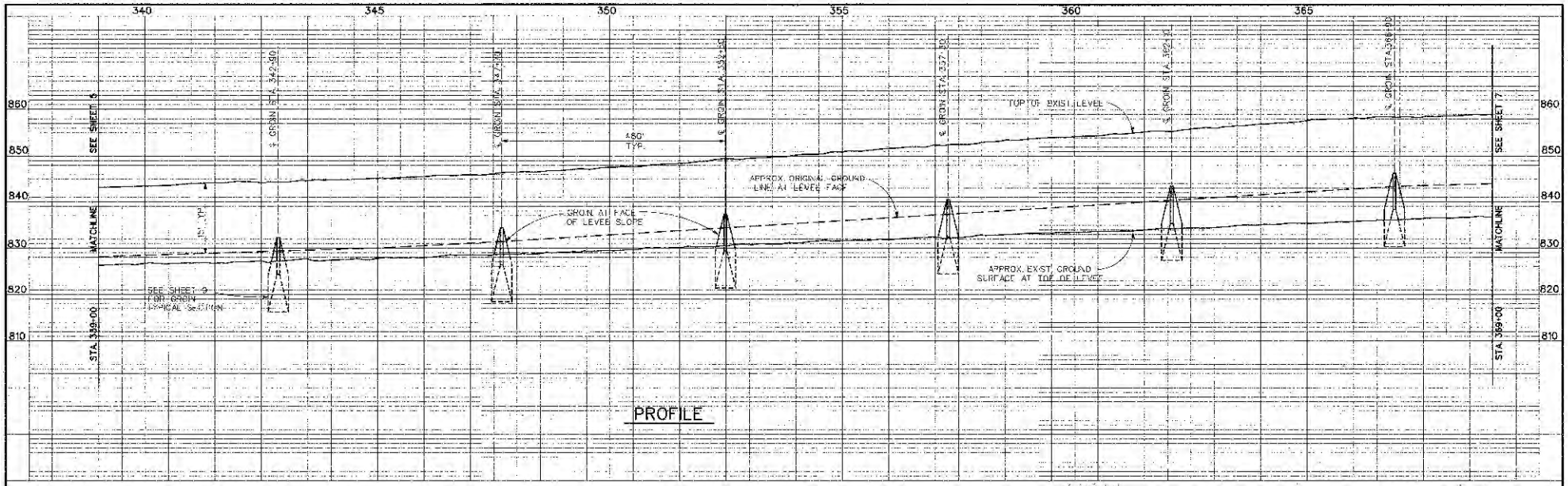
Δ = 3°05'18"
R = 6,000'
T = 161.74'
L = 323.41'
B.C. = 332+38.33
E.C. = 335+61.74

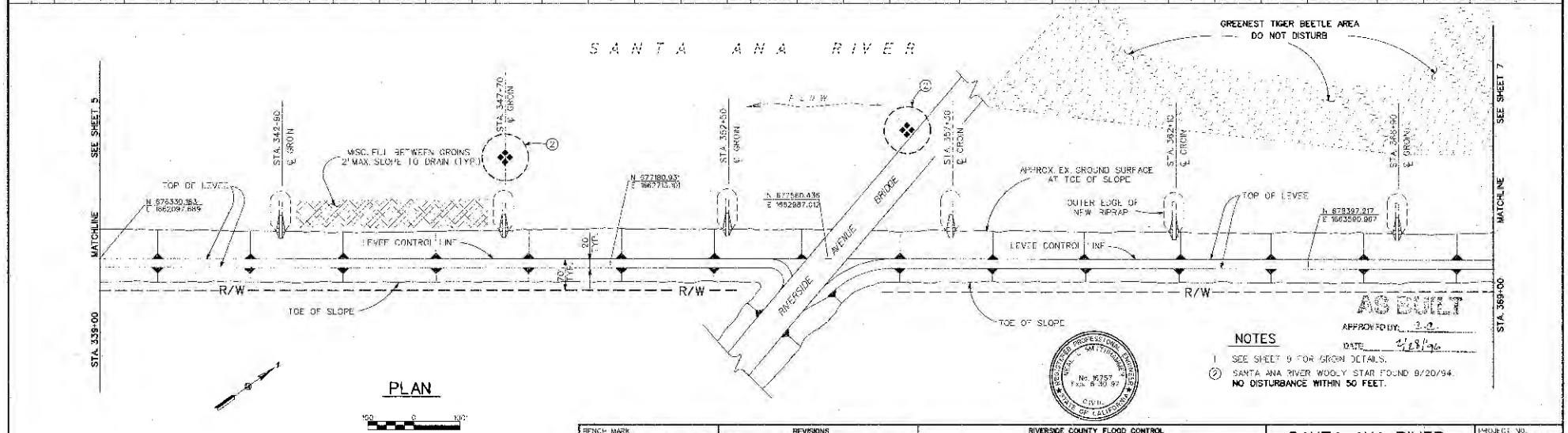
AS BUILT

APPROVED BY: C.C.
DATE 2/28/96

BENCH MARK	REVISIONS				RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT		SANTA ANA RIVER GROINS	
Z3349 TR STA. FD. 1x2, REPLACED W 3/4" I.P. ON .25 E LEVEE STA 339+50 NR SE SIDE MOD 5	1	RELOCATED GROIN FROM STATION 338+10 TO STATION 337+10			DESIGNED BY: D.D. & M.W.	RECOMMENDED FOR APPROVAL BY: DESIGN ENGINEER R.E. No. 16757 DATE: 7/26/95		PROJECT NO. 1-0-0010
					DRAWN BY: N. CULLEN	APPROVED BY: CHIEF ENGINEER R.E. NO. 12400 DATE: 7-22-95		DRAWING NO. 1-550
					DATE DRAWN: JULY 1995			SHEET NO. 5 of 10
EL. 842.901	REV.	DESCRIPTION	APPR.	DATE	CHECKED BY:		STA. 310+00 TO STA. 339+00	

REGISTERED PROFESSIONAL ENGINEER NEAL L. SMITHHAMMER No. 16757 Exp. 6-30-07 CIVIL STATE OF CALIFORNIA





BENCH MARK
Z3349 TRISTA, FD. 1x2, REPLACED W. ¾" I.P. DN .25 E LEVEE STA. 339+50 NR SE SIDE MOD. 9
EL. 842.901

REVISIONS

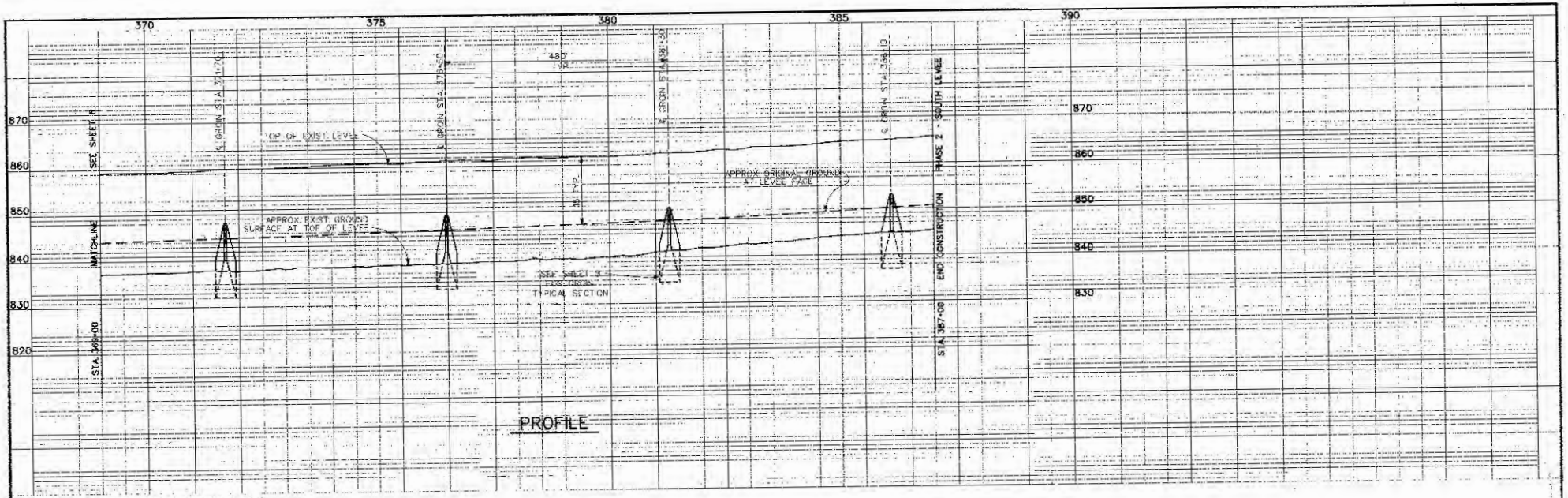
REF	DESCRIPTION	APPR.	DATE

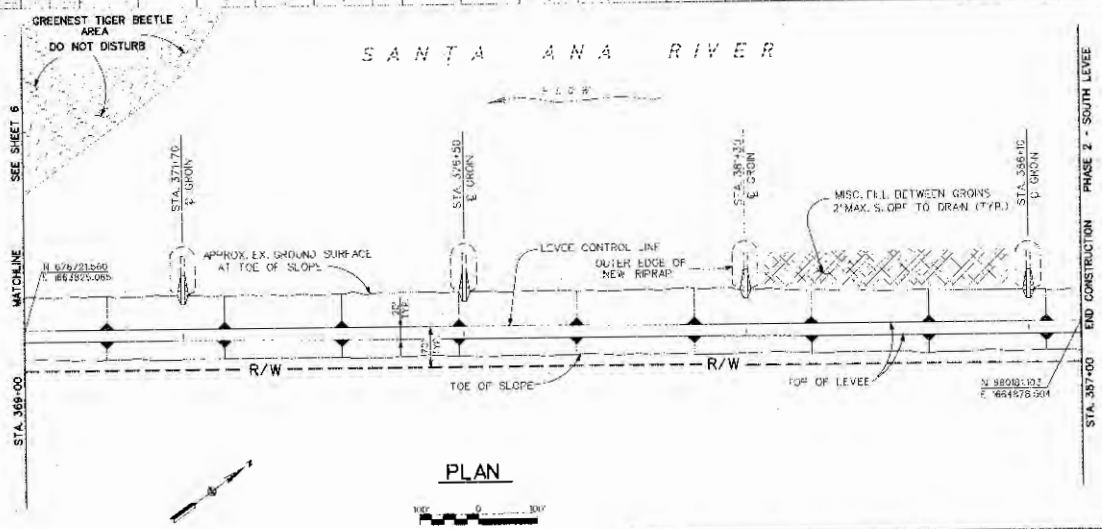
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

DESIGNED BY: D. DE CADILLO
DRAWN BY: N. CULLEN
DATE DRAWN: JULY 1995
RECOMMENDED FOR APPROVAL BY: DESIGN BRANCH R.E. No. 16757
DATE: 9/26/91
APPROVED BY: CHIEF ENGINEER R.E. NO. 2408
DATE: 7-27-95
CHECKED BY:

SANTA ANA RIVER
GROINS
STA. 339+00 TO STA. 369+00

PROJECT NO. 1-0-0010
DRAWING NO. 1-550
SHEET NO. 6 OF 10





NOTES

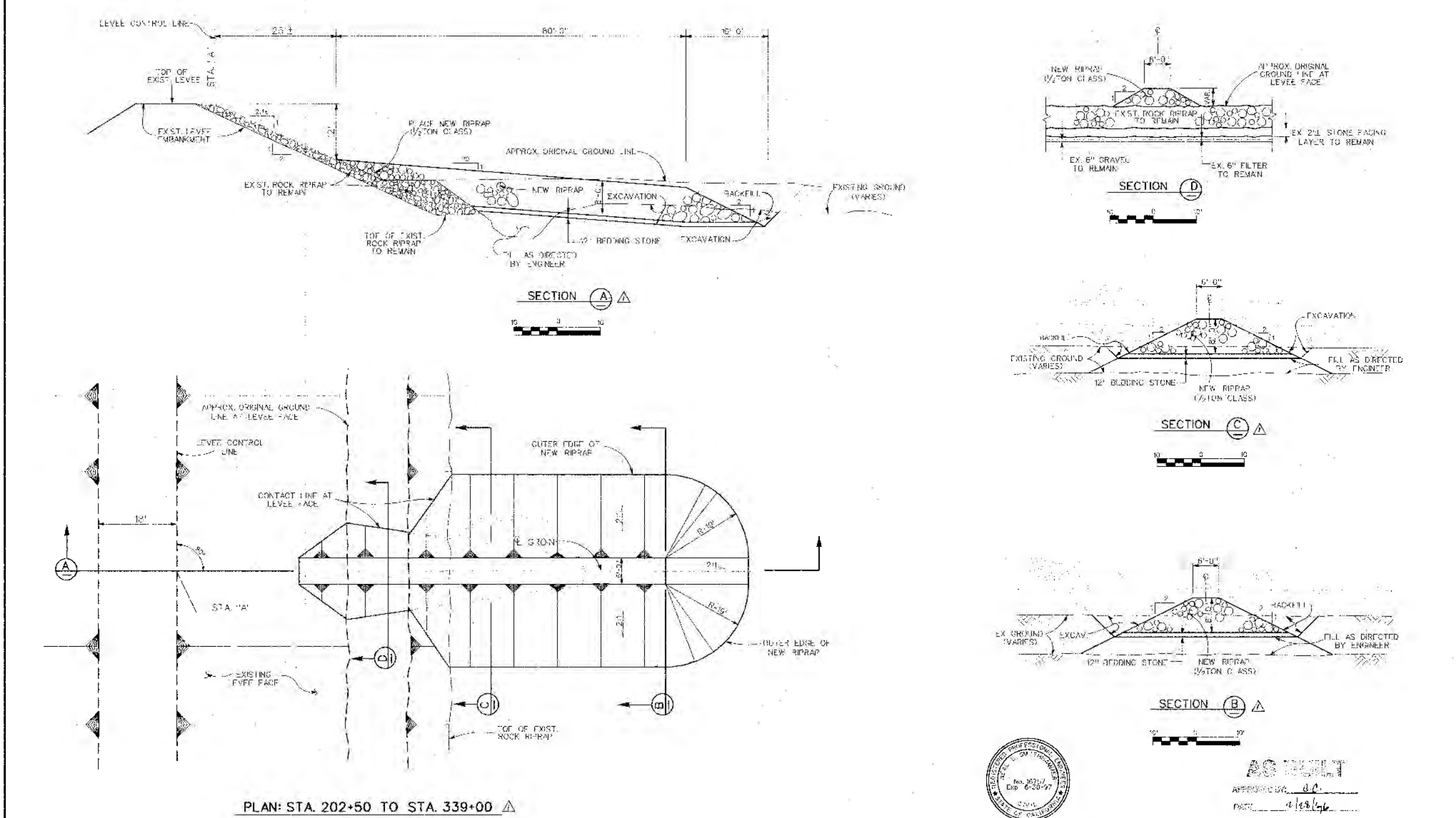
1. SEE SHEET 9 FOR GROIN DETAILS.

AS BUILT

APPROVED BY: C.C.

DATE: 2/05/96

BENCH MARK	REVISIONS	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT	SANTA ANA RIVER GROINS	PROJECT NO. 1-0-0010
23149 TRISTA, FD. 1x2, REPLACED W ¾" I.P. 2N .25 E. LEVEE STA. 239+50 VR SE SIDE #06 5		DESIGNED BY: O. DE GADALO DRAWN BY: N. CULLEN DATE DRAWN: JULY 1995 CHECKED BY: CG		DRAWING NO. 1-550
EL. 842.90'	NO. DESCRIPTION APP'D/DATE	RECOMMENDED FOR APPROVAL BY: DESIGN ENGINEER R.C.E. No. 16757 DATE: 7/24/95 APPROVED BY: CHIEF ENGINEER R.E. NO. 17405 DATE: 7-27-95	STA. 369+00 TO STA. 387+00	SHEET NO. 7 OF 10



PLAN: STA. 202+50 TO STA. 339+00

BENCH MARK	REVISIONS		
	DELETE BACKFILL TO ORIGINAL GROUND		7/4/96
	REF.	DESCRIPTION	APPR. DATE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

DESIGNED BY: D. J. & N. W.
DRAWN BY: N. CULLEN
DATE DRAWN: JULY 1995

RECOMMENDED FOR APPROVAL BY: DESIGN ENGINEER R.E. No. 16757 DATE: 26 July 95

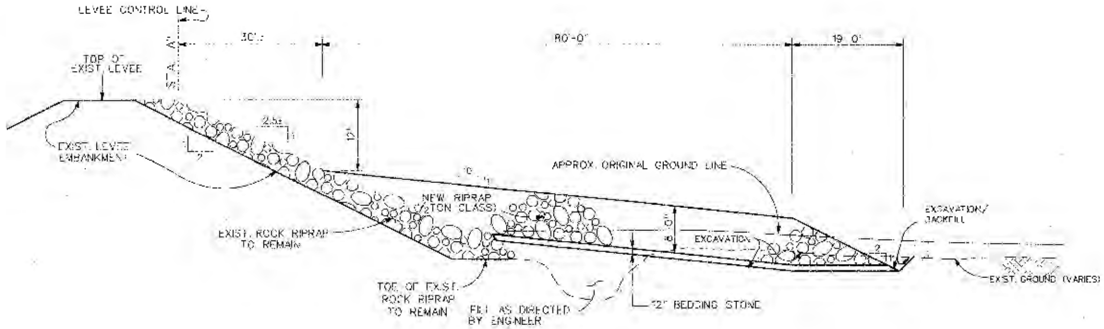
APPROVED BY: CHIEF ENGINEER R.E. No. 12406 DATE: 7-27-95

APPROVED BY: A.C. DATE: 2/28/96

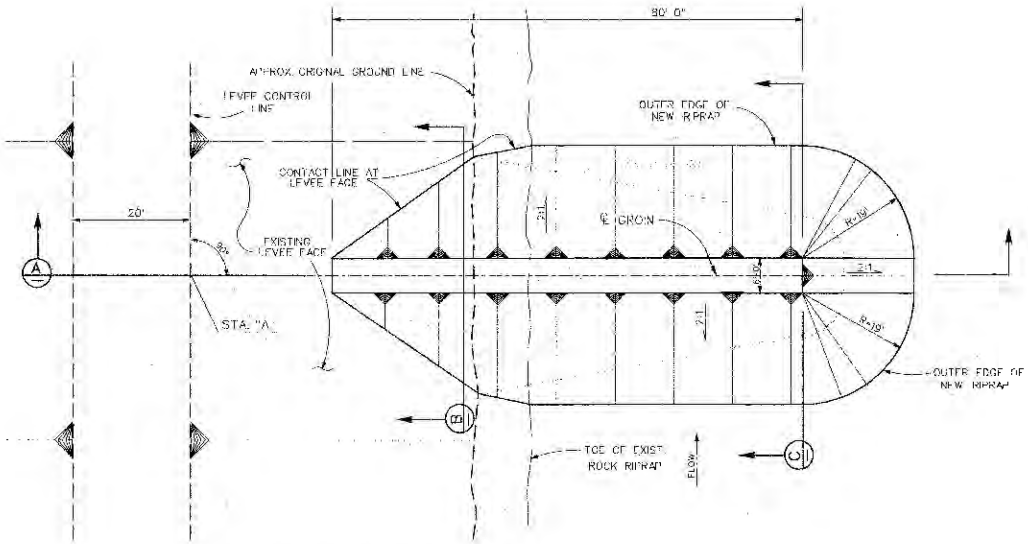
SANTA ANA RIVER
GROINS

STA. 202+50 TO STA. 339+00
PLAN, SECTION, AND DETAILS

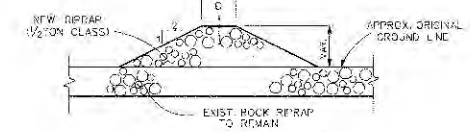
PROJECT NO. 1-0-010
DRAWING NO. 1-550
SHEET NO. 8 of 10



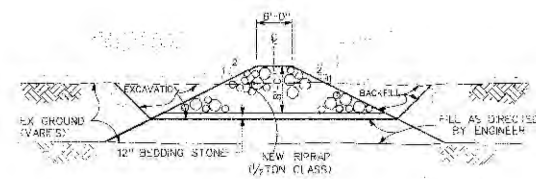
SECTION (A) △



PLAN: STA. 339+00 TO STA. 387+00 △



SECTION (B)



SECTION (C) △

AS BUILT
BY: G.C.
DATE: 1/28/96

REVISIONS		
△	DELETE BACKFILL TO ORIGINAL GROUND	9/6/95
REF	DESCRIPTION	APPR. DATE

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

DESIGNED BY: C. DELGADILLO
DRAWN BY: N. CULLEN
DATE DRAWN: JULY 1995
CHECKED BY: C.G.

RECOMMENDED FOR APPROVAL BY: DESIGN ENGINEER R.E. No. 16757 DATE: 1/26/95

APPROVED BY: CHIEF ENGINEER R.E. No. 17400 DATE: 2-22-95

SANTA ANA RIVER
GROINS

STA. 339+00 TO STA. 387+00
PLAN, SECTION, AND DETAILS

PROJECT NO. 1-0-010
DRAWING NO. 1-550
SHEET NO. 9 OF 10

ABBREVIATIONS

AH	AHEAD
BK	BACK
AASHTO	AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
AB	AGGREGATE BASE
ABND	ABANDONED
AC	ASPHALT CONCRETE
ACP	ASBESTOS CEMENT PIPE
∠ PT	ANGLE POINT
APPROX	APPROXIMATE
ASTM	AMERICAN SOCIETY FOR TESTING MATERIALS
APWA	AMERICAN PUBLIC WORKS ASSOCIATION
AWWA	AMERICAN WATER WORKS ASSOCIATION
b	CHANNEL BASE WIDTH
BC	BEGINNING OF CURVE
BCR	BEGINNING OF CURVE RETURN
BM	BENCH MARK
BNSF	BURLINGTON NORTHERN SANTA FE
BVC	BEGINNING OF VERTICAL CURVE
CALC	CALCULATED
CB	CATCH BASIN
CC	CENTER TO CENTER
CF	CURB FACE OR CUBIC FEET
cfs	CUBIC FEET PER SECOND
C&G	CURB AND GUTTER
CIPP	CAST IN PLACE PIPE
CIP	CAST IRON PIPE
CJ	CONSTRUCTION JOINT
CL	CLASS
CLR	CLEAR
℄	CENTERLINE
CML&C	CEMENT MORTAR LINED AND COATED
CMP	CORRUGATED METAL PIPE
CMPA	CORRUGATED METAL PIPE ARCH
CO	CLEAN OUT
CONC	CONCRETE
CONST	CONSTRUCT
COR	CORNER
CP	CONTROL POINT
CSP	CORRUGATED STEEL PIPE
CY	CUBIC YARDS
D	DEPTH
∆	CURVE TOTAL DEFLECTION ANGLE
DG	DECOMPOSED GRANITE
DIA	DIAMETER
DIP	DUCTILE IRON PIPE
DN	DOWN
D/W	DRIVEWAY
DWG	DRAWING
E	EAST OR ELECTRICAL
EA	EACH
EC	END OF CURVE
ECR	END OF CURVE RETURN
EF	EACH FACE
ELEV	ELEVATION
ELY	EASTERLY
EP	EDGE OF PAVEMENT
EQ	EQUATION OR EQUAL
EVC	END OF VERTICAL CURVE
EW	EACH WAY
EX	EXISTING
EXCAV	EXCAVATION
EX GND	EXISTING GROUND
F	FIRE
FB	FIELD BOOK
FD	FOUND
FG	FINISHED GRADE
FH	FIRE HYDRANT
℄ ,FL	FLOW LINE
fps	FEET PER SECOND
FT	FEET OR FOOT
FWY	FREEWAY
G	GAS
GALV	GALVANIZED
H	HEIGHT
HC	HOUSE CONNECTION
HDPE	HIGH DENSITY POLYETHYLENE
HGL	HYDRAULIC GRADE LINE
HORIZ	HORIZONTAL
ID	INSIDE DIMENSION
IN	INCH OR INCHES
IP	IRON PIPE
IRR	IRRIGATION
JS	JUNCTION STRUCTURE
L	LENGTH
LBS	POUNDS
LD	LOCAL DEPRESSION
LF	LINEAL FEET
LONG	LONGITUDINAL
LS	LUMP SUM OR LAND SURVEYOR
LT	LEFT
L&T	LEAD & TACK
MAX	MAXIMUM
MCD	MULTIPLE CEMENT DUCT
MEAS	MEASURED
MH	MANHOLE
MIN	MINIMUM
MTD	MULTIPLE TILE DUCT (TEL)
MVC	MIDDLE OF VERTICAL CURVE
N	NORTH
NAD	NORTH AMERICAN DATUM
NAVD	NORTH AMERICAN VERTICAL DATUM
NGVD	NATIONAL GEODEDIC VERTICAL DATUM
NGS	NATIONAL GEODETIC SURVEY
NLY	NORTHERLY
NO.#	NUMBER
N&T	NAIL & TIN
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIMENSION
OR	OFFICIAL RECORD
PCC	POINT OF COMPOUND CURVATURE OR PORTLAND CEMENT CONCRETE
PI	POINT OF INTERSECTION
PL OR ℄	PROPERTY LINE
PP	POWER POLE
PPM	PARTS PER MILLION
PRC	POINT OF REVERSE CURVATURE
PSI	POUNDS PER SQUARE INCH
PVC	POLYVINYL CHLORIDE PIPE
PVMT	PAVEMENT
Q	RATE OF FLOW (cfs)
R	RADIUS OR RANGE
RCB	REINFORCED CONCRETE BOX
RCE	REGISTERED CIVIL ENGINEER
RCFC&WCD	RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
RCP	REINFORCED CONCRETE PIPE
RR	RAILROAD
R/S	RECORD OF SURVEY
RT	RIGHT
R/W	RIGHT OF WAY
S	SOUTH OR SLOPE
SS	SIDE SLOPE OR SANITARY SEWER
SD	STORM DRAIN
SEC	SECTION
SHT	SHEET
SIG	SIGNAL
SL	STREET LIGHT
SLY	SOUTHERLY
SPRR	SOUTHERN PACIFIC RAILROAD
SF	SQUARE FEET
SY	SQUARE YARDS
STA	STATION
STD	STANDARD
S&T	SPIKE & TIN
S/W	SIDEWALK
T	TANGENT, THICKNESS, TOWNSHIP OR TELEPHONE
TBM	TEMPORARY BENCH MARK
TC	TOP OF CURB
TCE	TEMPORARY CONSTRUCTION EASEMENT
TRAFF	TRAFFIC
TR	TRACT
TRANS	TRANSITION
TS	TRANSITION STRUCTURE
TW	TOP OF WALL
TYP	TYPICAL
UPRR	UNION PACIFIC RAILROAD
USC&GS	UNITED STATES COAST AND GEODETIC SURVEY
USGS	UNITED STATES GEOLOGICAL SURVEY
V	VELOCITY OF FLOW OR DEPTH OF CATCH BASIN
VABM	VERTICAL ANGLE BENCH MARK
VAR	VARIABLE OR VARIES
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VERT	VERTICAL
VPI	VERTICAL POINT OF INTERSECTION
W	WEST, WIDTH OR WATER
WLY	WESTERLY
WS	WATER SURFACE

LINE TYPES

ASPHALT BERM
ASPHALT BERM ROLLED
ASPHALT BERM
BLOCK WALL
CENTERLINE
CONTOURS
CULVERT, EXISTING — 36 CMP
CURB & GUTTER, EXISTING
DELINEATORS
EASEMENT, TEMPORARY CONSTRUCTION — TCE
EASEMENT, UTILITY
ELECTRICAL LINE — E
FENCE, CHAIN LINK, EXISTING
FENCE, CHAIN LINK, PROPOSED
FENCE, WIRE
FENCE, WOODEN
FLOW LINE
GAS LINE, ID IN INCHES — G4
GUARD RAIL
IRRIGATION LINE, ID IN INCHES — IRR12
OIL LINE, ID IN INCHES — OIL10
RAILROAD SIGNAL LINE — RR SIG
RAILROAD TRACKS
RETAINING WALL
RIGHT OF WAY, FLOOD CONTROL — R/W
RIGHT OF WAY, STREET — R/W
ROAD, DIRT
SANITARY SEWER, ID IN INCHES — SS12
SIDE SLOPE
SPRINKLERS
STORM DRAIN, EXISTING, ID IN INCHES — SD24
STREET LIGHT CONDUIT — SL
TELEPHONE CABLE — T
TELEPHONE, MULTIPLE TILE DUCT — T(MTD)
TELEPHONE, MULTIPLE CEMENT DUCT — T(MCD)
TRAFFIC SIGNAL LINE — TRAF

SYMBOLS

BARRICADE
BILLBOARD
BUSHES
CATCH BASIN, PROPOSED
CONTROL POINT
ELECTROLIER (S) ON POLE
ELECTROLIER ON POLE, CANTILEVER ARM
ELECTROLIER ON POWER POLE, CANTILEVER ARM
FIRE HYDRANT
GATE, DOUBLE DRIVE
HEDGE
HYDRAULIC GRADE LINE — HGL
MAIL BOX
MANHOLE COVER, EXISTING
MANHOLE COVER, PROPOSED
METER, WATER OR GAS
NORTH ARROW
POLE, GUY WITH ANCHORS
POLE, POWER OR TELEPHONE
SIGN, STREET
SOIL BORINGS — BH-1
TRAFFIC DETECTOR LOOP
TREE, OTHER THAN PALM
TREE, PALM
VALVE, WATER OR GAS
WATER SURFACE PROFILE

REGISTERED PROFESSIONAL ENGINEER — WARREN D. WILLIAMS — No. 32338 — EXP. 12-31-04 — CIVIL — STATE OF CALIFORNIA

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
APPROVED BY:
CHIEF ENGINEER
DATE: April 5, 2004
R.C.E. NO. 32338

ABBREVIATIONS AND SYMBOLS

STANDARD DRAWING NUMBER M814

US Army Corps of Engineers ®
Los Angeles District

RIVERSIDE 2 LEVEE SYSTEM

SAN BERNARDINO AND RIVERSIDE COUNTIES, CALIFORNIA
NLD SYSTEM ID # 3805010050

PERIODIC INSPECTION REPORT NO 1
GENERALIZED EXECUTIVE SUMMARY

FINAL SYSTEM RATING: UNACCEPTABLE
FINAL RATING DATE: JANUARY 18, 2013

PERIODIC INSPECTION REPORT PREPARED BY TETRA TECH, INC.
FOR THE U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT

SUBMITTED: DECEMBER 2012
INSPECTED: APRIL 4, 2011

EXECUTIVE SUMMARY

This Executive Summary provides an introduction to the periodic inspection, an overview of the system, a summary of the major findings of the periodic inspection, and the overall rating for the system.

1.1 Scope and Purpose of Periodic Inspections

The purpose of the Riverside 2 Levee System periodic inspection is to identify deficiencies that pose hazards to human life or property. The inspection is intended to identify the issues in order to facilitate future studies and associated repairs, as appropriate.

This assessment of the general condition of the levee system is based on available data and visual inspections. Detailed investigation and analysis involving hydrologic design, topographic mapping, subsurface investigations, testing, and detailed computational evaluations is beyond the scope of this levee system inspection.

1.2 System Summary

Riverside 2 Levee System is located in the Cities of Colton and Riverside; in the Counties of San Bernardino and Riverside, respectively; in the State of California. Riverside 2 Levee System forms the east/left bank levee (looking downstream) of the Santa Ana River. Riverside 2 Levee System is composed of two levee segments (see Figure 1). These segments are referred to as Segments 2a and Segment 2b. Segment 2a was constructed by Riverside County is not part of the United States Army Corps of Engineers (USACE) Rehabilitation and Inspection Program (RIP), and therefore not under the authority of USACE. It starts approximately 4,573 feet upstream of Main Street (Station 399+75), and extends downstream to Station 339+00. Segment 2b was constructed by the USACE. It starts at Station 339+00, and extends to approximately 483 feet downstream of Mission Boulevard (Station 200+30). Riverside 2 Levee System is entirely operated and maintained by the Riverside County Flood Control and Water Conservation District (RCFC & WCD). The National Levee Database (NLD) System ID Number for Riverside 2 Levee System is 3805010050.

The RCFC & WCD is the Local Sponsor for the Riverside 2 Levee System.

1.3 Summary of Major Deficiencies Found

The levee system was inspected on April 4, 2011. During the periodic inspection of the system, several deficiencies were noted for which remedial actions are required. Specifically, severe bank erosion from the December 2010 storm flows was found and is currently under the USACE RIP process for repair. The following main deficiencies were noted during the periodic inspection of the project features:

- Levee Embankments
  - Segments 2a and 2b: Significant vegetation growth (brush and tall grass) was present within the vegetation-free zone. The vegetation-free zone extends 15 feet outward from both the landward and riverward toes of the levee prism.
  - Segments 2a and 2b: Unpermitted encroachments, which could negatively impact the integrity of the levee, were observed along both segments.

- Segments 2a and 2b: Significant erosion has occurred along the toe of the riverward slope, and could compromise the stability of the levee. It is understood that USACE RIP is in the process of repairing Segment 2b from erosion on the riverside of the levee.
- Segments 2a and 2b: Due to concentration of local runoff, significant erosion gullies have formed on both the riverward and landward slopes of the levee.
- Segment 2b: There are no maintenance records which indicate that the weep holes associated with the concrete slope paving have been regularly cleaned.

- Interior Drainage System
  - Segment 2b: The inlets and outlets of some of the side-drainage structures were obstructed by debris.
  - Segment 2b: Within the past five years, the condition of each side-drainage structure has not been verified using either videotaping by television camera or other visual-inspection method.

1.4 Overall Rating

The Levee Safety Officer, Los Angeles District, has determined the overall system rating of Riverside 2 Levee to be "Unacceptable." An "Unacceptable" system rating is defined as:

> *The Periodic Inspection has identified one (or more) System Components which are rated Unacceptable and require immediate correction. The deficiency (or deficiencies) identified have resulted in an Unacceptable System rating and seriously impair the functioning of the flood protection system and pose unacceptable risk to public safety.*

The Local Sponsor will be notified of the overall rating of the levee system by letter with instructions to correct the "Unacceptable" rated items not related to the RIP repair as soon as possible. A public notification will be made regarding this levee system and the periodic inspection rating.

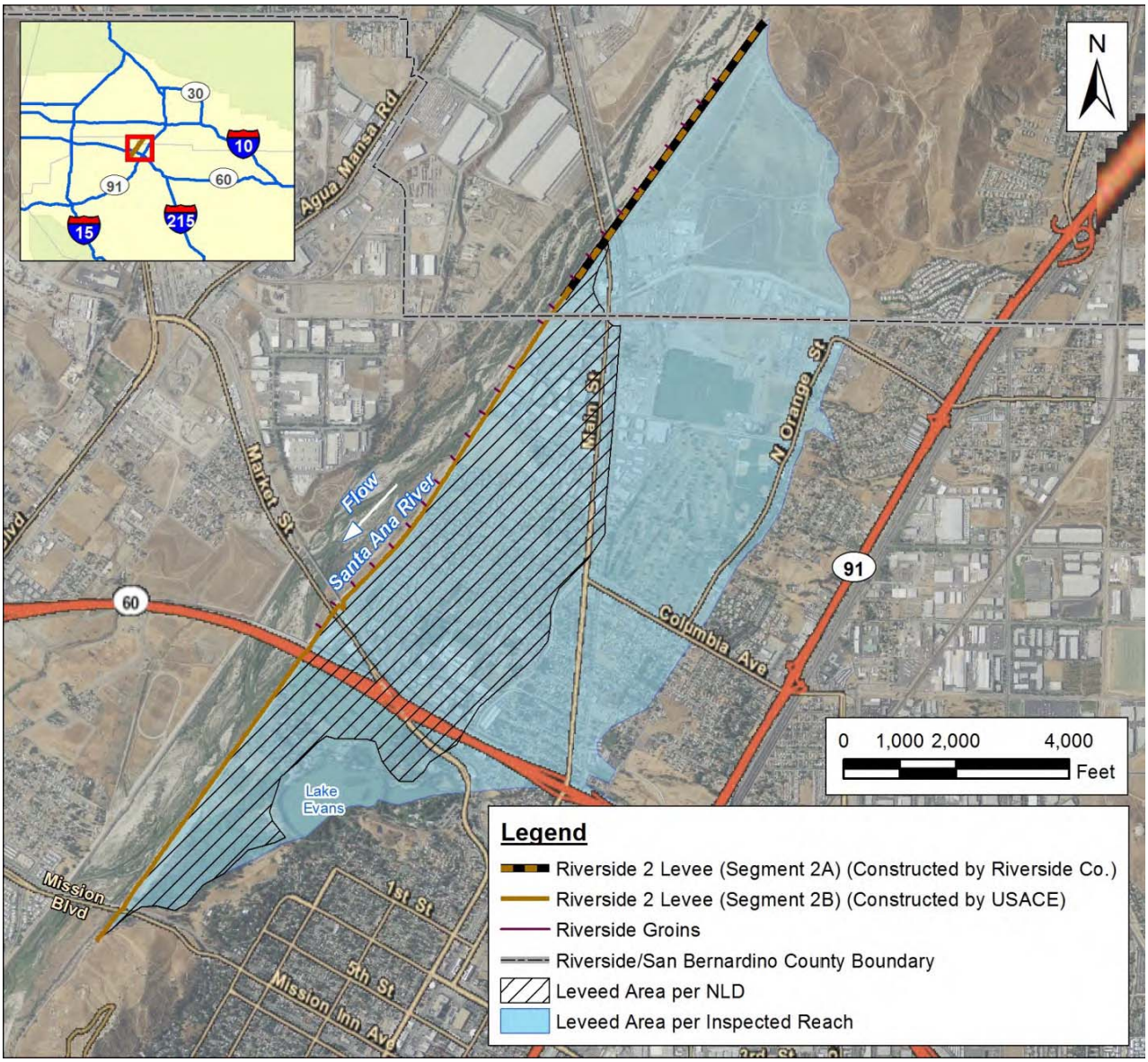
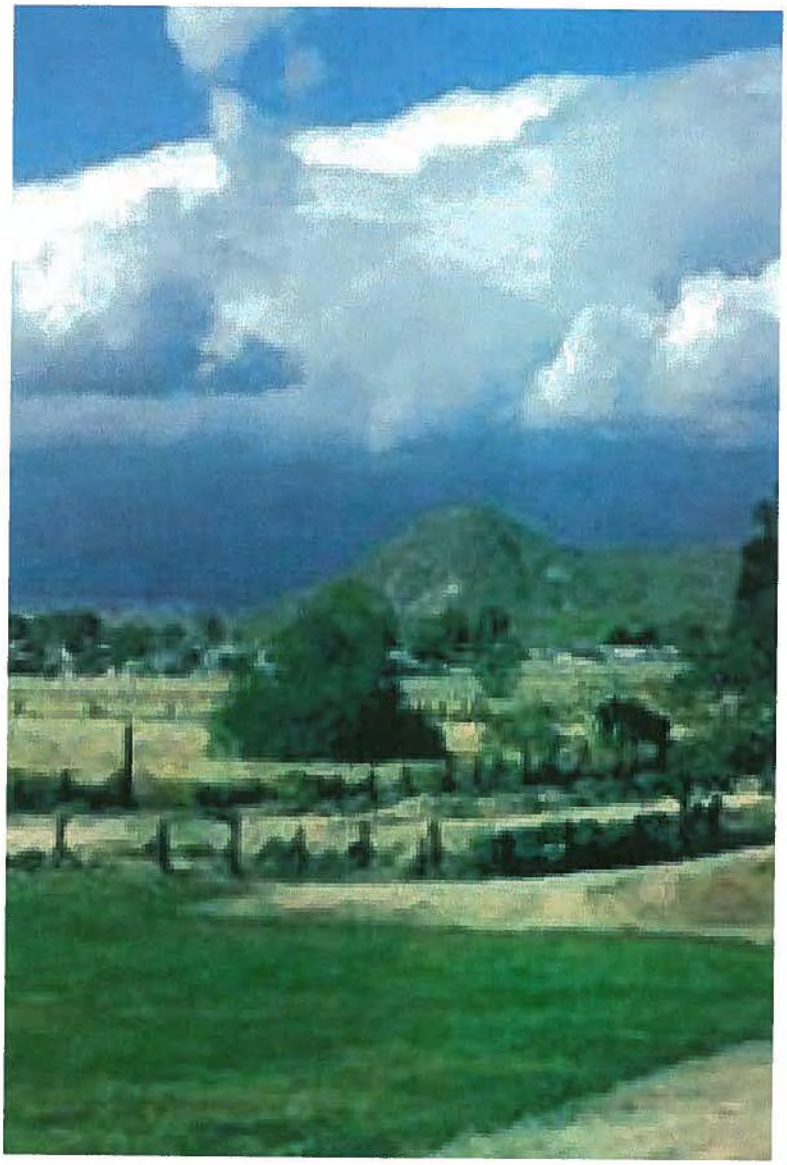


Figure 1. Riverside 2 Levee System



3878 Pine Street
Riverside, CA 92501

September 23, 2018

Mayor Rusty Bailey
Councilman Chris MacArthur
Councilman Chuck Conder
Councilman Mike Gardner
Councilman Andy Melendrez
Councilman Mike Soubirous
Councilman Jim Perry
Councilman Steve Adams

City of Riverside
3900 Main Street
Riverside, CA 92522

Re: Letter in Support of the Utility Services/Land Use/Energy Development Committee's Decision of July 9, 2018
Center Street Commerce Center Project
Planning Cases P14-1033 & P14-1034

Dear Sirs:

From the time that the City of Riverside first circulated Project documents for public comment, Springbrook Heritage Alliance has disputed the air quality and traffic projections put forward by the developer's consultants. In this letter, I want to focus on *truck trip generation as a component of air quality evaluations.*

The California Emissions Estimator Model ("CalEEMod" for short) the air pollution emissions modeling program used by the developer's consultant MIG/Hogle-Ireland (MIG for short). It provides default settings for projects for which there is no site-specific information but will allow users to substitute data. The studies commissioned by Transition Properties for the 308,000 square-foot Center Street Commerce Center Project ("Project" for short) used truck trip generation and fleet mix figures from the 2012 9th edition of the Institute of Transportation Engineering ("ITE" for short) Trip Generation Manual and from the 2003 City of

Fontana Truck Trip Generation Study (which is included in documents attached to the August 14, 2018 City Council meeting agenda). That information may be obsolete.

ITE recognizes several types of warehouse land use but has been refining the data on what it calls high-cube warehouses. ITE defines a high-cube warehouse as a facility of over 200,000 square feet, with a high degree of automation. Although Applicant Art Day of Transition Properties claims there is no tenant yet for the Center Street building, the facility is very likely going to be a warehouse of some kind. The Project's consultant MIG said as much in its response to my June 25, 2018 letter to the Utility Services/Land Use/Energy Development Committee ("LUC" for short). My letter and MIG's response are included in documents attached to the August 14, 2018 City Council meeting agenda.

I believe the studies written by Kunzman and MIG are flawed and that they should be revised with current information. That may change the previous findings that the project's operations will not significantly impact air quality. Some of the documents cited below were included in the Draft Initial Study/Mitigated Negative Declaration ("IS/MND" for short); others should have been because they are relevant Although this letter follows the same format as my letter to the LUC, I have added some remarks and omitted others. I have attached the letters from SWAPE (Soil/Water/Air Protection Enterprise) and from Friends of Riverside's Hills to bring them to everyone's attention. I hope you will read them if you have not already.

1. Warehouse Truck Trip Study Data Results and Usage, South Coast Air Quality Management District ("SCAQMD" for short), July 25, 2014

If the project consultants knew of this document, they did not pay attention to it.

SCAQMD recommended using ITE truck trip rates but criticized the 2003 Fontana Truck Trip Study for, among other faults, using an 80% to 20% fleet mix of cars versus trucks. In its response to my letter to the LUC, MIG points out that the Kunzman traffic impact analysis used a 74.4% to 25.6 % mix of cars versus trucks. But 25.6% may not be high enough.

2. Air Quality & Climate Change Assessment, MIG/Hogle-Ireland, June 2015.

This document appears in Exhibit 7 of the Staff Report on the IS/MND.

Appendix A of MIG's air quality assessment (CalEEMod program output) shows the land use classification as "unrefrigerated warehouse (without railroad spur"). Page 1 of the Appendix claims that the trip numbers and fleet mix proportions were per "SCAQMD recommendations" but did not explain what the recommended figures were.

3. Center Street Warehouse Project Traffic Impact Analysis, Kunzman Associates, January 2016

This document was included in the project's CEQA documents and is included in documents attached the August 14, 2018 City Council meeting agenda.

Although Kunzman used the ITE Trip Generation Manual, he also used the Fontana study despite SCAQMD's qualms. Kunzman also used ITE data for the land use category "manufacturing" (see Table 2, page 32) while MIG had used the category "warehousing".

In responding to my letter to the LUC, MIG says that Kunzman used ITE land use code 140 "manufacturing" to model traffic impacts. MIG used ITE code 152 "unrefrigerated warehouse" in their air quality assessment, claiming that this code takes into consideration the greater proportion of truck trips generated by warehouses. It therefore provides the worst-case scenario that CEQA would require for air pollution emissions modeling. I will argue below that code 152 does not provide the worst-case scenario.

4. Air Quality & Climate Change Assessment, MIG/Hogle-Ireland, March 2016.

The IS/MND did not contain MIG's 2015 assessment. MIG re-worked its report using the land use category "manufacturing" because City of Riverside believed it would provide the worst-case scenario for transportation impacts. In its revised Appendix A, MIG claims it used three "traffic studies", including a SCAQMD recommendation, but there were no citations to documents listed in the References section.

At this point, I had included in my letter to the LUC a comparison of daily trip generation figures from the Kunzman analysis as well as the two MIG air quality assessments. I deleted that information because it was based on passenger car equivalents. Analysis of air quality focuses not only on total trips but also on the type of vehicle making the trips.

5. Comments on the Center Street Commerce Building Project, SWAPE, September 30, 2016.

Attorney Richard Drury's objections to the Initial Study for the Center Street Project contained this letter as an attachment, but the attachment was not included in the exhibits attached to the December 2017 Staff Report that discussed the IS/MND. Richard Drury sent it to me and I have attached it because it is such a comprehensive review of the IS/MND's shortcomings. SWAPE's analysis also contains information from South Coast Air Quality Management District's (SCAQMD) reviews of similar logistics projects.

SWAPE's contentions are:

- The "manufacturing" land use category does not provide the worst-case planning scenario.
- The worst-case scenario would be refrigerated warehousing. (The scenarios can get worse. See Item 6 below).

- The Fontana Truck Trip Generation study is faulty.
- CalEEMod's User's Manual cites an SCAQMD recommendation that lead agencies assume 40% of total trips will be truck trips when site-specific data is not available (as in the Center Street project).
- The IS/MND does not account for longer warehousing truck trips. 40 miles each way would be a conservative estimate.

The fact that Drury's law firm withdrew its objections to the Project does not invalidate SWAPE's comments.

6. High-cube Warehouse Vehicle Trip Generation Analysis, Institute of Transportation Engineering (ITE), October 2016.

This document is available online, so I did not attach a copy. The link is https://www.ite.org/pub/?id=a3e6679a-e3a8-bf38-7f29-2961becdd498

SCAQMD and the National Association of Industrial and Office Properties commissioned the study to help planners estimate traffic impacts and air pollution at high-cube warehouses. ITE defines "high-cube warehouse" on Page 1.

Table 5 (p. 13) shows weighted average[1] rates for daily trips. They can range from 1.432 per 1000 square feet for a transload/short term storage facility to 10.638 per 1000 square feet for a parcel hub. ITE included only one parcel hub and one fulfillment center in the study, so the results could be a little skewed. Any air quality analysis claiming to present a "worst- case scenario" should use the highest trip rate(s) if the analyst does not know the facility's actual use. Trucks accounted for 39.5% of trips to and from cold storage facilities but other types of warehouses generate more trips. That means even with fewer trucks in the fleet mix, they could still generate many truck trips in terms of absolute numbers. Please see Richard Block's April 4, 2018 letter to the City of Riverside Planning Commission (Item 7 below) for a more detailed discussion of this issue. Although the proposed Center Street facility might not perfectly match ITE's profile of a parcel hub or fulfillment center, there is no law that says it cannot operate as one of these higher traffic distribution centers.

As for fleet mixes at diverse types of warehouses, Table A1 (p. 23) shows weighted averages for the percentage of total daily vehicles for cars and trucks. Over all sites studied, the fleet mix was 67.8% cars and 32.2% trucks, not 25.6% trucks.

---

[1] Merriam-Webster's Dictionary (on line) defines weighted average as "an average of the values of a set of items to which each is accorded a weight indicative of its frequency or relative importance."

In MIG's response to my letter to the LUC, Ms. Steele claims the Center Street project cannot be a high-cube warehouse because there are no docks on the north side of the building, just on the south side. This claim is not supported by fact. ITE's descriptions of various warehouse types are not laws regulating warehouse construction; they are meant only to help guide the planning process in the absence of site-specific information. She goes on to claim that the City of Riverside required the Project consultants to specify manufacturing as the land use in the traffic analysis. Ms. Steel then concludes these two "facts" render high-cube warehouse data irrelevant to this discussion! It is difficult to believe that any developer would build a very large, brand new warehousing facility that will operate only with obsolete warehouse technology.

7. Letter to the Riverside City Planning Commission, from Friends of Riverside's Hills, by its Legal Liaison Officer Richard Block, April 4, 2018.

On Page 3 of his letter, Richard Block discusses how the Center Street project will impact traffic in the area. He explains why the facility's features suggest it will be a higher-traffic distribution center and challenges Kunzman's calculation of the total daily passenger car equivalent trips.

Block also points out that a great deal of development has occurred around the proposed project since Kunzman issued its traffic analysis in 2016. He points out that the Kunzman TIA assumed the Center Street facility would open in 2017, whereas it will certainly not open before 2019. He discusses the almost complete Columbia Business Center, which will feed trucks into the I-215 at East La Cadena Drive at Highgrove Place and receive trucks exiting via West La Cadena Drive at Stephens Avenue, as well as two residential developments that will feed cars into the same area. Please note that Block did not even mention Roquet Ranch, a massive 1050-unit mixed use residential development in the nearby La Loma Hills. Roquet Ranch was approved by the City of Colton earlier this year but is the subject of a tolling agreement renewed as of August 7, 2018.

CEQA requires developers to assess cumulative impacts for all past, current and future development around a project. The size of the resource study area depends upon what resource is being studied. In its March 2016 air quality analysis, MIG dismisses the notion of cumulative effects by arguing that the Center Street project is consistent with the 2012 Air Quality Management Plan. This is because (1) emissions will be below CEQA levels of significance, and (2) CEQA does not require this kind of project to be analyzed for consistency. In other words, a legal loophole is supposed to trump what Riversiders can see for themselves: rapid development, with potentially massive impacts on the environment, in Riverside's north side and adjacent areas in the City of Colton.

In conclusion, it appears the experts disagree! I hope that you will not allow this warehouse to be built in an area already severely impacted by air pollution.

Respectfully,

Sala Ponnech

Sala Ponnech

Attachments: Comments on the Center Street Commerce Building Project , SWAPE, September 30, 2016.
Letter to the Riverside City Planning Commission, from Friends of Riverside's Hills, Friends of Riverside's Hills by it's Legal Liaison Officer Richard Block, April 4, 2018

cc: Senior Planner Brian Norton
City Clerk Colleen Nicol

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

2656 29th Street, Suite 201
Santa Monica, CA 90405

Matt Hagemann, P.G, C.Hg.
(949) 887-9013
mhagemann@swape.com

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]

[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

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

[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

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.

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,

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M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
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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.

<u>Policy:</u>

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

530-867-6202
jaegerjessie600@gmail.com

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.

UCLA H. BRADLEY SHAFFER LAB, LOS ANGELES, CA **2012 – 2014**

Undergraduate Research Assistant
Responsible for phylogenetic prioritization within the Turtles of the World project (TOTW). Methods include obtaining 2-3 tissue samples of every species of turtle on earth, and sequencing them for ~20 independent genes. The results of the TOTW project are being used to create a phylogenetic tree of as many currently existing turtle species as possible. This will allow evolutionary biologists and herpetologists to better understand how turtle taxa are interrelated, and will aid in efforts to conserve threatened turtle species.

- Expert understanding of laboratory techniques, including the amplification of DNA through the method of polymerase chain reactions (PCR), extraction of DNA from tissue, cataloging of tissue samples etc.
- Proficiency in programs such as Excel, Google Earth, and Specify.
- Mastery of laboratory equipment usage, including but not limited to, Thermocyclers, Centrifuges, Nanodrop Machines, Autoclave Devices, and Vortexes.
- Experience in fieldwork, including capture of salamander, turtle, and newt specimens to add to the Shaffer Lab tissue database.

LOS ANGELES REGIONAL COLLABORATIVE, LOS ANGELES, CA **2011-2012**
Climate Action and Sustainability, Institute of the Environment, UCLA

Work Group and Event Manager
Responsibility for organization of steering committee meetings, as well as for the organization of the working groups within the collaborative. Maintaining and updating the website, as well as sending out weekly newsletters on behalf of the Collaborative to its members.

- Organized the first Solar Planning working group within the steering committee, which consisted of representatives from universities, government agencies, and private sectors within LA County.
- Coordinated monthly steering committee meetings as well as assisted in the organization of Quarterly Meetings and Sustainability Forums.
- Managed membership, weekly newsletters, website updates, general assistance, and clerical duties.

UNDERGRADUATE STUDENTS ASSOCIATION COUNCIL, UCLA **2012-2013**

Academic Wellness Director, Academic Affairs Commissioner (2013)
Student Groups Support Committee Member, Internal Vice President (2012)
USAC's programs offer an invaluable service to the campus and surrounding communities by providing an opportunity for thousands of students to participate in and benefit from these services. Two to three thousand undergraduates participate annually in the more than 20 outreach programs.

- Directed the organization of academic campus programs that provide tools and resources to manage the academic rigors experienced by university students.
- Oversight control of and responsibility for the Academic Wellness committee and all its members.
- Created a Universal Funding application for student groups that facilitates the process of requesting funds to support philanthropic activities.

EDUCATION

Bachelor of Science, Environmental Science
Minor in Conservation Biology
Senior Project, Ballona Watershed Phytoplankton and Water Quality Assessment
University of California Los Angeles, Los Angeles, CA

High School Diploma
Valedictorian, June 2010
Pioneer High School, Woodland, CA

ACCOMPLISHMENTS

Recipient, Bruins Advantage Scholarship, 2010-2014
Academic Honoree, Dean's List, 2013-2014
Life Member, National Honor Society & California Scholarship Federation, 2006-2010
Valedictorian, Pioneer High School, 2010

Center Street Commerce Building
Initial Study
Draft Mitigated Negative Declaration

Please be advised that the public review period for this document has been extended from September 12 to September 30, 2016, 5:00 p.m.

Prepared for:

City of Riverside
Community and Economic Development Department
3900 Main Street, 3rd Floor
Riverside, California 92522

Project Proponent:

Transition Properties, LP
PO Box 1010
Blue Jay, California 92317

Prepared by:

MIG | Hogle-Ireland, Inc.
1500 Iowa Avenue, Suite 110
Riverside, California 92507

MIG Hogle-Ireland

August 2016

April 4, 2018

To: Riverside City Planning Commission

Via contact planner Brian Norton

From: Friends of Riverside's Hills

Re: April 5, 2018 meeting Agenda Item 2: PLANNING CASES P14-1033 (DR), P14-1034 (LL), Center Street Commerce Building Project

Honorable Chair and Members of the Commission:

Friends of Riverside's Hills, a non-profit public benefit corporation based in the City of Riverside and devoted to protecting the local environment, opposes approval of this project, based on violations of CEQA and other laws, as discussed in some detail below. While others have commented extensively on the project, we believe some of the details mentioned, in particular some of the data we present here, has not been previously brought to the City's attention for this project. We regret that this letter is being sent so close to the actual Hearing, but much of the voluminous relevant material on which it is based was only posted on the City's website within recent days, and work such as these comments can only be done in our spare time.

As shown below, the project's environmental analyses for air quality, greenhouse gas, traffic, noise and biology omit required information that relates to the project's potentially significant environmental impacts. Thus those analyses preclude informed decision-making by the lead agency or informed participation by the public, and therefor are inadequate as a matter of law.

Inadequate project description

An inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable. One of the ways in which the City's environmental analyses failed to comply with CEQA is that it failed to acknowledge that the project is explicitly designed NOT for manufacturing but for high-volume intermodal distribution warehousing use, and therefore failed to disclose the environmental impacts of the "whole of [the] action" (CEQA Guidelines, Cal. Code Regs., tit. 14 ("Guidelines"), § 15378(a)). As case law shows, when the MND's environmental analyses fail to disclose the "true scope" of a

project because it "concealed, ignored, excluded, or simply failed to provide pertinent information" regarding the reasonably foreseeable consequences of the project, then the MND is inadequate as a matter of law.

The Draft IS/MND describes the project, stating

> "construction of a 308,000-square foot building ... 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. ... up to 167 passenger vehicle parking stalls, 237 truck trailer stalls, and 62 loading docks."

The Project's Traffic Impact Analysis (TIA) (Exhibit 1D) also describes the project stating "The approximately 16 acre project site is proposed to be developed with 308,000 square feet of manufacturing".

However, the City knew, or should have known, that the project was NOT designed to allow manufacturing. Indeed, the City's zoning code, Table 19.580.060, requires 1 parking space per 350 square feet of floor area for Manufacturing (industrial zones, or about for this building 308,000/350 = 880 parking spaces, far above the number of parking spaces proposed, with no Variance being considered. (A belated attempt to take account of that is made in some added comments in the current Report to the Planning Commission, with an "alternate plan" to possibly use only part of the building for manufacturing so as to reduce the number of parking spaces needed, but that alternative is not analyzed in the IS/MND nor in any of its appendices, in particular, the Air Quality and Traffic studies).

The project's Air Quality and Climate Change Assessment's Project Description states

> "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."

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This claim that manufacturing is a worst case, conservative approach, relied on in the Air Quality, Greenhouse Gas, Traffic and Noise analyses, is simply false as regards air quality, greenhouse gas, traffic and noise. Actually, the IS/MND appears to contradict itself on the planned use when it find it convenient to do so, as when stating in its Population and Housing section: "Based on average employees per square foot of warehouse in Riverside County, the proposed project is estimated to generate 530 new employees in the area." and in the Kunzman response to a Caltrans comment where the project's TIA consultant calls the project a "high cube warehouse distribution center".

Traffic

A principal operational impact of the project on air quality and traffic will come from the number of truck trips involved and the distance they travel. In discussing the number of such truck trips, the claimed potential uses of the building can be divided into three categories: manufacturing, local distribution, and intermodal transit hub. Here, local distribution involves truck deliveries to and from sites in the Southern California, with temporary storage in the Building, or a distribution center for a single company (or a small number of companies); while intermodal transit hub involves truck deliveries to and from the site (e.g., to or from the Ports) with transfer to or from rail cars or long-distance truck shipping. In the breakdown of uses as described in the SCAQMD's "High-Cube Warehouse Vehicle Trip Generation Analysis", of the uses listed there, with corresponding parking and loading dock features, the Center Street project, with its very high ratio of loading docks (over 0.2 per 1,000 gross square feet, so a ratio of less than 1:5,000 GSF) and high ration of truck trailer parking spaces to loading docks, does not correspond to any of the classifications used there (Transload Facility, Fulfillment Center, Parcel Hub, etc.) although Parcel Hub comes closest, with its "Very high truck parking ratios to dock positions, often 2:1 or more"; for the Center Street project that ratio is 237/62 : 1 = 3.8:1, so extremely high. In Table 5 of that SCAQMD document, "Weighted Average for Daily Trips per 1,000 GSF", for Parcel Hubs it lists respectively 10.638 for All Vehicles, 6.631 for Cars, 4.007 for Trucks, and 0.982 for 5+ Axle Trucks. Multiplying any of those figures by 308 (since the building will have 308,000 GSF) gives average daily trip numbers for the project that are far higher than the estimates given in the project's TIA.

It is obvious that manufacturing, where the trucking is for incoming materials and outgoing manufactured products, involves far fewer heavy truck trips than either local distribution or intermodal transit hubs, and that the latter, involving quick transfer of goods from one mode to another, will involve the greatest number of truck trips. Evidence that the project, as designed, will accommodate the worst-case use, namely, intermodal transit hub use with its very large number of truck trips, is the fact that the project design includes 237 truck trailer stalls, and 62 loading docks. If it were for local distribution use (much less for manufacturing use) it wouldn't need nearly so many truck trailer stalls and loading docks. Those 237 truck trailer stalls, about 53 feet by 10 feet each, will occupy about 530 x 237 square feet = 125.601 square feet = 2.9 acres, not counting driveways, so quite a significant portion of the whole site.

The 237 truck trailer stalls and 62 loading docks imply the ability for the project to be used as an intermodal hub. A lower case turnover for such use is 2 to 4 hours per truck, so with 62 loading docks it is not unreasonable to expect say 300 trucks coming in and 300 trucks going out on a busy 24-hour day.

The Traffic Impact Analysis (TIA), only posted on the City website with this agenda item, and, as noted above wrongly basing its estimates on manufacturing use, in its "Table 2, Project Trip Generation" in its "Traffic Generation in Vehicles" lists

> Daily: Passenger Car 875, 2 Axle Truck 99, 3 Axle Truck 54, 4+ Axle Truck 148, Total Truck 301, Total 1,176

And for "Traffic Generation in PCE's" (passenger car equivalent) it lists:

> Daily: Passenger Car 875, 2 Axle Truck 149, 3 Axle Truck 108, 4+ Axle Truck 444, Total Truck 701, Total 1,576

(based on a PCE ratio of 1.50, 2.00 and 3.00 respectively for trucks with 2, 3 and 4 or more axle).

The TIA figures just quoted, with so many passenger cars and so few large trucks, is obviously based on the use of the project being manufacturing as indeed claimed in the TIA Project Description. With the appropriate estimates for a worst case use, namely, intermodal transit use, the figure for passenger car and small truck use would be much lower and the figure for heavy truck use would be much higher. Thus, as indicated above, with a reasonable figure of 600 heavy trucks per

day (300 in and 300 out) that alone would constitute 1,800 PCE's per day, so the total PCE's would be far higher than the 1,576 total in the TIA (plus, aside from traffic impacts, the fact that diesel trucks are far more polluting, and noisier, than passenger cars).

The TIA for a different warehouse project (750 Marlborough warehouse, done by a different consultant), has a footnote stating "Per the Truck Trip Generation Study, City of Fontana, for the Manufacturing Category, 38.8% of the project trips calculated are to represent truck traffic generated by the project.", so it appears that the TIA for the Center Street project used something like that figure in its calculation of project trips. But of course, as noted above, the Center Street project will not be in the Manufacturing Category, and the TIA analysis for it, by falsely claiming it is for a manufacturing use, is invalid.

Aside from the total amount of Traffic Generation claimed in the TIA, the morning and evening peak hour traffic figures claimed there are correspondingly far too low.

The City's allowing or even encouraging air quality and traffic analyses to be falsely based on a manufacturing use, and even claiming that that represents a worst-case scenario for such analyses, is an abuse of the CEQA process.

But there is another aspect of the TIA where it gets it wrong. The TIA is dated January 10, 2016, and analyzes traffic conditions for "Opening Year (2017) Without Project" and "Opening Year (2017) With Project", whereas the opening year will surely not be before 2019, and thus the TIA analysis ignores other projects which have or will come to fruition in the meantime. Notably, this includes the Columbia Business Center, with three warehouse buildings totaling nearly 1.5 million square feet on Palmyrita and Michigan a bit over 2 miles east (and a bit south) of the Center Street project, approved by the City in October 2015 with litigation settled a few months later, and with construction recently observed by us to be nearly complete, so needing to be considered by the project TIA for an updated opening year. The substantial portion of the heavy truck traffic from the Columbia Business Center that is not headed toward or coming from the south will likely take the most direct route to and from the freeway I-215, going to the freeway at East LaCadena Drive at Highgrove Place/I-215 Freeway NB Ramp (TIA intersection #7) or coming from the freeway at West

LaCadena Drive at Stephens Avenue/I-215 Freeway SB Ramp (TIA Intersection #6), so significantly impacting those two major intersections analyzed in the TIA. Similarly needing to be taken into account in an updated opening year projection is the traffic from the approximately 1,500 new homes now nearing-completion in the Spring Mountain Ranch development by KB homes in the unincorporated area a couple of miles east of the Center Street site, for which most of the freeway traffic from the homes will enter and leave the freeway at the just mentioned ramps, and with some of it going on Center Street past the project site, and similarly for the large number of apartments currently being approved in the Highgrove area, as well as other construction in the area. And as anyone driving the Inland Empire highways knows, traffic (including truck traffic) has gotten much worse in the last couple of years.

Thus the TIA's opening year 2017 traffic projections are invalid for what would be the actual opening year of 2019 or later, and the projections for opening year traffic need to be updated, including to take account of the traffic from the new projects that are already or will be in operation when the Center Street project comes into operation.

Also, the impact of a single truck on a city street pavement is estimated to be the equivalent of five cars. Thus, more trucks means the streets will deteriorate faster and will have to be repaired more often than if the streets are used by passenger vehicles. The MND fails to consider this.

Air Quality and Greenhouse Gas

The Air Quality Impact Analysis (AQIA) is also deeply flawed by using inappropriate assumptions on operations. It states (at its p. 33)

> "Trip generation (3.82 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). 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. 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. It was assumed that the facility will use five forklifts and one generator set during operations."

So the AQIA is based on the assumption of the project "being assessed as manufacturing use", which is improper for air quality analysis since it fails to consider appropriate numbers of truck trips involved with warehouse use, and diesel trucks are principal emitters of pollutants in the area. Since 3.82 (daily trips) times 308 (1,000 SF) = 1,176, the AQIA is basing its number of daily trips and fleet mix on the figures claimed in the TIA, which as noted above is way off for the worst-case warehouse use, with in particular the 16.6 percent heavy-heavy duty truck trips being far too low. Also, the AQIA assumption of just five forklifts and one generator set might be appropriate for manufacturing use, but is ridiculously low for a facility with 62 loading docks.

By assuming such a low number of heavy-heavy duty truck trips, and ignoring the fact that the much larger number of heavy-heavy duty truck trips will be traveling long distances, the AQIA fails to properly consider potential impacts.

In neither the AQIA nor the TIA can we find any consideration of the length of truck trips to and from the Project, with the concomitant impact on air quality and greenhouse gas. According to the SCAQMD for another warehouse distribution-type project in the Inland Empire, "[m]ost warehouses, distribution centers, and industrial land use projects would be hauling consumer goods, often from the Ports of Long Beach and Los Angeles as well as to destinations outside of SCAQMD boundaries." See http://www.aqmd.gov/docs/defaultsource/ceqa/comment-letters/2015/january/mndwaterman.pdf (incorporated by reference herein).

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

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

There must be an analysis of average trip length to take into account the long distances that will be traveled by trucks going to and from the Project and the

associated amounts of pollutants generated. The Project analysis is defective in not providing such an analysis. Without knowing these facts, the MND cannot state that air quality impacts have been mitigated to a level of insignificance.

CEQA requires a lead agency to make a "good-faith effort" to "describe, calculate, or estimate the amount of [GHG] emissions resulting from a project." CEQA Guidelines § 15064.4(a). As with the air quality impacts, the project's Greenhouse Gas Emissions must be re-analyzed after the proper traffic volumes, especially heavy-heavy truck volumes, traffic travel distances, and on-site outdoor engine use have been revealed and analyzed.

Noise

The projects operational activities will necessarily involve a great deal of moving truck trailers by moving power equipment ("yard dogs"), with concomitant potential air quality and noise impacts. In particular, the movement in reverse gear of trucks and yard dogs will involve very loud backup beeping. Yet the IS/MND, while it calls for a Mitigation Measure (N-1) for construction noise, proposes no Mitigation Measure for operational noise, and none for Air Quality except for AQ-1, requiring future analysis for any proposed refrigerated use (which appears to be a violation of the CEQA prohibition on segmentation of a project).

Neither the AQIA nor the project's Noise Study (Appendix G of the IS/MND) consider potential impacts of the equipment moving (often in reverse) on site outside the building. The Noise Study states

> "Operational Noise
>
> The increase in vehicular traffic on area roadways will not result in noise levels exceeding the 65 dBA exterior noise standard established by the City of Colton to the north. The exterior noise levels under the Without and With project scenarios exceed allowable exterior noise levels at the residential uses to the northwest, northeast, and southeast of the project site. However, the project does not cause the exterior noise levels to exceed the 55 dBA residential threshold for receptors that are currently below the allowable noise levels. In addition, the proposed project will not result in a noticeable increase in noise levels. Therefore, no substantial

> impacts will occur. ... Operationally, the proposed project will result in periodic landscaping and other occasional noise generating activities. These activities are common in urban uses and do not represent a substantial increase in periodic noise in consideration that the project site is located in an industrialized area."

That might be valid for a manufacturing use, but with a worst-case scenario of intermodal transit hub use (or even with local distribution use), there will be frequent and penetrating operational noise from the back-up alarms of the trucks and "yard dogs" moving about the exterior of the building, frequently in reverse, at night as well as day. A typical back-up beeper runs at 97-112dBa.

The Noise Study is invalid in failing to even consider such noise, and the AQIA is invalid in failing to consider the potential pollution of equipment moving on site outside the building.

Thus the City failed to call for even such obvious mitigation measures as requiring "yard dogs" to be powered by electric batteries instead of gas engines, putting some control on the level of backup alarm decibels (particularly at night), requiring electric hookups at the loading docks to reduce the amount of truck idling, etc.

Biology.

The IS/MND, dated Nov. 2017, and the Biological Resource Assessment note the "potential for ground-, tree-, and shrub-nesting birds to establish nests on the project site", and call for Mitigation Measure BIO-2: If there are active nests on the site, "no grading or heavy equipment activity shall take place within 300 feet of sensitive bird nests and 500 feet of raptor nests, or as determined by a qualified biologist."

However, there is no scientific evidence (and the IS/MND and Biological Resource Assessment cite none) that the 300 or 500 foot radii are sufficient to avoid impacts.

Denial of Public Participation and Brown Act Violation

The Development Review Committee, which approved this project, is not merely a "recommending body" but rather the final decision-maker (subject to very

expensive appeal) on projects such as this one that need approval from the City. The City's Zoning Code, in Table 19.650.020, "Approval Authority", list the DRC as "final approval authority" (subject to appeal) for several types of decision, including design review.

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

The Brown Act, in section 54952(b), says that the term "legislative body" includes "A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body." which clearly applies to the DRC as established in the Zoning Code enacted by the City Council. Moreover, the section's exclusion for certain advisory committees does not apply, one reason being that the DRC is not merely advisory but makes final decisions (even if those are subject to an expensive appeal). Thus the DRC, contrary to the City's response to a comment, is a legislative body governed by the Brown Act just as much as the Planning Commission itself is, and its closed meetings are a violation of the Brown Act.

Thank you for your consideration.

Friends of Riverside's Hills

By its Legal Liaison Officer Richard Block, 424 Two Trees Rd, Riverside CA 92507

From: Wohlgemuth Family [mailto:pjdnw@yahoo.com]
Sent: Sunday, September 23, 2018 8:25 PM
To: Bailey, Rusty <RBailey@riversideca.gov>; Gardner, Mike <MGardner@riversideca.gov>; Melendrez, Andy <ASMelendrez@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Conder, Chuck <CConder@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Adams, Steven <SAdams@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] Letter in Opposition to Center Street Warehouse for October 9th City Council Meeting

All -

Attached find my letter affirming the decision of the Council's Land Use Committee to oppose the Center Street warehouse project in the Northside Neighborhood. The Mitigated Negative Declaration has many errors, the local community opposes the project, it conflicts with the Northside Specific Plan, and a giant warehouse is not in the best interests of a revitalized Northside. I hope you will join me in opposing this warehouse project on October 9th.

Peter Wohlgemuth
686 Forest Park Drive
Riverside, CA 92501

Rusty Bailey, Mayor & Riverside City Council
City of Riverside
3900 Main Street
Riverside, California 92502

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

Dear Rusty Bailey, Mike Gardner, Andy Melendrez, Mike Soubiroux, Chuck Conder, Chris MacArthur, Jim Perry, and Steve Adams,

The Riverside City Council should affirm the recommendation of the Land Use Committee and oppose the proposed Center Street Commerce Center Project, thereby overturning the Planning Commission's project approval, for the following reasons:

- The project would violate the Riverside 2025 General Plan provisions LU-72 (providing for steady change and improvement on the Northside to an upgraded model community) and LU-74 (to preserve and promote the lower density charm of the Northside Community). A giant warehouse is not in the best interests of a revitalized Northside.

- Although the landowners do have the right to develop their land, this does not mean they can do so to the detriment of the surrounding community. With proper mitigation, the proposed project could just as easily be a toxic waste dump. A warehouse has only slightly less onerous consequences.

- The Mitigated Negative Declaration supporting this project has many internal inconsistencies, errors of fact, and glaring omissions that cast doubt on the accuracy and the veracity of the report as a whole. For instance, the proposed project site <u>is</u> in the 100-year floodplain of the tributaries of the Santa Ana River, the proposed project <u>is</u> within 100 feet of existing water supply wells (both Garner 'B' Well and Garner 'D' well), and the MND's own map shows the area to be in a zone of moderate to high liquefaction potential in the event of a seismic disturbance (all too common here in southern California).

- The MND report mentions several subsequent compliance plans that will be generated as part of this project (a Stormwater Runoff Management Plan, a Noise Mitigation Plan, and a Storm Water Pollution Prevention Plan). In large part, the MND is based on the performance of these yet unformulated plans. However, this is circular reasoning and these compliance plans should be included as part of the report in order to justify a determination of a Mitigated Negative Declaration.

- Appendix 3 in the updated CEQA document, purporting to show critical Soils Information (including infiltration rates), is still blank. This renders the mandatory Water Quality Management Plan null and void.

- The design storm that the project percolation basin is calculated to contain would be exceeded nearly every year on the proposed project site (assuming they got the infiltration rates right).

- Some of the data presented in the MND report are actual measurements, but some are derived from model outputs. In both cases, there is no way to independently verify the accuracy and/or authenticity of these values. If models are used, there is no way to know if input parameters truly reflect the onsite conditions or if the model outputs are reasonable. The sources and assumptions surrounding all of these values should be stated explicitly so decision makers will know that the numbers were not just fabricated.

- All of the issues surrounding the MND (some of them fatal) argue powerfully that a full-blown Environmental Impact Report should be required for this proposed project.

Meanwhile, the Northside Specific Plan is hovering on the horizon. Considering these foregoing points, a decision on this proposed project should be postponed until the impending Northside Specific Plan is finalized. It makes much 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
686 Forest Park Drive
Riverside, CA 92501

From: Mary Hamilton [mailto:hamilton.mar@sbcglobal.net]
Sent: Tuesday, September 18, 2018 3:32 PM
To: 2Mayor; Gardner, Mike; Melendrez, Aurelio; Soubirous, Mike; Conder, Chuck; MacArthur, Chris; Perry, Jim; Adams, Steven; Norton, Brian
Cc: 'Sarah A. Garner Marquez'; Jorgenson, Todd
Subject: [External] Northside Specific Plan- Comment Letter from Private Ownership Hamilton/Garner

Dear Honorable Mayor, City Councilmembers and Planning Division,

Attached please find our electronic transmittal regarding our opposition to any appeal that is being considered by city councilmembers more specifically with respect to the Transition Properties LP Project which falls within the Northside Neighborhood. We further object to any re-zoning initiative that maybe contemplated which encompasses our approx. 22Ac Vacant Land. We do not wish to rezone our industrial land to a residential development.

We respectively request that you add this letter to your comment's files for this project and allow our voices to be hear.

Thank you for your time and consideration.

Mary Hamilton
Property Owner-
858-720-0166 Office
858-720-9630 Fax
858-472-0166 Mobile

MLH

Mary L. Hamilton Trust

3940 San Gregorio Way, San Diego, CA 92130 (858)720-0166 office * (858)720-9630 fax

TOWN SQUARE
MURRIETA- Walgreens
RIVERSIDE 22Ac
RIVERSIDE - Retail
Citracado Circle-SFR
Nashville, TN-Comm
UTAH ACREAGE

September 17, 2018

City of Riverside
Mayor's Office- Rusty Bailey
3900 Main Street
Riverside, CA 92522

City of Riverside
Planning Division
3900 Main Street
Third Floor
Riverside, CA 92522

City of Riverside City Council
Mike Gardner- Ward 1
Andy Melendrez- Ward 2
Mike Soubirous- Ward 3
Chuck Conder- Ward 4
Chris MacArthur- Ward 5
Jim Perry- Ward 6
Steve Adams- Ward 7
3900 Main Street
Riverside, CA 92522

VIA REGULAR MAIL AND ELECTRONIC DELIVERY

RE: Northside Specific Plan—Comment Letter from Private Ownership
APN: 246-092-010 and 246-070-005 – 575 N Orange Avenue, Riverside, CA
Collectively 22Ac Vacant Land

Dear Honorable Mayor, City Council Members and Planning Division;

I am writing this letter on behalf of the ownership(s) ("Hamilton/Garner Trusts") held at the above referenced property which is located within the Northside Specific Plan boundaries.

In April 2018, the ownerships signed an exclusive listing agreement with Lee and Associates Commercial Real Estate Services to sell our vacant 22Ac parcel(s) recognizing that we bit an all time high for industrial property with many users still looking for opportunities to create high economic impacts in the area. The brokers identified in their marketing strategy an approach to market the property not only to industrial developers but also to expose the property to residential developers and seek their assessment of the property. They have spoken to both sides; residential and industrial qualified developers/ interested parties and the overall outcome/consensus has been most are willing to wait before presenting an offer(s) until the City's zoning determinations and outcome of the Transition Properties LP Project has been heard.

With the impending City Council Meeting to address the appeal to the Transition Properties LP Project, we believe our ownership needs to be heard and we hereby oppose any appeal by City Council to this project. We believe their project meets the City's current zoning standards and it will uniformly enhance this underutilized area where we are currently located.

The City has a requirement under its General Plan to allow industrial land in the specific area, that was one of the main reasons why the City could annex this area away from the County and into the City boundaries many years ago. Moreover, the annexation was overwhelming supported by the Northside Community and the property owners at the time because of the higher and best use of the newly proposed zone of the surrounding area in general and the hope that the City would bring the infrastructure improvements that were neglected by the County to support the development of the entire area. Per the General Plan, it strictly prohibits the City and limits their ability to re-designate or rezone land from an industrial use. In other words, by appealing the Transition Properties LP Project and continuing its efforts to re-zone tbe City is not adhering to its General Plan and acting in an unlawful manner without going through all the proper governmental processes and procedures (i.e. amendments to general plan) to facilitate any kind of area change.

Our vacant 22Ac is underutilized and has been for decades. We acknowledge in this business cycle it is time to sell the land, turn it over to a developer who can bring these assets to the community. We have spent many years waiting on the City to decide what kind of development they wanted for the area. In July of 2015, DAUM (Brokerage) presented us with an acceptable offer from an industrial developer to purchase the land and in August 2015 we had an executed Letter of Intent spelling out the terms and conditions for that sale. Shortly thereafter and within the prospective buyer's due diligence period our broker along with the prospective buyer met with City representatives and Councilman Mike Gardner. At this specific meeting the City discouraged the prospective buyer/developer from any kind of industrial development as the City would not support the current zoning allowed uses under the General Plan. The City disclosed the likelihood of a zoning change. The Northside Specific Plan has been underway for several years. The City has spent an enormous amount of time and money on consultants to work will the residents and businesses alike. However, those consultants failed to meet with the actual property owners who own sizeable/developable land within the Northside Specific Plan boundaries. As one of those owners, neither my sister nor I were contacted by the City's consultants to seek our opinion to this Specific Plan and I find it unacceptable and a loss of our property rights.

Per an article written on March 3, 2018 by the Press Enterprise regarding the Northside Specific Plan and Transition Properties LP Project, City staff members are quoted as saying, "*They are only midway through developing a blueprint, called the Northside Specific Plan.*" Such a blueprint is not necessarily a zone change as that would require further time and money to follow all governmental policies and procedures such as amendments to General Plan and a full EIR study. All this time is adding up; We started June 2015 with a so-called City Temporary Moratorium Initiative which was a blatant abuse of government power by clouding any real property owner with the possibility of entertaining any offer to sell knowing of a possible zone change to be forthcoming. Apparently, in August of 2015, an interim ordinance establishing a "temporary moratorium on land use entitlements and building permits for zoned BMP areas was set for an initial period of no longer than 45 days. The City Attorney's office made the determination that this was an unlawful action and suggested the City Council not pursue such an action. However, as it seems since then an apparent silent "interim moratorium" has taken place without any formal proceedings and stopped any real property owners from selling or developing their own property. More importantly, this action has cast a negative financial impact on all property owners in the area. In essence, the City has taken our property rights away via an inverse condemnation action which is highly challengeable in a court of law.

We have been advised that the highest and best use of the property is to remain an industrial development. Although the current "by right" zoning allows for a 400,000 sq. ft facility (most profitable to a developer) the City has taken the stance not to allow/support that kind of development under their own ordinance codes. Rather, a mixed use-small building development for an industrial use is the next best design and still retains much of the property's value. Should we potentially seek a residential developer for our property it has been estimated to lower the current value by approx. $4M. To some that maybe small change, but to this ownership(s) that is a substantial loss of value that the City has invoked upon on our property rights. It also shall be noted that our property, based on several drafts of the Northside Specific Plan, details that over a third shall be zoned for open space (Riverwalk) of which further impacts the value.

With the assistance and assurance of the City, we would work with the City to move forward and bring a qualified developer that would identify our property (approx. 22Ac) that it has a clear development path, allowing for light industrial as outlined in the current General Plan. Otherwise, we hereby offer to sell our land directly to the City of Riverside or the City of Riverside Public Utilities Department at a FMV along with water rights/stock certificates for non-potable water in the Trujillo Water Company at FMV (appraisal of these shares has been completed). That way both entities can hold the property until the City has determined what types of development are worthy of the area.

We invite a meeting with the City to discuss such a sale and shall continue to market this property accordingly.

We look forward to your response one way or another. Should you have any questions, we respectfully ask that you direct them to our Lee and Associates Brokers, Jeff Ruscigno (951) 276-3630 and/or Matt Weaver (760) 448-2458.

Sincerely,

Mary L. Hamilton
(858) 720-0166 office
(858) 720-9630 fax
Hamilton.mar@sbcglobal.net

Sarah A. Garner, GM Trust Trustee
(760) 845-6120
gmconstruction@sbcglobal.net

Cc: Jeff Ruscigno, Lee and Associates
Matt Weaver, Lee and Associates
Todd Jorgenson, General Manager Trujillo Water Company
Jo Lynne-Russo-Pereyra, City of Riverside Public Utilities Board Chair

CC: 10-9-2018

From: Jason Alvarez <lotusj83@hotmail.com>
Date: September 13, 2018 at 9:34:03 AM PDT
To: <rbailey@riversideca.gov>, <mgardner@riversideca.gov>, <asmelendrez@riversideca.gov>, <msoubirous@riversideca.gov>, <cconder@riversideca.gov>, <cmacarthur@riversideca.gov>, <jperry@riversideca.gov>, <sadams@riversideca.gov>, <cnicol@riversideca.gov>
Subject: [External] PLANNING CASE P14-1033 & P14-1034

Honorable Mayor and Council

Planning Case P14-1033 & P14-1034 Warehouse project is wrong for the Northside's neighborhood, the Trujillo Adobe and will hurt Riverside's social capital. Elected leaders should look at the negative impacts this warehouse can do to this neighborhood and region.

Please support the property rights of the individual residents who call this home and invest in the Northside Specific Plan. Support creating a cultural center around the Trujillo Adobe, without warehouses and truck traffic.

--
Ms Jason Alvarez
lotusj83@hotmail.com

Date: 8-14-18

Item No.: 9 and 47

LAW OFFICE OF
CHRISTOPHER SUTTON
586 LA LOMA ROAD
PASADENA, CALIFORNIA 91105-2443
TELEPHONE (626) 683-2500 ··· FACSIMILE (626) 405-9843
email: christophersutton.law@gmail.com

Friday, August 10, 2018
(Sent by email and U.S. Mail)

Mayor and City Council
City of Riverside
3900 Main Street,
Riverside, California 92522

copies emailed to:	Senior Planner Brian Norton:	bnorton@riversideca.gov
	City Clerk Colleen Nicol:	cnicol@riversideca.gov
	Councilman Chris Mac Arthur:	cmacarthur@riversideca.gov
	Councilman Mike Soubirous:	msoubirous@riversideca.gov
	Councilman Mike Gardner:	mgardner@riversideca.gov

Re: Response to August 8, 2018, Letter of C. Erik Friess of the Allen Matkins law firm; Planning Cases P14-1033 & P14-1034 - 308,000 s.f. Warehouse

Dear Members of the City Council:

This office has reviewed the letter dated August 8, 2018 from C. Erik Friess of the Allen Matkins law firm. A copy is attached for ease of reference. While agreeing to the new hearing date of October 9, 2018, the letter makes implied threats against the City of Riverside. These implied threats are groundless, as your City Attorney likely will advise you. By agreeing to the new date of October 9, 2018, the applicant has waived all objections to the scheduling that hearing date or to any prior hearing date. The City has fully complied with all local and state laws regarding the scheduling of **all** hearings in this matter.

Question 1: Did the the 47 days between Development Review Committee (February 21, 2018) and after the Planning Commission hearing (April 9, 2018) violate any law or entitle the applicant to any special treatment, such as automatic project approval?

Answer: No. There was no violation of any local law or the state's Permit Streamlining Act.

Question 2: Did the 61 days between the Planning Commission hearing (April 9, 2018) and the City Council Committee meeting (July 9, 2018) violate any law or entitle the applicant to any special treatment, such as automatic project approval?

Answer: No. There was no violation of any local law or the state's Permit Streamlining Act. The July 9, 2018 Committee date was at the request of the applicant, waiving any issue.

Question 3: Did the 35 days between the City Council Committee (July 9, 2018) and the initial City Council date (August 14, 2018) violate any law or entitle the applicant to any special treatment,such as automatic project approval?

Answer: No. There was no violation of any local law or the state's Permit Streamlining Act. The

state's Permit Streamlining Act only applies to the date of the ***initial hearing*** where the City's decision-maker had the power to approve or reject the project. That date was the DRC on February 21, 2018. The state's Permit Streamlining Act ***does not apply to appeals*** after the initial hearing date.

Question 4: Does the 56 days between the initial City Council date (August 14, 2018) and the re-scheduled new City Council date (October 9, 2018) violate any law or entitle the applicant to any special treatment,such as automatic project approval?

Answer: No. There was no violation of any local law or the state's Permit Streamlining Act. The state's Permit Streamlining Act only applies to the date of the ***initial hearing*** where the City's decision-maker had the power to approve or reject the project. That date was February 21, 2018. The state's Permit Streamlining Act ***does not apply to appeals*** after the initial decision. By agreeing to the new date of October 9, 2018, the applicant has waived all claims related to scheduling.

Question 5: Do the Riverside Municipal Code sections cited in the attorney's letter provide any remedies or special treatment to the applicant?

Answer: No. These are merely goals for the City to set hearing dates. There is no mandatory duty or any adverse remedy imposed on the City by these code sections, because these are merely "directory" goals. In addition, the applicant has waived any claim related to dates.

Riverside Municipal Code sections **19.680.040** and **19.710.070(A)(2)**, cited in the attorney's letter, read as follows (my emphasis supplied):

19.680.040
Notice and Schedule of Appeal Hearings.
Unless otherwise stated herein ***or mutually agreed upon by the person filing the appeal, the applicant*** and the City, appeal hearings ***should be conducted*** within 45 days from the date of appeal submittal. Notice of hearing for the appeal shall be provided pursuant to noticing requirements of Chapter 19.670 (Public Hearings and Notice Requirements). (Ord. 7331 §104, 2016; Ord. 6966 §1, 2007)

19.710.070 Appeals.
A. Appeals.

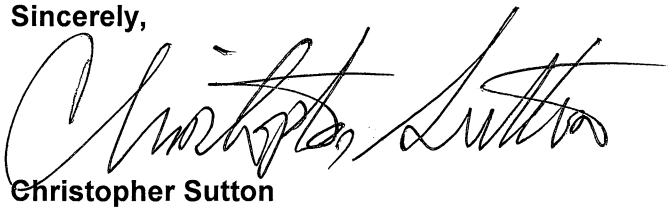
1. Appeal of the Community & Economic Development Director or Development Review Committee Decision: - Any person aggrieved or affected by a decision of the Community & Economic Development Director or their designee or the Development Review Committee, as applicable, in granting or denying a Design Review application ***may appeal to the Planning Commission at any time within ten (10) calendar days*** after the date upon which the Community & Economic Development Director or their designee or the Development Review Committee, as applicable, makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of

appeal, in duplicate, and the appropriate fee with the Planning Division. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the ***next available agenda*** meeting of the Planning Commission. The Planning Commission decision is final unless appealed to the City Council.

2. Appeal of the Planning Commission Decision: - Any person aggrieved or affected by a decision of the Planning Commission in granting or denying a Design Review application may appeal to the City Council at any time within ten (10) calendar days after the date upon which the Planning Commission makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of appeal, in duplicate, with the Planning Division. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the next available agenda meeting of the Land Use Committee of the City Council. ***The Land Use Committee may continue the matter for more information*** and upon review of that information shall consider the appeal and make a recommendation to the City Council for consideration at the next regularly scheduled City Council meeting. Any items that, because of scheduling irregularities of the Land Use Committee, cannot be heard by the Land Use Committee within twenty (20) business days of the appeal deadline, shall be referred directly to the City Council ***unless the applicant requests or consents to a continuance*** to allow Land Use Committee review. The City Council may affirm, reverse or modify the decision of the Land Use Committee or Planning Commission. (Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

Based on the foregoing, it is clear that the letter of August 8, 2018, was nothing more than posturing. There has been no violation of any state or local law by the City of Riverside in setting hearing dates.

Sincerely,



Christopher Sutton
Attorney for Karen Renfro
and Springbrook Heritage Alliance

encl: Allen Matkins letter of August x, 2018

cc: City Clerk, City of Riverside
Springbrook Heritage Alliance

Date: 8-14-18

Item No. 9 and 47

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
1900 Main Street, 5th Floor | Irvine, CA 92614-7321
Telephone: 949.553.1313 | Facsimile: 949.553.8354
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K. Erik Friess
E-mail: rfriess@allenmatkins.com
Direct Dial: 949.851.5478 File Number: 376839-00001/OC1191338

VIA ELECTRONIC MAIL

August 8, 2018

Mike Gardner, City Council Member
City of Riverside
3900 Main Street
Riverside, CA 92522

Re: Continuance of City Council Hearing on Appeal of Planning Commission's Approvals for Center Street Commercial Building (Planning Case Nos. P14-1033 and P14-1034)

Dear Council Member Gardner:

As you know, this firm represents Transition Properties L.P., the developer of the Center Street Commercial Building Project, which approvals are on appeal from the Planning Commission and set for public hearing before the City Council on August 14, 2018. My client informs me that on July 31, 2018, you personally called Art Day of Transition Properties to request that Mr. Day agree to a continuance of the August 14th hearing because counsel for appellant Springbrook Heritage Alliance, Christopher Sutton, will be unable to attend that day. In a spirit of cooperation, Transition Properties has agreed to a continuance of the appeal hearing to October 9, 2018.

It bears mentioning that Transition Properties has patiently cooperated with the City throughout the approval and appeals processes for the Project, since the initial submission of entitlement applications in 2014. The Municipal Code requires that the City Council consider a Design Review appeal from the Planning Commission at the *next* regular meeting after the Land Use Committee makes a recommendation on the appeal. (Municipal Code § 19.710.070(A)(2).) Further, the Municipal Code's general rule for all appeals is that they be heard within *45* days of the appeal submission, unless the applicant, City, and appellant mutually agree on a longer time. (Municipal Code § 19.680.040.) But, by the August 14th hearing, the City Council will have held *two* regularly scheduled meetings without considering the appeal, which will have entered its *125th* day (appeal submitted April 12, 2018). Under either rule, this appeal has exceeded applicable deadlines. And throughout this entire period, Transition Properties – in an effort to accommodate all of the interested parties, including the neighbors – has not demanded that the City adhere to its rules.

Nevertheless, despite the above Municipal Code requirements, Transition Properties will agree to your request that it consent to a continuance. Due to scheduling difficulties – some of which Mr. Day has already mentioned to you – Transition Properties will agree to continue the hearing to the City Council's regular meeting of October 9, 2018.

In light of this continuance, Transition Properties will not appear at the August 14, 2018, City Council meeting. By doing so and agreeing to the continuance, Transition Properties does not intend to waive any rights, remedies, or objections and reserves all of them.

Very truly yours,

K. Erik Friess

KEF:slp

cc: via email:
Kristi J. Smith, Esq.
Colleen Nicol
Brian Norton

cc: Mayor
City Council
City Manager
City Attorney
ACMs
Interim C&ED Director

Date: 8-14-18

Item No.: 9 and 47

From: Karen Renfro <k.a.renfro7@gmail.com>
Date: August 11, 2018 at 3:04:30 PM PDT
To: "Bailey, Rusty" <rbailey@riversideca.gov>, "Gardner, Mike" <mgardner@riversideca.gov>, "Melendrez, Andy" <asmelendrez@riversideca.gov>, "Soubirous, Mike" <msoubirous@riversideca.gov>, "Conder, Chuck" <cconder@riversideca.gov>, "MacArthur, Chris" <cmacarthur@riversideca.gov>, "Perry, Jim" <jperry@riversideca.gov>, <sadams@riversideca.gov>
Cc: "Zelinka, Al" <azelinka@riversideca.gov>, "Geuss, Gary" <ggeuss@riversideca.gov>, "Nicol, Colleen" <cnicol@riversideca.gov>, "Guzman, Rafael" <RGuzman@riversideca.gov>, "Lopez, Moises" <MLopez@riversideca.gov>, "Welch, David" <dwelch@riversideca.gov>, "Brenes, Patricia" <pbrenes@riversideca.gov>, "Kopaskie-Brown, Mary" <mkopaskie-brown@riversideca.gov>, "Norton, Brian" <bnorton@riversideca.gov>, "Murray, David" <dmurray@riversideca.gov>, "Watson, Scott" <swatson@riversideca.gov>, Christopher Sutton <christophersutton.law@gmail.com>, Springbrook Heritage Alliance <info@springbrookheritagealliance.org>, Wohlgemuth Family <pjdnw@yahoo.com>, ponnech <ponnech@att.net>, erin snyder <epolcene@juno.com>, Nancy Melendez <nancy.melendez@icloud.com>, <osta.aguamansa@gmail.com>, Mark Acosta <macosta@scng.com>, Ryan Hagen <rhagen@scng.com>, City News <news@citynewsgroup.com>, Ardie Barnett <highgrovenews@roadrunner.com>
Subject: [External] RIVERSIDE CITY COUNCIL MEETING AUG. 14, 2018: AGENDA ITEM #9 -- APPEAL OF CENTER STREET COMMERCE CENTER PROJECT APPROVAL

August 11, 2018

The Honorable
William R. "Rusty" Bailey III,
Mayor of Riverside
3900 Main Street
Riverside, California 92522
CC: Riverside City Council

SPRINGBROOK HERITAGE ALLIANCE REQUEST FOR CONTINUANCE OF AUG. 14 APPEAL HEARING TO OCT. 9:
Center Street Commerce Center Project
Planning Cases P14-1033 & P14-1034/Initial Study/MND

Honorable Mayor and Members of the Riverside City Council:

Springbrook Heritage Alliance is grateful to the Land Use Committee for their recommendation that the City Council uphold our appeal of the Planning Commission's approval of this project.

Our request for a continuation of the Aug. 14 Appeal Hearing to Aug. 28 was necessitated by a scheduling conflict that prevents our attorney, Christopher Sutton, from representing us on that date. However, it turned out that the Applicant would not able to be there on the 28th, and so we submitted several alternatives dates--including Sept. 11 & 18 and Oct. 9, 16 & 23. We were informed by City staff that the

Applicant had chosen the mutually-agreeable date of Oct. 9, confirmed later by the Aug. 8 letter from their attorney.

As many interested parties cannot take time off from work, school or other obligations to attend a daytime meeting, we would like to ask that the Oct. 9 hearing be set for Council's evening session so they can participate.

Thank you for considering our requests.

Respectfully yours,

Karen Renfro, Spokesman
Springbrook Heritage Alliance
P.O. Box 745
Riverside, California 92502-0745
(951)787-0617
k.s.renfro7@gmail.com
https://www.facebook.com/springbrookheritagealliance

CC:
City Manager
City Attorney
City Clerk
Assistant City Managers
Interim Community & Economic Development Director
Planning Division Manager
Current Planning Supervisor
Senior Planner Brian Norton
Northside Specific Plan Team
Office of Historic Preservation
Christopher Sutton
Springbrook Heritage Alliance
Northside Improvement Association
Spanish Town Heritage Foundation
OSTA-Agua Mansa
Press Enterprise
City News Group
Highgrove Happenings

ADDENDUM:

Timeline for Center Street Commerce Center Project
P14-1033 & P14-1034/Initial Study/Mitigated Negative Declaration

- 01-23-2018. City of Riverside Planning Division issues Transmittal of Materials for Center Street Commerce Center Project.
- 08-00-2018. City of Riverside Planning Division issues Notice of Intent to Adopt Mitigated Negative Declaration for Project.

- 11-00-2018. City of Riverside Planning Division issues Initial Study/MND for Project.
- 12-13-2018. City of Riverside Developmental Review Committee approves unagendized Project, later rescinds decision and reschedules matter for Jan. 9, 2018.
- 01-09-2018. Applicant requests continuation of case to Feb. 21.
- 02-21-2018. DRC approves Project. Councilman Mike Gardner refers decision to Riverside City Council for discussion. Council discussion scheduled for April 10.
- 03-02-2018. Springbrook Heritage Alliance files appeal of DRC decision to Planning Commission. Council discussion pulled; Planning Commission Appeal Hearing scheduled for April 5.
- 04-05-2018. Planning Commission upholds DRC decision. Councilman Gardner refers PC decision to Council for discussion.
- 04-12-2018. Springbrook Heritage Alliance files appeal of Planning Commission decision to Riverside City Council. Council discussion pulled from Calendar. Matter scheduled to go before Council's Land Use Committee on May 14, but Councilman Gardner could not attend. Matter rescheduled for May 28, but Applicant could not attend and would be unavailable for month of June. Matter rescheduled for July 9.
- 07-09-2018. Riverside City Council Land Use Committee upholds Appeal. Appeal Hearing set for Riverside City Council on Aug. 14, but Appellant's attorney could not attend. Hearing rescheduled for Aug. 28 but Applicant could not attend. Appellant and Applicant agreement on mutually-acceptable date of Oct. 9 confirmed in Aug. 8 letter from Applicant's attorney.
- 08-14-2018. Appeal Hearing before Riverside City Council, request for continuance to Oct. 9.

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Date: 8-14-18

Item No. 9 and 47

Allen Matkins

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